

“Federal Higher Education Policy in an Election Year”
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Good afternoon.

My topic is “Federal Higher Education Policy in an Election Year.” This is a nice topic but it is far too confining. Presidential elections occur at a single point in time, while the federal government’s policies toward colleges and universities – like any area of public policy – evolve over time. Elections can change things dramatically in any area of public policy but that has not usually been the case for higher education.

I do not think this pattern will change. Higher education is likely to get some mention on the campaign trail this year – especially the issue of the price of higher education – but it’s a safe bet that neither candidate will make the issue one of their top three concerns.

And that’s fine because if higher education WERE that high on the radar screens of presidential candidates, we’d most likely be facing major changes. We want to be part of the discussion, but we don’t want to be too prominent either.

Still, an election provides an excellent opportunity to review how federal policy has evolved, to assess the issues that are of particular concern and to sketch out what the future holds. In that sense the topic is “Federal Higher Education Policy in an Election Year and Beyond...”

Roughly 50 years ago, Clark Kerr coined the phrase “the federal research university” to describe the then emerging relationship between the federal government and higher education. At the time this was a revolutionary idea but the close relationship between the government and colleges and universities is no longer the least bit surprising. Indeed, American higher education – commonly regarded as the best in the world – could not exist in anything like its current form without the federal government.

In 2000, America’s colleges and universities reported \$280 billion in revenue with some \$82 billion of that coming from the federal government.

In 1980, federal research and development expenditures at colleges and universities amounted to \$12 billion. It increased to \$17 billion in 1990 and \$26 billion in 2000, an increase of 114 percent.

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In 1980, the federal government made \$22 billion available to help students and families finance higher education. In 1990 the total was \$27 billion and a decade later it had risen to \$56 billion, a growth of 107 percent.

In addition, in 2000, the federal government made \$8 billion available in tax benefits to help students and families save or pay for a college education. A decade earlier, federal tax policy provided negligible assistance to students and families.

Student aid has become increasingly critical to help students and families finance a higher education. In 2000, about 19 million students enrolled in higher education and more than 7 million of them received funding from the federal government to help finance their education. The number of students getting assistance has increased dramatically in the last decade.

Indeed, just looking at the Pell Grant program, the number of recipients went from 3.4 million in 1990 to 3.9 million in 2000 and is expected to jump an additional 1.4 million students - totaling 5.3 million - by 2004. According to the Department of Education, 3.6 million subsidized student loans were made in 1990, and that climbed to 5.2 million in 2000 and 6.9 million this year.

In short, the federal role in helping families finance higher education is immense. It has emerged quietly and without careful planning. We don't really have a clear coherent policy. We have a hodgepodge of policies that have been put together incrementally over time.

- 1) Help low-income students access higher education through money and enhanced academic preparation.
- 2) Give students the opportunity to choose the type of education that best meets their needs.
- 3) Ease the burden of paying for higher education on the middle class.
- 4) Meet the nation's work force needs for skilled workers from technicians to rocket scientists.
- 5) Provide support for some individual schools that serve a student body seen as especially needy - Historically Black Colleges and Universities (HBCUs) and Hispanic Serving Institutions (HSIs).

If we look at the whole of the Higher Education Act, we add other things to the list - international education, teacher preparation, and graduate education. But in truth, those are small parts of the federal investment. The big money is in student aid.

The student aid goals are not in conflict. But when money is tight, choosing among these priorities is complex and difficult. With one more dollar to spend, where would you spend it?

It didn't start out to be this complex. Federal aid to higher education is sometimes dated to the GI Bill of 1944 but I think a more reasonable starting point for discussion is the National Defense Education Act of 1958 – which was about improving the nation's work force (science, math and engineering) as much as anything.

The Economic Opportunity Act of 1964 created a work-study program for low-income individuals and that initiative was enhanced by a grant program established as part of the 1965 Higher Education Act.

The Higher Education Act of 1965 also authorized a small student loan program, explicitly designed to help the middle class.

In 1972, with the Basic Education Opportunity Grants, the nation turned its postsecondary education priorities to lower income students. The basic intellectual work for this was done by Lee Hansen and Burt Weisbrod in the 1960s. The idea was adopted by Richard Nixon – at the urging of Daniel Patrick Moynihan – and championed on Capitol Hill by a young Rhode Island senator named Claiborne Pell. The program now bears his name.

