UNIVERSITY OF CALIFORNIA, SAN DIEGO

Who Pays for Higher Education? The Politics of Legislating College Costs in the United States

A dissertation submitted in partial satisfaction of the
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by

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The Dissertation of Jennifer M. Nations is approved, and it is acceptable in quality and form for publication on microfilm and electronically:

Chair

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DEDICATION

To Kris and our trio.

EPIGRAPH

"The question of how to pay for education, and in particular how to pay for higher education, is everywhere one of the key issues of the twenty-first century."

Thomas Pikkety (2013), *Capital in the 21st Century*

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Chapter 2, in full, has been submitted for publication and is currently under review in a peer reviewed journal. Nations, Jennifer M. "Resisting the Market University: Political Challenges to the Locus of Authority in Public University Tuition Policy." The dissertation author is the sole author on the manuscript.

Chapter 3 is currently being prepared for submission for publication. Nations, Jennifer M. "Producing an Educated Citizenry: State Support for Need-based Financial Aid and the Politics of Redistribution in Higher Education." The dissertation author is the sole author on the manuscript.

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ABSTRACT OF THE DISSERTATION

Who Pays for Higher Education? The Politics of Legislating College Costs in the United States

by

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Doctor of Philosophy in Sociology

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Professor Isaac Martin, Chair

State governments have moved away from support for postsecondary institutions and systems toward policies that relieve the burden of high tuition for individual educational consumers through financial aid and other tuition mitigation policies. What explains the policy choices state politicians make regarding financial aid and tuition setting? I focus on the enactment of three types of tuition policies: market-based tuition pricing, need-based financial aid, and tax-advantaged tuition investment programs, or "tuition trusts." These policies mitigate college costs for different segments of the population. For each policy, I conducted comparative research in New York, Texas, and

California to gain a process-focused perspective on how politicians approached the problem of college affordability. As analytically necessary, I also researched these policies in additional states, specifically Florida, Oregon, Washington, and Wisconsin. I supplement these case studies with quantitative analyses of the predictors of need-based aid spending and tuition trust program enactment for all fifty states between the years 1980 and 2012. I show that organizational features of the state, and conflicts over the distribution of resources between racial and ethnic groups, are the underlying factors that explain variation in the adoption of tuition mitigation policies. Specifically, state policymakers appear to be less willing to progressively redistribute the costs of higher education when state shares of the Black population are larger but more willing when state shares of the Hispanic population are larger. The nature of structural arrangements—which are rooted in longer histories of racial segregation and discrimination, as well as competition between higher education institutions—shape the ideological commitments and actions of legislators and other actors involved in the policymaking process. These commitments encourage different approaches to tuition pricing and mitigation across states. College costs limit who can attend higher education, who completes their degree, and the level of debt they incur. My research contributes to our understanding of how policymakers respond to the crisis of cost in higher education and provides insight into how higher education stakeholders might direct their efforts to broaden access by decreasing the burden of college tuition.

CHAPTER 1 - Introduction

> "We have to protect our public systems by ensuring that we have quality and affordability. The moment that the public system doesn't become affordable [sic], then we have surrendered something that is of great value. I meet people every week who tell me that they were immigrants, came into this country and went to City University, that was free at the time, and then went on and became an engineer, a physician, professor, you know, so—so, we've got to guard against our public system just going in a bad way in terms of affordability" (LaValle 2013).

This statement by New York State Senator Kenneth LaValle, a Republican representing a nearly all-White and relatively affluent district on Long Island, is indicative of the commitment made by Republican and Democratic state legislative members in New York, California, and Texas to affordable higher education. Lawmakers rarely stake out significantly different, party-line positions on higher education affordability. In fact, LaValle's position on student charges, and nearly every other higher education policy, are virtually indistinguishable from the stances of lawmakers representing a variety of constituents nationwide: he believes the state should support public higher education, he is deeply concerned about the rise in student loan debt, he wants institutions receiving public funds to be held accountable, and he supports college access.

Yet elected representatives like Sen. LaValle have reduced financial support for their states' public institutions over the past forty years, and especially since the recession that began in 2008. On average, real state appropriations per full time equivalent student declined 26.1 percent between 1990 and 2012 (Quinterno and Orozco 2012). State expenditures on higher education have declined overall since 1990 even though enrollment demand has not slowed (NASBO 2013). Reduced appropriations are one of the primary factors leading to tuition increases in public colleges (Koshal and Koshal 2000). One scholar reported that cuts in appropriations accounted for about 78 percent of the double-digit tuition increases seen in most states between 2001 and 2011 (Hiltonsmith 2015).

The defunding of public higher education has come about because politicians have prioritized spending on health care, elder care, incarceration and policing, and debt servicing (Gumport and Pusser 1999; Kane, Orszag, and Apostolov 2005; Okunade 2004). Expenditures for higher education are typically one of the few areas of state budgets that are not locked-in for appropriation by legislative mandate, frequently leading states to take a "balance-wheel" approach where money is shifted from higher education to other, legally-required state spending categories (NASBO 2013). Since the late 1970s, taxpayer revolts have made state revenue generation more difficult, leading to cuts in funding at all levels of education (Martin 2008). The costs of educating college students have also grown faster than the rate of inflation, given the labor-intensive nature of the college industry (Johnstone 2001).

Numerous analyses focus on why appropriations have declined so drastically, or what causes tuition to increase, but very little analysis has sought to understand the factors leading politicians to enact legislation that helps students manage costs across states. Even fewer analyses have considered the role that conflict between racial and ethnic groups, elites and non-elites, may play as policymakers decide which student groups will benefit from tuition mitigation. State governments have moved away from support for postsecondary institutions and systems, typically with the policy goal of low tuition (Leslie and Brinkman 1987), toward policies that relieve the burden of high tuition for individual educational consumers through financial aid and other tuition mitigation policies. Policymakers are typically committed to affordable higher education and, although unable to control costs, they enact policies that affect who pays for college. In general, politicians have justified their behavior out of concern for mounting student debt, an issue their constituents repeatedly bring to their attention (Ehrenberg 2006). However, declines in state appropriations also hurt institutional quality in the public sector (Kane and Orszag 2003) and move higher education toward a privatized good rather than a public service offered by the state.

In this dissertation, I answer the question, What explains the policy choices state politicians make regarding financial aid and tuition setting? I focus on the enactment of three types of tuition policies: market-based tuition pricing, need-based financial aid, and tax-advantaged tuition investment programs, or “tuition trusts.” For each policy, I conducted comparative research in New York, Texas, and California to gain a detail-rich, process-focused perspective on how politicians approached the problem of college affordability. As analytically necessary, I also researched these policies in additional states, specifically Florida, Oregon, Washington, and Wisconsin. I supplement these case studies with quantitative analyses of the predictors of need-based aid spending and tuition trust program enactment for all fifty states between the years 1980 and 2012.

Each of these policies has ramifications for a specific interest group. Need-based financial aid, or grant aid provided to students whose eligibility is determined by demonstration of financial need, represents a social policy that redistributes income progressively as state funds drawn from tax revenue are given to economically disadvantaged students in order to facilitate college access and completion. Need-based aid is a policy for the poor. Tuition devolution, meaning the abdication of tuition-setting authority from state legislatures to boards of higher education, has consequences for all students, although the biggest effects are felt by middle-income students—those who do not qualify for financial aid and do not have the financial means to avoid significant debt or delayed academic progress. Tax-advantaged tuition investment programs benefit affluent and possibly middle-class students and families. These policies create tax-exempt, state-initiated (and sometimes state-administered) investment programs so families can "pre-pay" tuition and lock in a lower price. Only families with sufficient capital are able to participate, making these tuition trust policies a program for the most advantaged college students.

