

# **Bill 4283 – Educational Change is Coming!**

**Kathleen M. Kaplan, D.Sc., Lt Col John J. Kaplan (Ph.D., J.D.) USAF**

**Howard University/USAF**

## **Introduction**

There is an educational battle raging on Capital Hill of which few are aware, yet will affect every engineering educator, school, and student. The bill, H.R. (House of Representatives) 4283, if enacted, will repeal, revise, and expand parts of the Higher Education Act of 1965 (HEA). While some of these proposals are not contested, such as canceling student loan indebtedness for families of 9/11 victims, most of the other provisions are controversial. One provision, in particular, is disconcerting: the revision involving policies for institutions' transfer of credits. If this was to pass, a student passing a specific course would be able to apply those course credits to any other United States institution offering that same course. In other words, a student could take Engineering 101 at a for-profit institution, such as Strayer University, and the credits *must* be accepted at any U.S. institution, including traditional non-profit universities, offering Engineering 101. This is just one aspect of this controversial bill, and there are many others.

There is much at stake in this bill for traditional and for-profit universities alike, all centered upon funding and resources. If passed, the for-profit universities will be given more access to both of these desired commodities, which means less access for the traditional universities.

This paper will introduce H.R. 4283, including background on the HEA, and discuss the proposed policies that adversely affect traditional universities. This information is not addressed by many in academia, including the Accreditation Board for Engineering and Technology (ABET) [1]. ABET has not taken a stand on this issue, yet, every educator, university, and student should be knowledgeable about this bill; it affects all of us.

## **Background on the Higher Education Act of 1965**

The Higher Education Act (HEA) became law on November 8, 1965, when it was signed by President Lyndon Johnson, Public Law 89-329. Its goal was to strengthen “the educational resources of our colleges and universities and to provide financial assistance to students in postsecondary and higher education” [2].

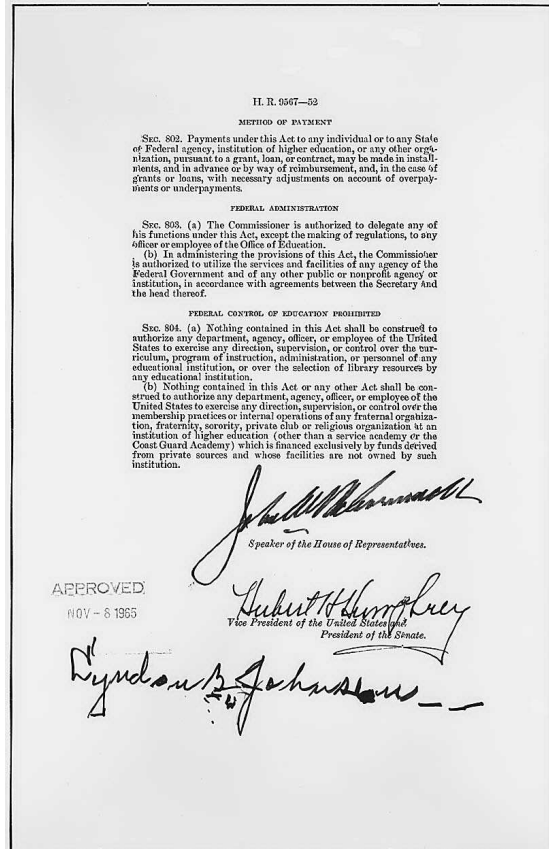
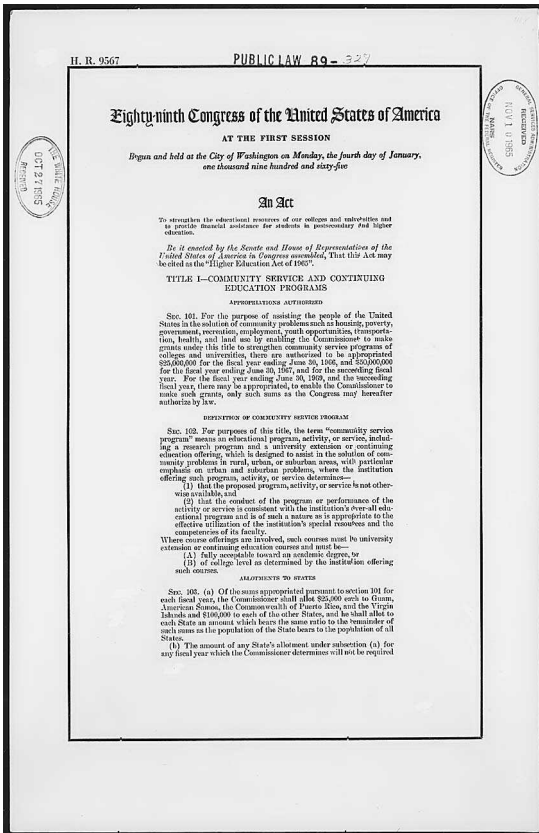


Figure 1. The Higher Education Act (HEA) [2]

### HEA Revision, 1998

HEA was amended by President William Clinton on October 2<sup>nd</sup>, 1998: Higher Education Amendments of 1998 (Public Law 105-244) [3]. This law included student benefits such as decreasing the student loan interest rate, increasing the numbers of competitive grants to organizations partnering with middle schools in high-poverty areas, increasing the numbers of grants for teacher preparation, increasing the numbers of teachers in high-need areas, supporting state-level efforts to improve teacher quality, strengthening accountability in teacher education, expanding student aid eligibility to include distant learning students, increasing the numbers of distant learning models, shortening the time period to receive student aid, and adding a new lender subsidy.