But by the late 1970s, with a Democrat in the White House, attention turned to the middle class, which was starting to feel pressured by increases in college costs. This time the analytic evidence made no difference and Congress sharply increased student aid to help the middle class afford college.

Note that the Republicans wanted to focus on the poor and the Democrats wanted to help the middle class. Not quite what one would expect. We'll see this again. Sometimes, federal student aid makes as much sense as a Bertold Brecht play where nobody plays their assigned part.

Enter the Reagan administration with the message that government is the problem and that tax cuts and reduced federal spending are necessary for economic growth. All of the benefits for the middle class created in the late 1980s go overboard. But funding for low-income students also falls.

In the mid-1980s, Congress tightened federal student programs even more to make sure that the limited federal dollars were focused on low-income students.

But by the late 1980s, Congress once again discovers the middle class and loosens student aid eligibility requirements explicitly to help the middle class. Moreover, it liberalizes the student loan programs so families can borrow money from the federal government.

At the same time that it liberalized the loans, Congress took steps to crack down on a growing student loan default problem. Defaults in the student loan program reached 23 percent in 1992 – so Congress threw a large number of schools (approximately 1,800) – mostly trade and technical schools – out of the loan program at the same time that it expanded the loan eligibility to middle-income students. It worked better than anyone expected. The number of schools eligible to participate in the federal loan program fell by some 1,500 and the total

amount borrowed went from \$17.4 billion in 1992, when the default rate was 22.4 percent, to \$47.7 billion in 2003 with a default rate of six percent.

Helping the middle class finance higher education remained on the agenda in the 1990s. Most notably, the Clinton Administration, following the disastrous midterm 1994 elections, conducted extensive focus groups to determine what the voters wanted. Two things popped up repeatedly – they wanted tax cuts and they were worried about financing higher education. So the Clinton administration combined the two ideas and recommended the Hope and Lifetime Learning Tax Credits which Congress duly approved in 1997.

What difference did this long effort make? Did it boost college attendance among low-income students? Well, kind of. The percentage of low-income students enrolled in higher education DID increase after the federal programs were created. The percentage of students from low-income families who enrolled in college immediately following high school graduation increased from 38 percent in 1972 to 54 percent in 1992 – some obvious progress. But over that same time period, the percentage of students from the highest income families who enrolled in higher education right after completing high school increased from 85 percent to 94 percent.

So the gap in college participation between high school graduates from upper- and lower-income families, which stood at 47 percentage points in 1972 was at 40 percent in 1992. In other words, when it comes to college participation, all boats have risen, but the relative position of the boats has not changed.

Another bit of evidence about participation comes from the National Education Longitudinal Study completed by the Department of Education in 2000. According to this research, 78 percent of LOW-income students who had HIGH levels of academic ability enrolled in college immediately after high school graduation. But the research also found that 77 percent of HIGH-income students with LOW levels of academic ability enrolled in higher education immediately after leaving high school.

Put a little more bluntly, the research shows that smart, poor kids go to college at the same rate as rich, dumb kids. This is not exactly a stunning endorsement of our nation's ability to make the best use of our human capital.

I hasten to underscore that this evidence does not mean that federal student aid programs have failed. I strongly believe that these programs have boosted academic participation far above the levels that we would have seen without it. While we have not equalized access to higher education, we have not lost ground and have undoubtedly made some progress.

Why haven't we equalized access?

There are at least three hypotheses: not enough student aid, not enough information, and poor preparation. The first is that there is not enough student aid and that there is not enough of the right kind of assistance.

There is no dispute that student aid has not kept pace with inflation despite the huge increase in federal student aid spending. For example, the maximum Pell Grant today is \$4,050 compared to \$1,050 in 1975. If it had been indexed to inflation since that time, it would stand at \$4,550 today. President Bush has proposed a \$4,050 Pell Grant for next year. If approved, it will mark the 5th year in a row that the Pell Grant has been flat.