The thesis of my dissertation is that organizational features of the state, and conflicts over the distribution of resources between racial and ethnic groups, are the underlying factors that explain variation in the adoption of tuition mitigation policies. Higher education access and funding are highly contested terrain and fit Weber's (1948) definition of politics as "striving to influence the distribution of power…among groups within a state" (78). In the realm of tuition-mitigation policies, that struggle for power is between policymakers, elites and non-elites, students, and the leaders of colleges and college systems. The unique constitution of state colleges as formally public and highly government-dependent, yet also reliant on private revenue streams, shapes the concerns and influence of higher education stakeholders. Students are not mere recipients of government largesse via higher education given that many pay significant costs to attend. Policymakers are held accountable for higher education provision and costs, despite not having a direct, managerial role in it. And the leaders of colleges are hired to deliver a thriving organization but also must convince policymakers and the public that their institutions serve the public good. As with other policy areas, the focus of study here must be "on the complex social interactions and institutional and historical contexts that link state and society" and that, in turn, shape higher education policy (Campbell 1993: 164).

In the next section, I discuss the role of public higher education institutions in relation to the state and the market. I then describe the central findings of my dissertation, specifically how factors related to race and organizational structures shaped the policy outcomes I study. After that I provide a brief overview of other possible explanations for policy enactment in higher education, a discussion of why research on tuition policies is topically relevant, and then conclude with a description of the empirical chapters of the dissertation.

EXPLAINING TUITION-MITIGATION POLICIES: STRUGGLES OVER ACCESS TO THE COMMODIFYING FUNCTION OF HIGHER EDUCATION

The state-university and market-university relationships

Previous scholars' research on higher education policymaking can be divided into two rough categories. They either focus on political actors' use of higher education in achieving political goals—the state-university relationship—or they conceptualize higher education (and higher education actors) as pursuing market benefits, with implicit or explicit government sanction—the university-market relationship.

Scholars in this first category have suggested that the federal and state governments use higher education for political purposes. Historians and sociologists agree that the federal government enacted the Servicemen's Readjustment Act (GI Bill) after World War II in order to manage the nation's labor force and resettle soldiers (Mettler 2005; Skocpol 2003; Thelin 2011). Best and Best (2014) suggest that the National Defense Education Act, as well as subsequent student loan programs, were initiated because federal politicians wanted to support expansive human capital accumulation. Enrollment expansion at state colleges and universities has absorbed some portion of surplus labor during periods of economic strain between 1968 and 1988 (Dellas and Sakellaris 2003; Windolf 1992). Numerous scholars have shown how the government employed higher education as a "vehicle for its geopolitical ambitions worldwide" (Stevens and Gebre-Medhin 2016: 12) through the use of basic research grants to fund research during the Cold War on topics of interest to the state, such as nuclear physics and Soviet history and culture (Berman 2012; Engerman 2009; Starr 2009; Thelin 2011).

Whether intentionally or not, these researchers suggest that higher education is one means through which the government manages the national economy and supports other, non-educational, domestic and international aims. This claim invokes broader theories of states and markets which claim that one of the state's primary responsibilities under modern capitalism is to manage the economy (Esping-Andersen 1990; Krippner 2011). Although defenders of free markets extol the virtues of a laissez-faire political approach, late capitalism requires state intervention to manage fiscal and legitimation crises (O'Connor 1973) and protect citizens from the vagaries of the market (Polanyi 2001[1957]).

Scholars focusing on the university-market relationship emphasize the market-orientation of higher education. In this perspective, rather than conceptualizing higher education as a tool to manage the economy, scholars view higher education as groups of institutions seeking profit and/or acting independently of government. Researchers taking a comparative-historical view explain that the nature of modern higher education in America is the product of the state's non-intervention into day-to-day college affairs and that this has allowed the university, whether public or private, to be a market-oriented institution (Labaree 2016, 2013; Trow 2010, 1998). Other scholars lament the transformation of higher education into a market university. They argue that it is the state's laissez-faire approach that has allowed universities to focus on their own needs rather than the public's (Zemsky, Wegner, and Massy 2005), but they point to the post World War II period as a time when universities actively supported the enhancement of the public good and contrast it with the profit-maximizing, market-orientation of colleges since the 1970s. Slaughter and Leslie (1997) claim that this turn to the market was largely caused by the declining financial support from state and federal governments.

Scholars argue that the market-orientation of universities is evident in at least four trends. One, university reliance on capital accumulation from endowment investments and institutional borrowing has significantly increased since 2003 for public and private institutions, suggesting a "financialization" of higher education (Eaton et al. 2016). Two, a move away from state funding for public institutions toward reliance on tuition revenue from private citizens, targeted state aid rather than low students charges, and other programs like vouchers and devolved tuition-setting authority (Ehrenberg 2006; Priest, St. John, & Boon 2006; Zusman 2005). Three, closer relationships between industry and colleges, including public colleges. This is seen in the marketing and patenting of university research which has been driven by a growing maxim that universities are economic engines (Berman 2012; Slaughter and Rhoades 2004) and the access given to private corporations to recruit employees from the ranks of the student body (Davis and Binder 2016). Four, increasing competition between colleges for students and faculty, especially students who pay full-priced tuition, with more focus on institutional prestige and financial well-being than academic rigor (Arum and Roksa 2011; Bastedo and Bowman 2010; Boyer 1987; Slaughter and Rhoades 2004). Although a historical perspective does suggest a high degree of autonomy from state interference for even public higher education in the long-term (Labaree 2016) these studies show that, in certain respects, higher education has become increasingly market oriented. Public colleges have the structural incentives to engage in practices that deepen their connections to private sources of income, including tuition, income from investments and patents, and industry partnerships.

It is likely that some portion of the market-orientation of higher education is attributable to the idiosyncrasies of the state-higher education relationship. States have funded higher education expansion generously in periods of economic expansion but then cut support during recessions, with no accompanied decrease in expectations regarding how many students will be served or how well (Callan and Finney 2002). The market orientation of colleges has many drivers, but the uncertainty of shifting government funding is surely one of them.

Universities enter into both types of relations, however. State leaders can view universities as a tool to manage the economy and civil society while also encouraging market-oriented policies. And universities may strategically argue that they can better serve the interests of the state, or provide a public service, if they are allowed the freedom to pursue market-oriented reforms. When California and Texas lawmakers express concern that growing numbers of Latino high school graduates are not enrolling in college and will be a drain on the economy unless the state intervenes, they are using the public colleges to manage the neo-liberal economy. And when the leaders of State University of New York argue that market-priced tuition policies and other deregulatory reforms will enable them better serve the public, they are pursuing market-oriented reforms whilst reinforcing their public service to the state. The state continues to use higher education for economic management by facilitating college access for low-income students, in conjunction with college administrators. State officials recognize that the economic viability of their states lies in the education of their workforce. Federal and state politicians, university leaders, as well as many others, have turned to higher education as a primary method for improving the economic wellbeing of the nation's disadvantaged—the commodifying effect of higher education.

