

HOW STATE POLICYMAKERS CAN STRENGTHEN HIGHER EDUCATION

A CALL TO ACTION

Higher education across the nation is under scrutiny. Publicly funded colleges and universities are particularly vulnerable, as they represent a massive investment by state taxpayers. Many concerned Americans question the return on this investment, and public confidence in higher education has fallen every year since 2015. The diversity of institutions means that no single policy can apply everywhere. State legislators must work together with trustees and local stakeholders to assess the issues their colleges and universities are facing.

Below are steps that state policymakers have taken to strengthen fiscal accountability, support trustees, and generate better outcomes for students, taxpayers, and the nation.

Control costs through transparency and accountability.

The financial burden placed on students attempting to complete their college education is simply unsustainable. Trustees and policymakers must come together to address this crisis by ensuring that our institutions are not squandering the public and private funds that support higher education.

Florida recognized this fact in 2020 when legislators included language in C.S./S.B. 72 to instruct institutions to make certain key information public when submitting legislative budget requests, including data from the past five years to allow for comparison of trends in staffing for instruction and research versus staffing for administration.

Increase oversight by supporting trustees as informed and active fiduciaries.

The ultimate authority at any institution of higher education rests with the governing boards of trustees. If trustees are to be thoughtful overseers, they need to be informed about their role, higher education issues generally, and the particular challenges facing their states and their institutions. All too often, trustees lack the support they need to be effective stewards.

Virginia's legislators made progress in confronting this issue in 2019 by giving trustees an active part in their own education, mandating that the board design and attend training programs that "address the role, duties, and responsibilities of the governing boards." This law gained bipartisan popularity, with a 2019 amendment passing unanimously. Connecticut followed suit with similar legislation in 2022, S.B. 18, which also passed both houses unanimously.

Give graduates the tools they need to be informed citizens.

Public confidence in America's political processes and institutions is at an all-time low, and partisan polarization has crippled our public discourse. Colleges and universities ought to be at the forefront of addressing these problems, yet a 2022 ACTA survey of over 1,100 four-year institutions found that only 19% require a foundational course in U.S. government or history.

Several states—including Texas, Oklahoma, Georgia, California, and Nevada, among others—have passed laws mandating that student at public institutions study America's history and government. South Carolina's REACH Act (S. 38, 2021) requires students to take a minimum of three credit hours of American history.

Protect the rights of students and teachers.

Colleges and universities educate the next generation of citizens, leaders, and innovators, a task that is inextricably tied to the principles of academic freedom and the free exchange of ideas. Despite this, the past few years have seen an unprecedented rise in the use of speech codes that suppress minority viewpoints, coercive tactics to silence speakers, and administrative capitulation to pressure from activists to "disinvite" unpopular speakers.

In 2019, the South Dakota Legislature passed an act to "promote free speech and intellectual diversity" at public institutions of higher education. Legislators joined with the state's board of regents in a collaborative effort to protect the rights of students and teachers to exchange ideas freely, while respecting institutional mission and the role of the regents.