Moreover, much of the increase in available federal aid is in the form of loans rather than grants. Most experts believe that loans are a less effective way to encourage student participation than grants. Moreover, as with the maximum Pell Grant, the value of student loans has failed to keep pace with inflation. In 1972, the maximum amount that a first-year student could borrow in the federal student loan program was \$2,500. It was increased to \$2,625 in 1986, exactly where it stands today. If we adjusted the 1972 figure for inflation – just using the Consumer Price Index from 1972 to present – the loan limits would be \$11,000. Loan limits for upper classmen are somewhat higher but these too have failed to keep pace with inflation and were last raised in 1992.

But there are other concerns as well. There is considerable evidence that all Americans overestimate the price of higher education and underestimate the amount of student aid. The misestimates are most pronounced among low-income and minority group members. And the process by which people apply for student aid is, well, complex. Take a look at the student aid form itself. The Free Application for Federal Student Aid (FAFSA) has 100 questions, covers eight pages and includes two pages of instructions and three worksheets. Even a quick review of FAFSA is enough to suggest that we could do better – in the first 50 questions, applicants are asked to list their state of residence three times and are asked their marital status twice.

And the uneven quality of secondary schools across the United States means that millions of young Americans lack the academic preparation to succeed in higher education. The problems, sadly, are especially acute in large, urban school districts and they do not seem to be getting better.

The conventional wisdom among higher education experts is that the single best way to boost college participation among low-income students would be to increase the amount of grant assistance and to communicate more effectively with students and families about the availability of such assistance early enough to enable them to make plans for postsecondary education.

But the central recommendation – more grant assistance – runs smack into one of the most basic facts of life in the federal government: the reemergence of the federal budget deficit. It's back, it's big and it's going to be with us for a long time.

In 2001, the federal government ran a surplus of \$127 billion. But by last year the deficit was \$375 billion and this year it will be \$520 billion. Indeed, all projections by the Congressional Budget Office and by the Office of Management and Budget predict that the deficit will be with us for at least 10 years. Except for a very small number of issues, "Budget Drives Policy." That is, the federal budget deficit defines the issues that policy makers can address and it narrows the range of policy solutions that will get considered.

Example: increasing the maximum Pell Grant. It costs roughly \$385 million to increase the maximum Pell Grant by \$100. So increasing the maximum Pell Grant from \$4,050 to \$5,000 will cost about \$3.6 billion dollars. A relatively modest amount of money in the federal budget, but the Pell Grant program is already facing a \$4 billion deficit and many members of Congress want to pay that off before increasing the maximum grant. And even in the education world, the Pell Grant program, while popular, probably falls behind No Child Left Behind and special education on the radar screen of most federal policy makers.

Congress is, of course, right now reviewing the Higher Education Act as part of a process it does every five or six years called "reauthorization." There is nothing unusual about reauthorization. It is simply a way that Congress forces itself to take steps to review the programs, make sure they are working well and make changes as necessary. There have been seven reauthorizations since 1965 and this will be number eight.

This time, the reauthorization is moving very slowly and, it appears, for the first time, that it will be a partisan, as opposed to a bipartisan effort.

Here is the state of play. The House of Representatives has approved four reauthorization bills – graduate education, teacher preparation, student loan cancellation for teachers, and international education. These were largely non-controversial bills. They all passed the House unanimously. They represent, taken together, about five percent of the Higher Education Act.

Sometime in the next few days, Republicans in the House will introduce a single bill that will reauthorize the rest of the Higher Education Act. It will cover all the student aid programs and it will be, for a variety of reasons, far more controversial than the bills that they have addressed so far.

The most controversial aspect may well be provisions dealing with student loans for those who have already completed their education. Under current law, borrowers who have finished school can consolidate their federal loans into a single loan with a fixed interest rate – it's designed to simplify repayment. Republicans want to move from a fixed interest rate to a variable interest rate. This would save money for the government and the Republicans want to use those funds to increase loan limits and cut the upfront fees that borrowers pay to take out a loan. Democrats will object vigorously.

"Budget drives policy." Unless more money becomes available, choices have to be made. The debate here is over helping current and future students as opposed to helping recent graduates. It is a reasonable debate. But the fact that we have to have it simply underscores how hard it'll be to improve the student aid programs without a big infusion of new money.

There is even less happening in the Senate. Senate Democrats introduced a bill last year as a "placeholder" that laid out the issues that they want to deal with. Senate Republicans are working on a bill but it's not clear when it will be introduced or when they plan to move it forward.

It is quite possible that, for the first time, Congress will not complete reauthorization in this two-year cycle. If they don't, nothing happens. We start all over again next year. Everything done to date disappears.