Higher education and the welfare state

Scholars of the state have excluded higher education from discussions of public policy because, they argue, it does not serve a clearly redistributive function (Wilensky 1975). In Gosta Esping-Andersen's (1990) typology of welfare states, the nations that best support their citizens are those which *decommodify* labor, or protect citizens from the market by providing social benefits to guarantee an income even during periods of unemployment. Other scholars have criticized this conceptualization, arguing that the theory overlooks welfare states' actions toward promoting full employment. Many states provide benefits that serve to *commodify* labor, specifically by enabling women's employment through state-administered childcare and a variety of benefits (including low-cost university education and job training) targeted toward younger populations (Huber and Stephens 2000; Huo, Nelson, and Stephens 2008; Orloff 1993).

If we understand commodification as a part of the welfare state mission to insure against the risks of modern capitalism (Hacker 2002; Prasad 2006), enabling attendance in higher education is clearly one of the government's responsibilities, or the "escalators of upward mobility" function of the welfare state (Haney Lopez 2014: 6). Regarding protection from the market, students attend college for a variety of reasons and gain diverse benefits, but a primary motivation in contemporary America is that those with college degrees are more likely to be employed and will earn higher incomes over their life courses than non-graduates (Hout 2012). This same logic is used as a central justification to support state colleges and universities (Kleinman and Osley-Thomas 2016).

Yet public universities do not only serve a state function given that they receive funding aside from government appropriations, something other social programs (e.g., Social Security Agency, HUD which administers subsidized housing tax credits) do not obtain. In other words, public higher education receives support from both public and private sources, making it not truly public in the sense meant when considering other government programs. In *The Divided Welfare State,* Jacob Hacker (2002) uses a typology of "social policy approaches" to conceptualize the range of efforts made by the U.S. government to provide social welfare benefits (see Table 1.1). His typology shows government policies and programs that range from direct provision to purely private provision. Hacker's point is that a wide array of programs should be considered social welfare benefits because "They are designed to protect against widely distributed risks to income and wellbeing inherent in a market economy (or to deliver goods or services related to those risks), and they are substantially colored by public law" (32). For Hacker, a program is a public social program (albeit at varying points along a public/private continuum) when it 1) receives significant government funding, 2) is government regulated, and 3) offers some degree of protection from the market.

Public postsecondary education qualifies as a state program, under these criteria, because the institutions receive significant (albeit decreasing) public subsidy, are somewhat government regulated (this varies by state), and a college degree is meant to offer some measure of protection from the market. Programs like need-based financial aid also qualify, even though students may spend this form of grant aid at private colleges. Thus, despite its mixed revenue sources, public higher education remains a state enterprise in the sense that the institutions are owned by the state or the public university as constituted as a branch of government. In my research, I focus on the policies that mitigate college costs, or make commodification via higher education a more achievable goal for different segments of the population. The commodifying function of public universities and state tuition support are not universal. As a result, they are subject to change and opposition.

The determinants of who accesses the benefits of higher education

Race and ethnicity matter in some surprising ways in the history of tuition policies even though none of the policies I study are race attentive or targeted. In particular, I argue for an *education citizenry perspective* that addresses the ways that policymakers and university leadership are pressured to educate all citizens, including those disadvantaged due to their race or ethnicity. Beliefs in equitable college access and the benefits of having a college educated workforce may lead otherwise reluctant higher education stakeholders to promote participation among groups traditionally excluded from higher education, especially as those groups represent an increasingly large proportion of state populations. For example, rapid population growth in the Hispanic population proved to be a catalyst for the expansion of need-based financial aid programs in California, Texas, and possibly other states. Although policymakers appear to withhold financial aid when the state population is increasingly African American, they sought to expand it when the population was increasingly Hispanic, suggesting a willingness to expand the commodifying effects of higher education to at least one minority group.

A legacy of racial segregation laid the foundation for a stratified system of higher education in Texas, for example, which ultimately led policymakers there to develop a cultural logic that supported the development of market-based tuition pricing at Texas' universities. In contrast, New York's state colleges were organized to provide equal services and access for all students to all campuses, so proposals to devolve tuition authority to the university governing board was viewed as a violation of the character of the university system. And evidence suggests that states with larger African American populations were more likely to enact tuition trust programs, a benefit most likely used by White and non-poor state residents. This suggests that lawmakers were at least partly motivated by the perceived preferences of privileged voters. Thus, even though tuition mitigation policies do not explicitly address issues of racial and ethnic inequality, tuition policies are made in the political context of the United States which is colored by racial cleavages and social norms of meritocracy and equality (Haney Lopez 2014).

The nature of structural arrangements—which are rooted in longer histories of racial segregation and discrimination, as well as competition between higher education institutions—shape the ideological commitments and actions of legislators and other actors involved in the policymaking process. Institutional arrangements can act as filters which provide actors with tools of interpretation that they use to decide which policy goals are worth pursuing (Immergut 1998: 20). Institutions do more than channel policy or structure political conflict, they also define interests and objectives and those interests and objectives are inseparable from institutional context (Thelen 1999). Within the context of particular institutional arrangements, actors adopt distinct beliefs about what policies are normatively appropriate in their context. These *institutional logics*, or socially constructed values and beliefs that guide action and arise from institutional context (Thornton and Ocasio 2008), explain states' distinct trajectories as they considered the devolution of tuition-setting authority. Specifically, permitting inequality between institutions led to a greater likelihood that a state legislature would abdicate tuition setting authority to university governing boards. Such organizational arrangements influenced the belief systems, institutional opportunities, and actions of policymakers and others as they discussed the best types of tuition policy for their local context. This is because higher education governing arrangements embody norms of access and equality that may shape expectations, and thereby block or advance the turn towards the market in public higher education.

Structural arrangements also matter insofar as they shape which actors can influence policymakers as they consider proposals. Which interests are able to affect policy outcomes will depend on the laws governing the enactment of certain types of legislation and how much public attention is garnered by different types of policies (Bonoli 2001; Howard 1997; Pearson 2014). Actors in six states that considered tuition trust programs were able to influence the direction of the legislature's decisions because tuition trust policies enact a tax expenditure, and this type of policy typically garners very little attention from the public, allowing universities a central position in setting the terms of the policy. However, once a tuition trust policy was in place, higher education leaders were unable to persuade lawmakers to make the changes that they, the university administrators, desired.

In short, the ability of higher education representatives to pursue their interests in state legislatures depends on what type of law is being discussed and when their input is being offered.

EXPLAINING TUITION-MITIGATION POLICIES: THE APPLICABILITY OF ADDITIONAL EXPLANATIONS

Researchers offer a variety of other possible explanations for policy outcomes as well as additional factors we ought to consider for interpreting tuition mitigation strategies. Scholars generally agree that party positions or platforms correspond to class interests (Brady, Sosnaud, & Frank 2009; Hout, Brooks, & Manza 1995; Lipset 1963) and that in the United States the Democratic party tends to support direct appropriations for social programs to a greater degree than the Republican party (Burstein and Linton 2002; Soule & King 2006), including higher education appropriations (McLendon et al. 2009; Tandberg 2010, 2008). Researchers have also found that Republicans tend to pursue policies that redistribute income in regressive ways while Democrats pursue progressive redistribution (Bartels 2008; Gilens 2014). Historical accounts suggest that higher education enjoys widespread, bi-partisan support generally, but party and ideological loyalties emerge over issues such as affirmative action policies (Pusser 2004) and other political issues (Douglass 2000).

