# THE CHANGING LANDSCAPE OF HIGHER EDUCATION.

Holiday Hart McKiernan, Senior Vice President and General Counsel, Lumina Foundation for Education

Tim Birtwistle, *Emeritus* Professor of the Law & Policy of Higher Education, Leeds Metropolitan University, Visiting Fellow OxCheps

When the Bologna Process began, American higher education viewed the Process as a European solution to a uniquely European set of challenges. The impact of the Bologna Process on American higher education was concentrated on degree recognition – essentially how to compare the European 3-year degree with the American 4-year baccalaureate.

We are now learning that the Bologna Process impacts American higher education far beyond comparability of degrees. The Bologna Process, with its policy strands that address an array of issues, including, for example, widening participation, student mobility, student centric learning and teaching, and engagement with employers, is addressing issues that confront American higher education. The United States needs to dramatically increase the percentage of Americans with high quality degrees. While we cannot, and should not, replicate the model of higher education used in Europe, it is increasingly clear that the U.S. must adapt and apply the lessons that are being learned from what has been happening in Europe and beyond.

The Bologna process and its efforts to promote transparency and coordination and quality assurance among and between systems provides a reference point for American higher education. The Process seeks to create a more seamless higher education system that awards degrees based on clearly defined learning outcomes and commonly accepted assurances of quality.

Parts of the Bologna Process are attracting interest in the United States. Work is being done to test the Tuning Process and to explore the development of a national degree learning outcome framework. The Pilot Tuning Project is being conducted in three states – Indiana, Minnesota and Utah. Faculty are working to define the learning outcomes for their disciplines. Interest is also surfacing to explore the value of developing a national framework that makes explicit the learning represented by each degree level. The current degree structures based on credit hours and time communicates little to stakeholders about the learning the degree represents – what a student understands, knows and is able to do.

Stakeholders are demanding that higher education provide assurance of quality and that learners are equipped with the competencies needed in the 21st century. American higher education should cull lessons from the European higher education transformation effort.

## (1) WHAT THIS IS ABOUT

The U.S. operates in a global setting, be that for the automobile industry or competing in a knowledge based economic framework. The European Union (with its so called "Lisbon Agenda") has recognized that it cannot compete with the emerging (and now industrially dominant) manufacturing countries; it can only compete with the added value of an educated population and workforce. To that end higher education must compete, modernize, meet the broader aspirations of a broader cross section of its market (potential students). US higher education should also confront this reality.

This is in terms of recognizing change and meeting it head on (with faculty in the forefront) – this is the so-called Tuning USA Project. Stakeholders want to be able to understand what it is that higher education is delivering – they want the implicit to be made explicit. This is the area of a Framework for Degrees and Credentials. This will facilitate change, development, access, competition, quality assurance and enhancement all within specified reference points (local, regional, national and international).

What are the mechanisms that might be used to bring about this change? Will it be organic change led by faculty and the institutions? Or will it need to be change required to be made through some form of legislative action?

## (3) THE US CONTEXT

What is clear is that higher education operates as an autonomous enterprise in the United States, governed with little intervention from government at any level. The federal government maintains a limited role, deferring to state and local governments. As a government of limited powers, the federal government possesses only the powers explicitly listed or that can be reasonably implied from those that are listed in the Constitution. The Constitution does not mention education, and under the Tenth Amendment, unenumerated powers not specifically authorized are "reserved to the states respectively, or to the People." Therefore, unless a higher education issue falls under another explicit federal constitutional power, such as the spending power, the taxing power, the commerce power, or the civil rights enforcement power, authority over higher education is the responsibility of state and local governments and individual institutions.

The decentralized approach to education has resulted in tremendous variety in American higher education – variety that has benefited individuals and society.

However, the decentralized approach can be challenging when there is a mandate for change on a national level. Increasing the percentage of Americans with high-quality degrees and credentials has become a national priority. President Obama emphasized the importance of the United States regaining its place as number one in adult degree attainment. With increasing clarity, we are aware that the social and economic challenges facing the United States can only be addressed by educating far more people beyond high school. A global knowledge economy requires Americans to develop the skills that are demanded in an internationally competitive environment.

Even with this decentralized approach to education, the federal government has, and can again, become involved in higher education to establish national spending priorities and to provide funds through authority granted under the federal statutes. Further, in addition to the spending authority, the federal government could use commerce clause authority to support involvement in the sector. Many have written about the need to develop a national higher education agenda. While there could be a federal solution to the need for a national higher education change effort, the sector itself could lead the change effort.

# (4) LESSONS FROM DATA

Education attainment rates are rising in almost every industrialized or post-industrial country in the world, except, many would argue but some would cast doubt on parts of the data, for the United States. Today, roughly 39 percent of American adults hold a two-or four-year degree – a rate that has held remarkably steady for four decades. Yet, more than half of young adults in numerous countries around the world hold degrees. To make matters worse, attainment rates in those countries continue to increase while the rate in the U.S. remains stagnant.