Ninety percent of any reauthorization is, well, "inside baseball" and is of great interest to a small number of people. But the remaining 10 percent is of considerable interest to a large number of people and it gets most of the attention.

A couple of the other controversies in this reauthorization are a proposal for the federal government to try and limit tuition increases and a proposed federal panel to "oversee" international education that has more authority than is desirable. These issues will work themselves out as the bill moves through the process and I think the outcome will be satisfactory to colleges and universities.

For Wisconsin, one potentially big issue is the distribution of the so-called "campus-based" student aid funds: Work-Study, Supplemental Grants and Perkins Loans. The current formula works well for states in the Midwest and Northeast. It works less well for states in the West and Southwest. The initial proposal by House Republicans to modify this formula will sharply reduce funds coming to Wisconsin for these programs and therefore reduce funds for needy students.

Ultimately, it looks like this reauthorization will be incremental. That is, it will not make major changes to the Higher Education Act, largely because there is not much money to make changes and because the programs, for the most part, work fairly well.

Indeed, the interesting questions about federal support for students and for higher education may well be those that will not be addressed in reauthorization but are right on the horizon. I think there are five such issues.

First, how will institutions and policy makers cope with the huge enrollment growth that is expected to occur over the next 10 to 12 years? According to the National Center for Education Statistics, thanks to the Baby Boom "echo" and immigration, the number of college students is expected to grow by 19 percent in the next decade. In some states the number of additional students is expected to be huge.

As usual, California will get there first. The state expects an increase in the college population of 14 percent over the next decade and the development is commonly referred to as "Tidal Wave 2." Enrollment increases are already producing huge pressures. The California State University System, for example, sees an additional 40,000 students every year. University of California has already begun to require UC admitted students to start their careers in a community college. Arizona expects a 25 percent increase in the college population over the next decade. Florida expects a 20 percent increase. [Note: Wisconsin expects a decrease of 10 percent - reference years 2003-2013.]

Not every state will be equally affected, but even New England, one of the nation's slowest growing regions demographically, reports that the number of high school graduates will grow from 531,000 this year to 532,000 in 2013.

For most manufacturers, increased demand is great news. But for colleges and universities, it creates pressure. Where will we put them? A generation ago, we built our way out of the space problem. In one 10-year period, 1970-1980, America opened 500 new colleges to accommodate increased demand. That averages out to one new college opening its doors every week. We won't be doing that again.

Some believe that non-traditional educational settings and new arrangements are the answer and there is no doubt that they will work and will help a large number of new students. But it's not likely to satisfy everyone. It's a safe bet, for example, that a large number of those UC students who have been shunted off to a community college are not very happy about it.

For federal policy makers, the issue is simply that more students mean that the costs of helping open college doors will continue to increase. In an era when spending increases for second-tier priorities are hard to come by, where will the money come from?

A second, and closely related issue is the need to modify student aid programs to meet the needs of non-traditional students and to address changing enrollment patterns. The number of non-traditional students has grown dramatically in the last 20 years and every projection suggests that such students will continue to increase in the years ahead. In 1999-2000, only 25 percent of undergraduates met the Department of Education's definition of a traditional student, that is, an 18- to 24-year-old full-time student who is financially dependent on his or her parents.

The phrase "non-traditional students" covers a huge and diverse array of learners, including single parents, working adults, and even the elderly. Colleges have and will continue to create programs to meet the needs of such students but federal student aid programs - which are based on the model of a traditional, 18- to 24-year-old dependent student who attends college fulltime - are not always appropriate for such individuals.

An example: Current federal policy requires that students be enrolled on at least a "half-time basis" to be eligible for student aid. But many adult students, especially those who are working and who have families, do not meet these thresholds. One popular proposal to meet the needs of this group is to extend eligibility to "less than half-time students."

Moreover, federal law places time limits on the number of years that students can receive assistance. Intended to reduce the problem of perpetual students, this provision limits the chances for students who need more time to get their degrees.

Non-traditional students are often making heroic sacrifices to get an education and some will complete their degree, often after more than a decade of study. But less than half-time students means, basically, students who are taking a single course and the evidence is overwhelming that these students are far less likely to complete their degrees than those who are able to take a heavier workload. Moreover, the potential costs of expanding access to this population are huge and will make it even harder to increase student aid.