I find little evidence to support the expectation that Republican and Democratic politicians differ significantly in their policy preferences in the domain of tuition mitigation and pricing policies. In fact, the chapters that follow show bi-partisan coalitions of policymakers working to enact need-based financial aid expansion and enact or defeat tuition trust programs. Tuition devolution policy discussions tended to be more politically divisive, but not universally so: while Republicans overwhelmingly supported tuition devolution in Texas the same was not true in New York or Washington.

Students, the constituents most affected by tuition mitigation policies, as well as other interest groups, are another possible driver of policy decisions. Interest group demands can infiltrate the policymaking process through various channels, but Burstein and Linton (2002) suggest that their needs are more likely to influence policy when their constituency is large and policymakers can identify a clear political advantage in responding to their needs. There is little evidence to suggest that student organizing and associations have influenced state-level policies; historical accounts suggest that their effectiveness has been contained at the campus level (Altbach 2005; Thelin 2011) or expressed in the general turn of college administration from paternalistic to permissive (Geiger 2005). However, these analyses all focus on student activism during and after the Vietnam War and do not account for student mobilization around the costs of college.

Students do not figure prominently into the empirical evidence I describe in succeeding chapters because they were rarely central players in these particular policy discussions. When they were active participants, as in Texas and New York as policymakers discussed devolving tuition-setting authority, they were typically unable to win the outcome they favored. The most significant interest group I identified was the colleges themselves as represented by university leadership and university government relations employees. I find that as elected officials debated tuition trust programs they tended to enact, or resist, policies in line with the opinions of university representatives. The interests of higher education leadership were well-represented and well-received in the policy arena. However, when the law required that voters approve the measure in a referendum the impact of university leaders became irrelevant. Additionally, when lawmakers approved a measure and the trust program had enrolled recipients, efforts by higher education administrators to change programs failed. Thus, pre-existing policies and the presence of other actors who could disrupt the enactment process both placed constraints on the degree of influence university leaders were able to exercise over this policy approach to tuition mitigation.

Scholars have also found that beliefs about merit and worthiness affect varying forms of government redistribution (Goldberg 2007; Morgan 2006; Reese 2006). In particular, scholars have shown that beliefs about the worthiness of Black and Hispanic group members lead to unwillingness to support redistributive programs, or to restrictive welfare benefits (Fox 2010; Soss et al. 2001; Soss, Fording, and Schram 2011). The provision of higher education is at the center of struggles over merit versus entitlement, accountability versus autonomy, diversity versus competition, and public versus private goods (Karabel 1972, 2005; Steck 1996). Some of these debates have become highly racialized as the federal government mandated the desegregation of college campuses (Shabazz 2004) or colleges experimented with affirmative action programs (Pusser 2004; Thelin 2011).

Beliefs and ideology are apparent in the government hearings and reports I used to build my empirical cases, sometimes as widespread, national systems of belief but other times as local constructions rooted in structural conditions. In Texas and California, for example, state actors explicitly drew on the widely-shared beliefs that higher education is good for local economies and that all state residents should have the chance to attend. They drew on these ideas as a way to promote the expansion of need-based financial aid. They did this after studying racial and ethnic population trends and noting that Hispanic and Black youth were not completing higher education at equitable rates, as compared to White youth. My quantitative analysis of need-based aid expenditures in all fifty states also suggests that the idea of equity (or, conversely, racial threat) may influence policymakers' willingness to increase spending on grants for needy students nationwide. I found that an increase in a state's Hispanic share of the population correlated with higher spending on need-based aid, all else being equal, while growth in the Black share of populations correlated with a decrease.

In contrast, as policymakers considered the merits of policies that would devolve tuition-setting authority to university governing boards—a clear case of neo-liberal policymaking—a market oriented logic was not the main ideological principle they used to justify their position. Instead, elected officials and other higher education stakeholders drew on institutional logics that were rooted in the organizational arrangements of higher education in their state. The local, structural conditions, in particular whether state college systems valued similarity or difference within the university system, constrained the range of possible ideas that could be effectively evoked in a given context. As a result, policymakers in New York were unwilling to devolve tuition authority because they believed it would introduce inequality into their system of similar institutions while Texas lawmakers viewed institutional inequality as the norm and tuition devolution as a natural outgrowth of the defunding of public higher education.

WHY STUDY TUITION POLICIES?

We care about higher education appropriations and student charges for reasons that relate to equitable student access, the quality of public colleges and universities, and the philosophical implications of funding mechanisms. Education scholars have shown that tuition levels affect enrollment among disadvantaged college-aged youth (Heller 1997). Research by Donald Fisher and colleagues suggests that the continued turn toward market policies and practices in higher education can lead to greater institutional differentiation, which tends to benefit students from privileged families and hurt underprivileged students (Fisher et al. 2009; Fisher and Rubenson 1998).

The shift from funding higher education systems in ways that support access for all students, to targeting aid to needy students, has been hailed by many policy analysts, economists, and policymakers as the best, most feasible way to support state and national goals for a college-educated population (Hansen and Weisbrod 1969; Legislative Analyst's Office 2010; McPherson and Schapiro 1998). Need-based aid typically facilitates enrollment among low-income students, the population least likely to attend and graduate from college (Callan and Finney 2002; Hillman and Orlans 2013) while full subsidization of higher education provides an expensive, public program for students whose families can afford to pay for it. However, Johnstone (1993) has critiqued high-tuition, high-aid models for discouraging enrollments among low-income students (despite aid) and leading to higher student charges overall. The move toward high student charges indicates a political commitment to a certain model of public higher education as well, one where higher education is not seen as a right of citizenship, but as an exclusive resource provided for those who can afford it or those who have sufficient information to access financial aid (Priest, St. John, & Boon 2006; Zusman 2005).

Nationally, public sector tuition increases have outpaced inflation as well as growth in family income since the 1970s (College Board 2014), as seen in Figure 1 from the Center on Budget and Policy Priorities. Figure 2 shows changes in average student tuition in inflation adjusted dollars, graphically demonstrating the steep increases that became nearly standard after the mid-1980s.