The U.S. must be united with the needs of a knowledge-based society and economy. Considering the dramatic economic and social climate changes that have occurred in the U.S., it should cause alarm in the higher education sector that attainment rates have seen hardly any change in over four decades. Higher education is playing an increasingly significant role in other advanced economies and the United States cannot afford to ignore this shift.

## (5) QUALITY IN HIGHER EDUCATION

It is counterproductive to increase degree attainment without regard to what a degree represents in learning and what opportunities are afforded to an individual based on a degree or credential. Quality is imperative; yet how should quality be defined? A high-quality degree must have well-defined and transparent outcomes which provide clear pathways to further education and employment. The current higher-education system lacks a mechanism that defines what a degree represents in terms of what a student knows, understands and is able to do.

The United States has long enjoyed the reputation of having the best higher education system in the world. However, many countries are not only reforming their higher education systems, but are also radically transforming the educational experience. An array of international initiatives exist that address higher education, the most significant of which is the Bologna Process. The Bologna Process began in 1999 as an agreement among the education ministers of twenty-nine European countries to address issues facing higher education -- issues that, while not identical to challenges facing American higher education, are certainly similar. Without legal authority, the Bologna Process may be the most far-reaching and ambitious higher education reform effort ever undertaken. The Bologna Process is transforming higher education in Europe and the U.S. should take note and build upon its lessons within the unique context of the U.S..

Now we are faced with a new set of circumstances requiring action. We must address these circumstances by finding a way to increase attainment while maintaining

quality, to control rising costs that go hand-in-hand with earning a degree, and to address other national issues. Stakeholders increasingly demand accountability—a demonstration of the value added of a college degree. The United States can learn from the Bologna Process. One tool of the Process is a Qualifications Framework - a framework that makes explicit the learning outcomes and competencies a student must demonstrate for a degree at a particular level to be awarded. This framework provides the mechanism for defining what quality means, for providing students with clarity as to the pathways through higher education and into the work force, and for assuring students, employers and other stakeholders of the true value-added of a degree.

## (6) TUNING USA

The Tuning Process started as a European Union project in 2000. Since then it has grown in terms of subjects, universities, countries and focus – it has become an acknowledged Process (an on-going organic methodology driven by faculty but involving students, alumni and employers in part of the "reference point" identification).

In early 2009 three states (Indiana, Minnesota and Utah) embarked on a pilot project involving over 20 universities and colleges, 6 disciplines, students and over 180 faculty. Even with a very condensed time scale all discipline teams came up with a list of subject specific and general competencies, a profile for the degrees and an action plan for future activity. This project is on-going.

## (7) A FRAMEWORK

Some will argue that any sort of National Framework is impossible either due to the diversity of American higher education or because it is antithetical to the values of American higher education to have national standards imposed upon it. Neither argument is sound. First, any framework that is developed must at its essence honor the diversity of American higher education. This diversity is a great strength of our system. Second, this article is not suggesting a National Framework as a "No Child Left Behind" for higher education that would focus on content knowledge. A National Framework would provide transparency on what actual learning each level of a degree represents. Quality, transparency and the demonstration of measurable outcomes does not mean a standardization that reduces higher education to the lowest common denominator, although of course there are voices from across the spectrum of opinion and background in the 46 Bologna signatory countries who would claim this as well as claiming, for example by German students, that Bologna unleashes "an English-American system" that is "too narrow" with "too much reliance on exams". The degree of opposition to the Bologna stimulated reforms varies across countries and varies in level of intensity. Often the complaints are in fact against the actions of the national government that has cloaked change in Bologna e.g. fees, contact hours, requirement for student success within decreased linear time limits (3 years instead of 5+) etc. Those who are experiencing most change do, it seems, create most antagonism.

As societal demands for more Americans to complete postsecondary education increase, the demand grows for degrees earned to lead to further education and

employment. Higher education must take the challenge to create a National Framework - an overarching architecture that makes explicit the implicit and ensures that degrees awarded are of the highest quality. If higher education doesn't initiate a leadership role, quality assurance could potentially be imposed upon the sector. The task is to not only understand the challenges facing higher education, but to also develop a framework that makes learning explicit, offers student mobility and transfer, and provides quality assurances for institutions and their degree programs as well as for stakeholders as the higher education sector continues to develop and innovation occurs.

Historically, federal intervention in higher education has occurred only when a significant need existed for national reform. The current education climate is in need of such reform. Higher education is a national issue that is time sensitive and requires uniformity. A degree awarded in Wyoming should be comparable to a degree awarded in Wisconsin. U.S. higher education leaders and stakeholders should seize the leadership opportunity and frame a national agenda to develop a well-defined degree outcomes framework through national collaborative effort. States could create frameworks and use existing processes for the development of uniform laws but the existing mechanisms take years for development and enactment. If stakeholders don't assume the challenge in developing a National Framework to ensure quality, the federal government could and should impose such a framework and accountability mechanisms.