### House of Representatives Bill: H.R. 4283

The House of Representatives (H.R.) Bill 4283 was sponsored by Representative John A. Boehner, 8<sup>th</sup> District of Ohio, and seven co-sponsors. Its official title is the College Access and Opportunity Act. Introduced to the House on May 5<sup>th</sup>, 2004, it was referred to the House Committee on Education and the Workforce. On June 21<sup>st</sup>, the committee convened and the Bill was sent to Subcommittee on 21st Century Competitiveness. On

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the following day, June 22<sup>nd</sup>, this subcommittee meeting was held, where it was referred back to the House Committee on Education and the Workforce. This committee held a hearing on July 13<sup>th</sup>, but no specific action was taken. The bill is still sitting in committee [4].

The purpose of this bill revision is fourfold: “(1) Realigning student aid programs to ensure fairness for America's neediest students and families; (2) Improving quality and innovation by empowering consumers; (3) Removing barriers for non-traditional students; and (4) Holding colleges accountable for cost increases without overburdensome federal intrusion” [5]. While these seem honorable, there are hidden parts to the Bill that directly affect traditional universities, and not in positive ways.

Specifically, the Bill will increase the benefits for non-traditional for-profit, or proprietary, universities. A traditional university is a traditional four-year institution, such as Harvard University, University of Massachusetts, etc., whereas a proprietary university is a for-profit university, such as Strayer University, Parks University, etc. Enacting this bill will result in traditional universities having a smaller piece of the governmental funds pie and being forced to conform to new educational rules. There are at least four goals of the bill that will increase the benefits for propriety universities and thereby decrease the benefits for traditional universities.

One goal of the bill is to “[p]hase out unfair advantages in campus-based student aid” [6]. According to the bill, traditional universities receive an unfair share of federal campus-based aid as compared to proprietary universities. For instance, the bill would repeal the “90-10” rule which “requires proprietary schools to demonstrate that 10 percent of their revenue is derived from sources other than federal student aid funds” [6]. Therefore, if this bill passes into law, proprietary schools can obtain 100% of their revenue from federal student aid funds; lifting this requirement may cut into funding that now goes to traditional universities.

A second goal is to allow all eligible schools to compete for federal funding. This means that propriety schools will be able to compete for funding whereas prior legislation excluded these schools. In other words, there may be less funding for traditional schools if proprietary schools are now able to obtain these funds.

A third goal is the repeal of barriers to distance education. Currently, there is a 50% rule that requires no more than 50% of the students enrolled in an educational institution be distant learning students. Removing this barrier will change the method of higher education.

The fourth goal of the bill that substantially affects traditional universities is the standardization of transfer of credit. This is a very important objective and, if passed, will require traditional universities to accept transfer credits from ANY university, traditional

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or proprietary. In other words, if an “English 101” course curriculum is defined, then a traditional university will be required to accept transfer of “English 101” from a proprietary university. While that may seem reasonable, what about transferring an engineering circuits course? An interesting provision in this bill “ensures credits are not unfairly and arbitrarily denied based on the accreditor of a college or university where the credits being transferred were earned, so long as the accreditor is recognized by the U.S. Secretary of Education” [6]. Will ABET, the Accreditation Board for Engineering and Technology, be recognized by the Secretary? “Engineering” is not a category in the National Institutional and Specialized Accrediting Bodies of the U.S. Department of Education [7]. If it is not, will the transfer of engineering courses from non-ABET accredited universities be mandatory at ABET accredited ones?

## Conclusion

Bill H.R. (House of Representatives) 4283, if enacted, will repeal, revise, and expand parts of the Higher Education Act of 1965 (HEA), which will adversely affect traditional universities. We have discussed the HEA, the 1998 amendment, and the controversial parts of the current bill. If this bill passes into law, traditional universities will not be the sole entities to compete for funding, traditional universities will have to invest in distance learning to be able to compete financially, and traditional universities will be mandated to accept transfer credits from proprietary and other universities. H.R. 4283 is a little-known bill that has colossal consequences for traditional universities; the bill and its impact must be publicized!

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### **Biographical Information**

KATHLEEN M. KAPLAN, D.Sc.

Dr. Kaplan is an Assistant Professor in the Department of Systems & Computer Science at Howard University in Washington, DC. She is also a Registered Patent Agent licensed to practice before the United States Patent and Trademark Office. Dr. Kaplan can be reached at [kkaplan@howard.edu](mailto:kkaplan@howard.edu), <http://www.imappl.org/~kaplan>.

JOHN J. KAPLAN, Ph.D., J.D.

Dr. Kaplan is a Lieutenant Colonel (Lt Col) in the United States Air Force and a Patent Attorney. Lt Col Kaplan is the Deputy Director of Policy and Integration at the Air Force Office of Scientific Research (AFOSR) in Arlington, Virginia. He can be reached at [john.kaplan@afosr.af.mil](mailto:john.kaplan@afosr.af.mil).