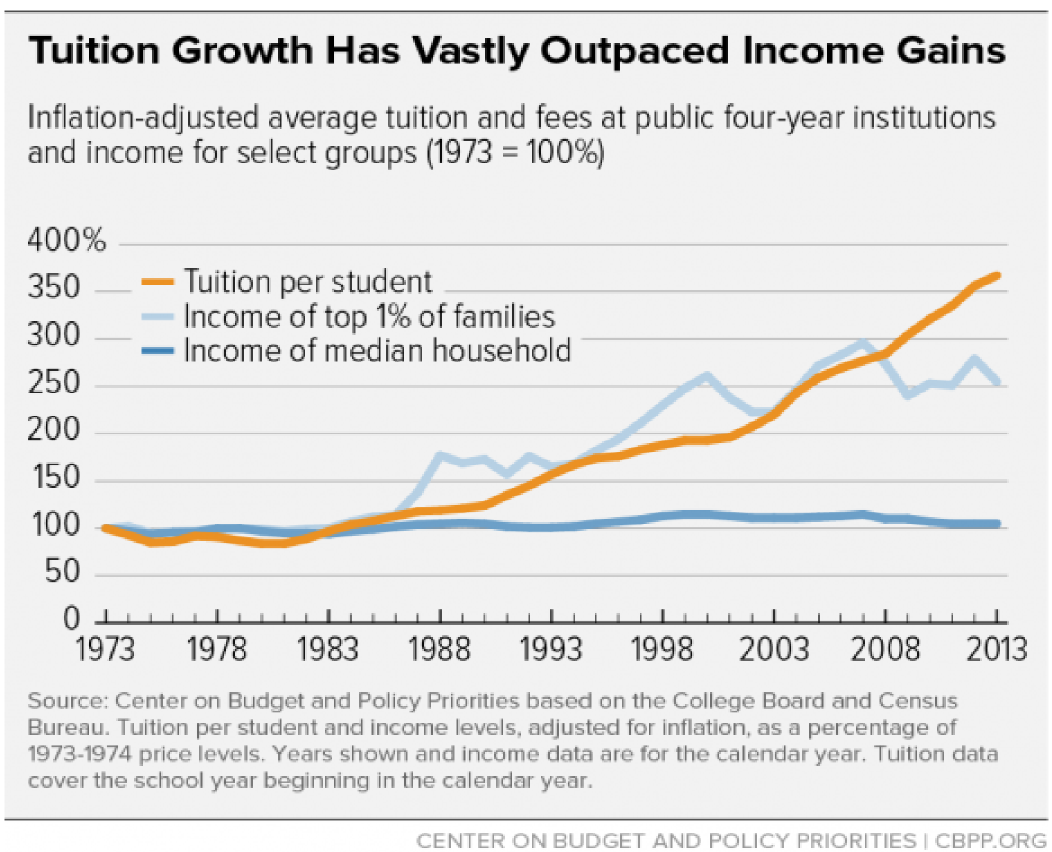
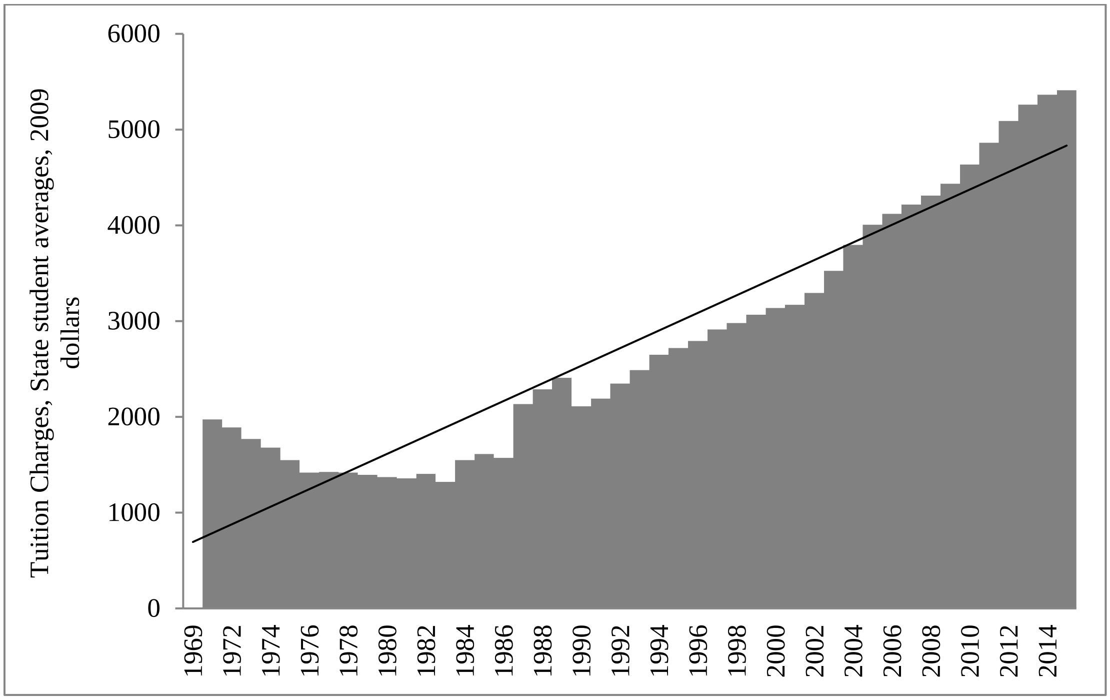


Figure 1. Tuition change, table from Center on Budget and Policy Priorities.



Data from IPEDS Institutional Characteristics Survey Tuition Data, WebCASPAR database, National Science Foundation.

Figure 2. Average State Tuition per Full-time Enrolled Student, 1969-2014

Tuition is also one source of inequality between public institutions because there are sometimes extreme price differences in the public sector within one state. In Texas and California, where the universities set tuition rates, tuition disparities between research universities and other four-year public colleges are large and growing. Community colleges charge extremely low tuition. Students attending the flagship institutions pay high tuition or benefit from the within-institution redistribution of tuition dollars while students incur very little expense attending less prestigious, open access institutions. While access to education is a laudable accomplishment, too often racial and ethnic minority and low-income students enroll at the less well-resourced institutions, despite financial aid (NCES 2010).

National tuition averages (see Figure 2) provide valuable information but obscure major differences between states. Tuition in New York was already high, relative to Western states, during the 1970s and 1980s, and has had a slower rate of growth than those states. Tuition in Western states like Texas and California began approaching similar levels during the 1990s. Since devolution of tuition authority in Texas in 2003, tuition charges

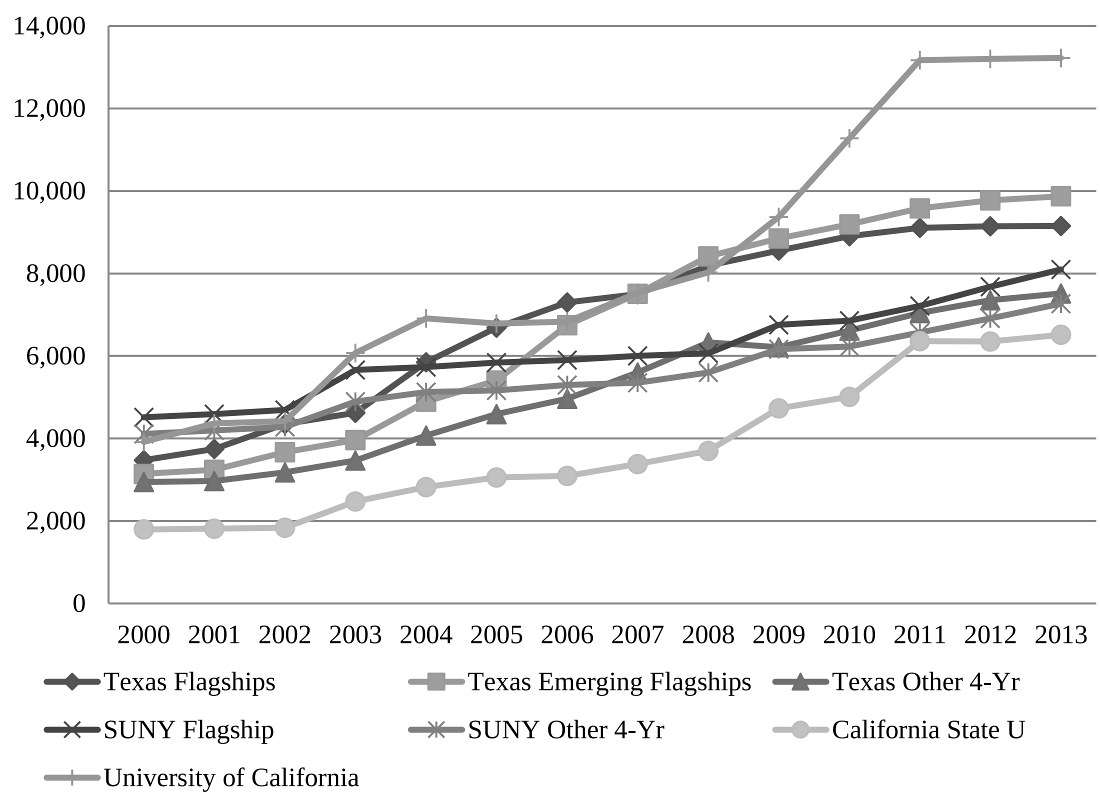


Figure 3. Tuition at flagship, emerging flagship, and other four-year postsecondary education institutions in Texas, California, and New York

have surpassed those in New York and California. The variation in tuition policy across my sample cases reflects the diversity found nationwide.