A “rational” policy analysis would suggest that additional funds ought to be directed to students with a higher likelihood of completing their education. What decision would you have policy makers make?

Third, can policy makers expand institutional eligibility to participate in federal student aid programs and still protect students and taxpayers from unscrupulous school operators? We have been through this before. In the 1980s a large number of trade and technical schools rushed to participate in the student aid programs. Many were more interested in getting student aid money than in educating students and a large number of students were lured into schools for which they were unprepared or where they did not receive an education or training. Upon leaving school – even if they completed the course of study, many were unable to get a job and ended up defaulting on their student loans.

Correspondence schools were particularly troublesome. The General Accounting Office undertook a study of these schools in 1990 and determined that the average default rate at these schools was 36 percent at a time when the default rate at four-year colleges was 7 percent.

Eventually, Congress took firm steps to get the problem under control by, among other things, making many non-traditional schools completely ineligible to participate in federal student aid programs.

Ironically, Congress took those steps at the same time that the Internet made a dramatic expansion of non-traditional education possible. In the 1998 reauthorization, Congress noted that non-traditional programs were growing and recognized their enormous potential. But with memories of rampant student loan defaults still fresh, Congress was unwilling to reopen the doors to non-traditional schools.

In the years since, distance education has continued its rapid growth. Consider, for example, the University of Phoenix. The school was established in 1976 and did not begin to offer online instruction until 1989. But today, it has 102,000 students in classroom settings and close to 100,000 enrolled in online programs. Or another non-traditional example... the University of Maryland University College (UMUC) – though not exclusively online – has seen its enrollment grow from 3,842 in 1997 to over 110,000 today. It anticipates an enrollment of 300,000 in six years. The Maryland Higher Education Commission projects that by 2011, one-third of students enrolled in the University of Maryland System will be students at UMUC.

In 1998, Congress created the “Web-Based Education Commission,” co-chaired by former Senator Bob Kerrey and Representative Johnny Isakson to investigate this issue. The Commission’s 2000 report, entitled *The Power of the Internet for Learning*, noted the enormous expansion of distance education and recommended several concrete steps to expand the eligibility of distance education programs to participate in the student aid programs.

The federal government is likely to adopt at least some of these steps in the coming reauthorization but fears remain. Non-traditional programs are growing rapidly and they are much harder for federal and state officials and accreditors to oversee than traditional programs. How the federal government will draw the appropriate balance between expanding these programs to increase options for students while, at the same time, maintaining control over

them is likely to be a subject of ongoing debate in the coming decade, one that will have significant implication for schools, students, and taxpayers.

Obviously these two last issues – non-traditional students and non-traditional schools – are linked. Non-traditional schools MAY be able to offer education programs more tailored to the needs of non-traditional learners – a case that non-traditional schools regularly make. But linking these two ideas creates a public policy equation with two unknowns, making the choices far more complex.

Fourth, are colleges and universities sufficiently accountable for the billions of federal student aid funds that their students receive every year? “Accountability” in federal higher education policy means a lot of different things but one thing is for sure – nobody is against it. And many policy makers think that colleges should somehow be more accountable than we are now. By this, they mean that the public ought to have more information to judge the performance of institutions.

But colleges and universities are already highly accountable. Accrediting agencies, state governments, and even the college guidebook publishers collect and disseminate an enormous amount of information designed to measure what goes on at colleges and universities. Public institutions are especially accountable – many states require the publication of accountability reports like the University of Wisconsin System’s *Achieving Excellence* report.

The demand for more accountability starts from an assumption that too few students graduate, that “time to degree” has increased, that students don’t take enough rigorous courses, and that grade inflation is rampant. In fact, there is little evidence to support these charges. Indeed, a recent comprehensive study by the Department of Education demonstrated that graduation rates, grade point averages, and average time to degree have remained stable for the last 30 years. Indeed, the fact that graduation rates, grades, and time to degree have remained stable in spite of increased enrollments and an influx of non-traditional students is an amazing social accomplishment.

It’s not clear how the federal government could expand “accountability” requirements for colleges and universities or what requirements would be appropriate for all institutions. But I think it is also likely that federal policy makers will continue to talk about this issue and look for some sort of a “solution.” Think this is unlikely? Then let me remind you of four words: “No Child Left Behind.”