Besides these broad concerns over access for students, there are also institutional concerns. The question posed in my dissertation title—Who pays for public higher education?—is not just referring to whether state governments or students pay. Sometimes public colleges and universities become the party compelled to "pay" in the sense that legislation requires them to hold tuition levels down while receiving less government funding, or government policy requires them to accept "tuition credits" from a tuition trust program even if the original investment does not cover the full cost of a four-year degree. Public universities in Texas are required by law to accept tuition trust contracts regardless of their actual value. One effect of legislatively controlled tuition and declining government support for the New York state university system (SUNY) has been that the public institutions in New York have not been able to achieve a status attained by select research institutions in California and Texas. Conversely, devolution of tuition authority may allow a university greater flexibility to become elite, but it can also lead to spikes in tuition charges given that college governing boards are more likely to increase tuition rates and are less accountable to the public.

State cutbacks to higher education have changed university funding models, making many more reliant on tuition dollars than state appropriations. Despite this shift in funding sources, the majority of institutions have not changed the proportion of revenue they spend on teaching versus research versus student support and other expenditures (Barringer 2016). However, economists have shown that the decline in state appropriations has left funding gaps in public universities' budgets because tuition increases have not covered the funding lost during state cutbacks (Kane and Orszag 2003). This has resulted in decreased educational quality, indicated by higher student-to-faculty ratios and lower course availability. Researchers found that periods of sharp declines in state support led to "cohort crowding," or the inability of public institutions to effectively manage expanded enrollments using their highly-restricted funds, leading to over enrollment and slower graduation rates (Bound and Turner 2006).

In the chapters that follow I provide an analysis of the *causes* of tuition mitigation policies, shifting the focus away from their effects. Prior research addresses what interventions appear to work for student enrollment and persistence, and why higher education has grown, evolved, and taken on its present form. My research addresses the process of higher education policymaking, or how social, economic, and ideological contexts constrain legislators' actions. We cannot assume that politicians' actions are a pure expression of their beliefs or commitments; sociologists have long rejected the behaviorist viewpoint that political action reveals unadulterated political preferences. Even when politicians, like Sen. LaValle, are committed to college affordability, the social arrangements in which they act influence which policies are adopted.

POLICIES, CASES, AND METHODS

As described previously, the policies I study disproportionately affect a distinct population. Tuition has become a major political issue, especially as the public has grown increasingly aware of the levels of debt taken on by many college students. Because higher education confers class advantages it is an inherently political issue. During the past fifty years, politicians have been, and had to have been, concerned with the provision of higher education. Yet providing for higher education is distinct from other government expenditures because higher education has always had additional revenue streams, foremost among them: tuition.

Policymakers have responded with tuition mitigation policies. National trends regarding tuition levels, need-based aid spending, and other college affordability measures obscure important differences in state policy. The states I chose for this analysis differ on these policies. For need-based aid programs, the primary point of departure between New York, Texas, and California is timing. New York initiated a generous need-based aid program in the 1970s, while Texas relied on other means of aiding needy students and resisted a state-funded grant program until 1999. These differences are reflected in Figure 4 (additional states included for reference). California, New York, and Texas rank among the top ten states for need-based aid program expenditures per recipient student, per FTE students, as well as overall expenditures on need-based aid (NASSGAP 2015). Nationally, nearly all states have need-based aid programs although their generosity varies substantially. In the 2013-2014 academic year, just four states had no need-based aid program, opting instead for a merit-aid approach which severely disadvantages low-income students (Dynarski 2004).

Nineteen states had tuition trust programs as of 2005 (Baird 2006). Tuition trust, or “prepaid tuition,” policies originated as a means for private higher education institutions to help families afford tuition for their children (Roth 2001). Tuition trusts have been sharply criticized for providing state-supported tuition discounts to affluent families while creating a potential liability for all taxpayers (Baird 2006). The main variation in my study for tuition trusts is whether or not a state has enacted a program. Among the states I study, Florida, Texas, and Washington have programs, enacted with bi-partisan support.

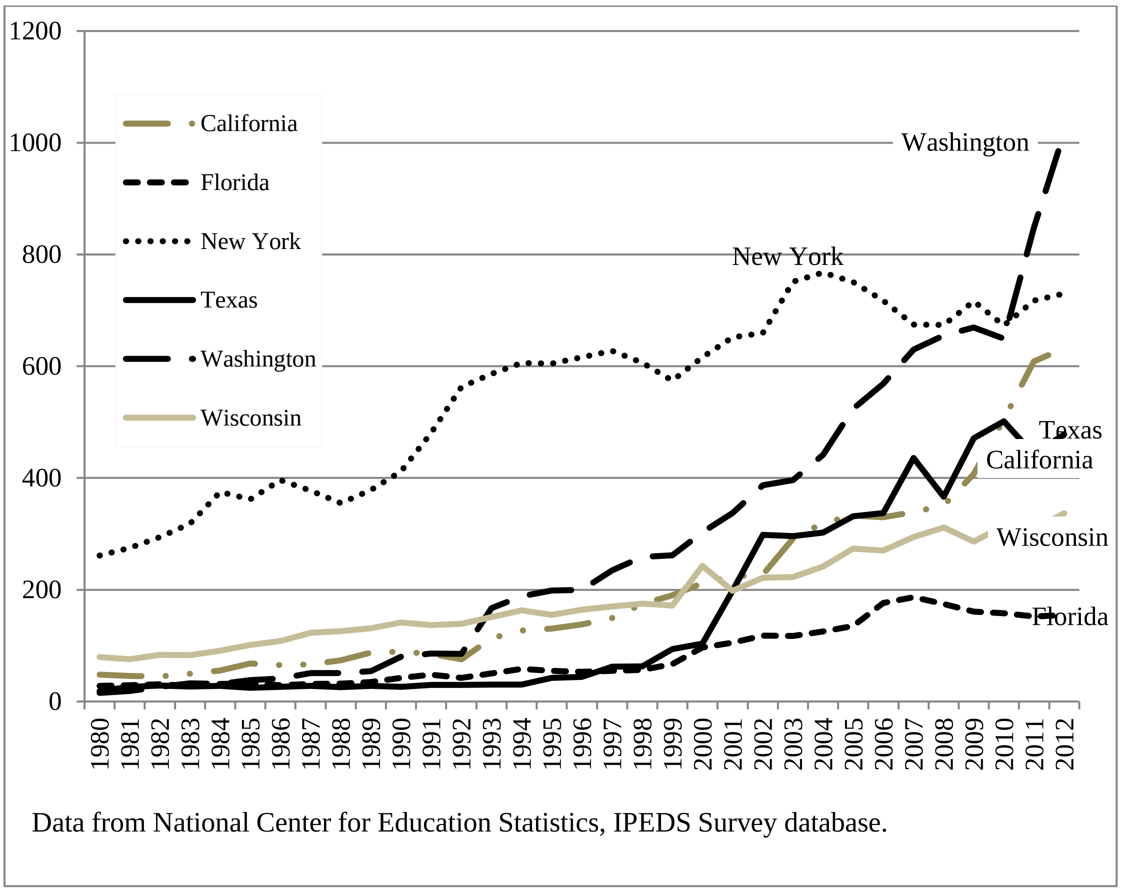


Figure 4. Need-based aid per enrolled student in select states, 1980-2012

On tuition policy, the Florida, New York, Texas, Washington, and Wisconsin legislatures have long maintained control over tuition rates. Public university leaders in each state pursued devolution of tuition authority. Texas, Washington, and Wisconsin legislators abdicated that authority but Florida and New York legislative members have retained it.