Moreover, we often look as if we are afraid of accountability requirements and resist discussions about it. Example: The University of Wisconsin System’s accountability report is, I believe, terrific. We ought to go make such documents widely available. And it is on the University of Wisconsin System’s web page. But just try and find it. For some reason, it’s really hidden. Wisconsin is not alone in doing this – it’s a metaphor for how we as an industry approach this issue. Even though we have a good – no, GREAT – story to tell, we shy away from telling it.

Finally, perhaps the central question for the coming decade is whether the fundamental relationship between colleges and universities and the federal government will change in a way that shifts control over basic academic issues to the federal bureaucracy.

In 1937, Supreme Court Justice Felix Frankfurter identified the “four essential freedoms of the university “who may teach, what may be taught, how it shall be taught, and who may be admitted to study.” In other words, who teaches what to whom are matters that, by in large, have been left completely in the hands of college and university officials. Despite the creeping encroachments of the federal government of colleges and universities in the last 30 years, we have succeeded in protecting the academic autonomy and independence of the institutions.

It’s not clear that we will be able to do that in the years ahead. In the last year alone, we have seen a number of troubling proposals from both Republicans and Democrats that would alter this fundamental relationship and begin to federalize universities. For example:

- **Admissions** – Senate Democrats have raised questions about the fairness of college admissions and have introduced legislation that would require colleges to compile and submit truckloads of information to the federal government every year if they use early admissions or legacy preferences. This would represent the first time that the federal government has sought such information and it would require that the Department of Education define, and therefore regulate, an area of higher education that has, to date, remained free of federal interference.
- **Accreditation** – Many members of Congress have raised questions about the value of accreditation and suggested that the federal government ought to demand more of accreditors. Any such demands, of course, could easily alter the relationship between colleges and accreditors and place a greater regulatory burden on both parties.
- **Price Controls** – The most visible and contentious issue of the reauthorization has been a suggestion that the federal government ought to take steps to limit tuition increases. Under the current proposal, colleges that increase tuition more than Uncle Sam permits would be subject to detailed reporting and record-keeping requirements and, quite possibly, lose eligibility to participate in some federal programs. This means that the plan would create a rigid, bureaucratic apparatus that puts federal officials in the position of determining how much schools may increase tuition without running afoul of federal regulations, regardless of other factors that might be involved. Moreover, the sponsor of the idea has made it clear that he intends to revisit the idea in the future if college prices continue to increase at the rate they have in the last decade.
- **Intellectual Diversity** – Some members of Congress believe that colleges and universities are bastions of left-wing political thought and want to find ways to ensure that there will be "intellectual diversity" on campus. One proposal to address this – an advisory board designed to identify "bias" in international education – has already been approved by the House of Representatives. Still another pending proposal would write the so-called “Academic Bill of Rights” into the Higher Education Act.

- **Transfer of Credit** - Students who move from one college to another often face difficulties when they try to transfer credits. Several members of Congress have expressed concern about this and want some sort of federal policy solution. Reducing the "friction" that occurs when students move from one college to another is a widely shared goal. But it's hard to imagine how involving the federal government will accomplish this. Indeed, such a step comes perilously close to giving the federal government a role in determining who gets academic credit, one of the most basic freedoms - indeed, the central freedom - of colleges and universities.

I began my remarks by noting that the American higher education could not exist in anything like its present form without the federal government. The relationship between colleges and universities and our federal benefactors is delicate - indeed, it is amazingly fragile. It must balance the universities' preeminent need for autonomy and flexibility with the government's need for accountability and control. For a long time, despite constant tensions, we have found the right balance. This has served colleges, the government and the nation very, very well.

But such an outcome was not preordained and neither is it guaranteed. As higher education becomes more important to the national well-being and as it consumes ever larger amounts of federal funds, this balance between the needs of the government and the campus becomes ever more strained.

Fortunately, higher education rarely emerges as a central issue in presidential elections. I believe we are much better off NOT being in those political cross hairs. But that does not mean that we do not face significant political challenges in the coming years. We do. And our success in addressing these issues will go a long way in determining whether academic freedom and institutional autonomy remain basic, inviolate principles or whether they slowly fade away, like water poured into sand. Stay tuned.

Thank you.