Table 1. Policy outcomes in case study states

	Devolved tuition (Chpt. 2)	Need-based financial aid (Chpt. 3)	Tuition trust programs (Chpt. 4)
California	Public universities have controlled tuition since 1960	Enacted major expansion in 2000 (Cal Grant)	Never enacted; proposed four times between 1987 and 1996
Florida	Never enacted; proposed four times between 1980 and present	(not part of analysis)	Enacted in 1987
New York	Never enacted; proposed three times between 1985 and 2005	Exceptional case – enacted program 1974 (discussed after main analysis)	Never enacted; proposed twice between 1995 and 2012
Oregon	(not part of analysis)	(not part of analysis)	Never enacted; approved by legislature and governor but rejected by voters
Texas	Devolved tuition in 2003	Enacted major expansion in 1999 (TEXAS Grant)	Enacted in 1996
Washington	Devolved tuition in 2011	(not part of analysis)	Enacted in 1998
Wisconsin	Devolved tuition incrementally between 1996 and 2003	(not part of analysis)	(not part of analysis)

The bulk of the empirical analysis I present is based on archival and interview data in the states listed in Table 1. Table 1 lists the three policies I analyze and shows which states are included in which policy analysis. I also include the year each state adopted or considered the relevant policy. Methodological rigor in comparative historical research hinges on the selection of cases (Mahoney and Rueschemeyer 2003, Skocpol 1979). Researchers in this tradition "engage in systematic and contextualized comparisons of similar [or] contrasting cases" and use the comparisons to identify the causal mechanisms leading to the outcome of interest (Mahoney and Rueschemeyer 2003: 13). Higher education policy research presents an additional challenge for comparative analysis because it is not enough to identify cases that are similar (or different) along economic, demographic, and/or political dimensions. The researcher must also consider the features of public higher education systems. Due to this, my sampling strategy varies between chapters as I sought to control for the favored political party in a state, the structural features of higher education systems, and/or general racial and ethnic diversity.

For example, in Chapter 2 I included the only two states that have not devolved tuition authority to university governing boards (New York and Florida) and three, of the many, states that have devolved tuition authority (Texas, Washington, and Wisconsin). I selected these states because Washington and New York are similar in typically electing Democratic legislative majorities while Florida and Texas typically elect Republican majorities. Because I also needed to attend to the structure of public college systems I also included Wisconsin which, like New York and Florida, has a centralized system of public higher education. Texas is more racially and ethnically diverse than the other states that approved devolution, making it more similar to the states that did not devolve tuition authority on this metric. California is not included in the analysis in Chapter 2 because the University of California has controlled tuition and fee levels since its founding. I selected Texas and California for analysis in Chapter 3 because they were exemplary cases of one of the findings of the quantitative analysis: growth in the Hispanic share of the population. These states have distinct political histories, including a history of racial segregation in Texas, making them an especially compelling comparison given that they both enacted generous need-based financial aid programs at the turn of the century. New York is not included in this analysis because it is an outlier in need-based financial aid due to the enactment of a generous program in 1974—much earlier than most other states. For Chapter 4 I include three states that enacted, and three states that did not enact, a tuition trust program. Within each group, I included states where Republicans were in the majority when the policy was discussed and states where Democrats were the majority. I also vary the states within each set according to organization of public higher education.

California, New York, and Texas—which are the primary case study sites I study—all have extensive public higher education systems, among the top twenty states for number of colleges and universities and large college student populations (SHEEO 2012; College Board 2014). In these states the policy issues and concerns plaguing nearly all public state college systems and legislatures from the 1970s through the present are apparent, such as government budget cuts, a desire for institutional autonomy on the part of higher education leadership, shifting demographics, affirmative action measures and inequitable enrollments among minority groups, the rise of the higher education accountability movement, growing concerns about student loan debt, and more. In short, these states speak to issues that were, and continue to be, concerns across the country.

My primary data sources are legislative hearings, the text of proposed and adopted legislation, government mandated reports, higher education governing board reports, and any other official documents created by, or intended for, state lawmakers regarding these tuition-related policies. I used news articles to confirm findings in primary documents and provide context for the overall historical story. I also draw on secondary sources (political histories of each state, or histories of a given state institution) to corroborate findings in primary documents and interviews. In addition, I completed 24 interviews with state legislators, legislative aids, former university presidents, and other university employees. These interviews are only selectively used to supplement data from other sources.

To contextualize my qualitative findings I use quantitative methods to test the same relationships: specifically, what factors correlate with variance in need-based aid spending and tuition trust legislation adoption? I measure the effect of various state-level characteristics on need-based aid spending in a time-series, cross-section, fixed effects model. I use an original dataset that includes data from a variety of sources, explained in detail in Chapter 3. The dependent variable for this analysis is state spending on undergraduate, need-based grant aid. The independent variables included in the model allow me to test for the influence of Democratic party control, citizen ideology, racial demographics and income inequality, and higher education context. In Chapter 4 I present findings from a series of univariate, event history analyses which I used to gain a sense for the variables that may be correlated with the enactment of tuition trust programs. This analysis relies on the same, original dataset. Chapter 2, on tuition devolution, does not include a quantitative analysis due to the difficulty of precisely determining whether some states ever maintained tuition-setting authority in the legislature and, if they did, when they abdicated that authority and when they re-imposed tuition caps on public colleges.

OUTLINE OF THE DISSERTATION

In the remaining chapters of this dissertation I explore the politics of higher education finance by focusing on efforts to enact three types of tuition-mitigation policies in the United States. My focus in Chapter 2, the first empirical chapter, is tuition devolution policies. The devolution of tuition authority is an instance of marketization in higher education. Most states have moved closer to a market-priced ideal by "deregulating" tuition. Under pressure from university leaders, Texas lawmakers devolved tuition authority, while in New York policymakers resisted. I show that the organizational features of public postsecondary systems in each state contributed to different outcomes through institutional logics which influenced what lawmakers believed constituted appropriate tuition policy in their state. New York's state college system was designed to prioritize system wellbeing and lawmakers there have resisted the elevation of any one campus to flagship status, leading to a *family of institutions logic* which constrained actions that would devolve tuition authority. In contrast, Texas lawmakers have long privileged historically White institutions over others and especially the state's two premier campuses, University of Texas at Austin and Texas A&M. The legacy of this organizational arrangement is a *logic of institutional inequality* which pervaded discussions regarding tuition devolution, ultimately encouraging the adoption of this policy. Data from additional states lends further support for my argument. These findings have implications for research in the sociology of education and institutionalism.

Need-based financial aid has become a fixture in most states where, when sufficiently generous, it promotes college access and completion among disadvantaged students who may otherwise not attend college. In Chapter 3 I present findings from my analysis of state-level expenditures on need-based financial aid. Using a time series, cross section analysis of an original data set including data for the fifty states between 1981 and 2012, as well as historical case studies of California and Texas, I find that traditional explanations for welfare state effort predict little of the variation in need-based aid expenditures. Instead, growth in the Hispanic share of the population and more generous state expenditures on higher education explain greater support for need-based aid. I develop the *educated citizenry thesis* which accounts for the unique relationship between redistribution in higher education and changes in the Hispanic share of populations. This thesis is better suited for explaining state efforts to support low-income students because it considers the ways that higher education refracts the politics of redistribution. In the conclusion, I suggest areas for further research on this subject, specifically research that examines the ways that ecologies of higher education institutions might influence state financial aid policies. To illustrate this latter point, I include a brief description of need-based aid enactment in New York

Chapter 4 is my final empirical chapter and in it I describe a mixed-method analysis of tax advantaged tuition trust programs. I find evidence to support the argument that tuition trust policy adoption was more likely when policymakers sought to protect elite access to higher education. This is evident in the words of policymakers (in six case study states), who argued for a policy that benefitted the middle-class, and in a statistical correlation which suggests that states with larger African American populations and enrolled Black students were more likely to enact a tuition trust program. I also argue that involvement and influence by higher education leaders and administrators was the difference between cases where tuition trust proposals failed and where they won. In general, higher education administrators were able to convince policymakers to move in the policy direction they desired. This pattern was disrupted when additional structural features interfered in higher education leaders' ability to influence the policymaking process. In particular, university administrators were unable to gain their desired outcome when another influential party (i.e., voters) were asked to approve a tuition trust program and when they sought to make changes to an already existing program.

Chapter 5 is the concluding chapter. In it I offer a review of the research, a general interpretation of my findings, and theoretical and practical implications. I use recent proposals by President Barack Obama, and presidential nominees Bernie Sanders and Hillary Clinton, for no-cost higher education to suggest ways that my research may provide insight into the politics of higher education more generally.

CHAPTER 2 - Resisting the Market University: Political Challenges to the Locus of Authority in Public University Tuition Policy

Tuition authority is exclusively a state prerogative in the United States (Gladieux, King and Corrigan 2005). The majority of states were able to maintain low tuition rates at public colleges prior to 1970, a year that marked the beginning of a "great transformation in higher education" as financially overextended public colleges found themselves in the middle of state fiscal crises (Kerr 1991). In the nine states where legislatures maintained tuition-setting authority through the 1990s, legislators began hearing repeated petitions from leaders of state colleges for market-based tuition pricing. Presidents, chancellors, and regents told policymakers that increased pricing flexibility would "better reflect demand" and "provide more revenue" (NYACHE 1996b), that they needed "the ability to run like a business" and that low tuition does not guarantee access (TXSCE 1995). This variety of "marketization"—wherein tuition consideration is removed from the political realm of the legislature to governing boards whose primary interest is the survival and success of their university or university system—was successful in almost every state: seven of the nine states abdicated that authority (McBain 2010; Zinth and Smith 2012). Yet policymakers in Florida and New York refused to and legislators have retained their control over undergraduate tuition.

In this analysis, I compare two exemplary cases of this policy outcome. Texas exemplifies the states where devolution proposals were successful. There, higher education leaders managed to decrease the state's oversight of public university finances over the course of multiple policy cycles, eventually gaining authority over tuition rates. New York exemplifies the non-adoption of tuition devolution policies and challenges existing explanations of institutional change in higher education. Scholars have documented a move toward market-oriented reform in various higher education policy domains (Berman 2012; Gumport 2000; Hoxby 2009; Slaughter and Leslie 1997), yet during three legislative sessions, leaders of the State University of New York (SUNY) pressured the New York legislature to abdicate tuition authority to the SUNY Board of Regents, but the legislature denied each petition. I argue that this difference in policy preference is not the result of policymakers' views of neo-liberal reforms or a response to differing degrees of economic crisis. Rather, I show that it is because pre-existing higher education policies have had persistent effects on the values and beliefs held by public university stakeholders.

Specifically, through postsecondary policies in New York, lawmakers have emphasized tuition and funding formulas that treat all four-year, state universities as very similar to each other. While SUNY campuses are not identical along any metric, politicians and many higher education stakeholders have resisted efforts to designate one or two universities as "flagship" institutions (Steck 2006). In contrast, Texas lawmakers have willfully acknowledged a hierarchy in institutional preeminence and have approved measures emphasizing that difference. The notion of institutional equality or similarity has not found traction there. This stratified organizational structure in Texas, and emphasis on institutional equality in New York, have contributed to distinct institutional logics in these states. These differing policy histories have led higher education stakeholders to distinct beliefs about what kinds of tuition pricing policies are normatively appropriate in their local context. I conceptualize these beliefs as institutional logics, or the socially constructed values and beliefs that guide decision makers' actions (Thornton and Ocasio 2008). New York higher education stakeholders adhered to a *family of institutions logic* which was centered on prioritizing the needs of the system over the needs of individual campuses. Texas stakeholders were constrained by a *logic of institutional inequality*, which did the reverse.

With this analysis, I demonstrate the importance of structural conditions specific to higher education in determining college pricing policies. I show how policy context can retard or facilitate institutional change as institutional logics shape behavior and practices become entrenched. I also expand theoretical perspectives on marketization in higher education by showing that this form of marketization, tuition devolution, is most successful when stakeholders value institutional differentiation in the public colleges of their state as well as competition between them.

Tuition, once a marginal source of revenue, is essential for public universities which have endured increasingly smaller shares of state appropriations (Delaney and Doyle 2011). Yet applying a revenue-seeking profit motive to public higher education often detracts from the essential products, outcomes, and services colleges can provide, namely, the education of students (Gumport 2000). Ultimately, college costs drive some of the greatest challenges in contemporary higher education, including student access, need-based financial aid, and college loan debt, making the issue of tuition setting authority noteworthy.

ADOPTING MARKET-ORIENTED POLICIES IN HIGHER EDUCATION

Rejection of a market reform policy in higher education, even in just two states, is a puzzle from the perspective of existing literature on marketization because the overwhelming trend in government policy is toward a regime shift in which policymakers favor neo-liberal solutions to social and economic problems (Krippner 2011). Indeed, reforms in higher education during the past thirty years have typically prioritized market-driven, competitive practices over other goals. For example, university reliance on capital accumulation from endowment investments and institutional borrowing has significantly increased since 2003 for public and private institutions, suggesting a "financialization" of higher education (Eaton et al. 2016). Closer relationships between industry and colleges have led colleges to adopt other market-oriented practices. This is seen in the growing maxim that higher education is itself an industry (Gumport 2000), required to strengthen the economy through inventions and marketable scientific discoveries (Berman 2012; Slaughter and Rhoades 2004) while also courting private corporations to recruit employees from the ranks of the student body (Davis and Binder 2016).

Scholars stress the role of economic conditions in government and university adoption of market-oriented reforms. For example, Berman (2012) shows that the move to promote the marketing of academic science was driven by politicians' concerns about the stagnant U.S. economy. Competition for paying students, state appropriations, and limited research grants—in short, economic necessity—have pushed both public and private postsecondary institutions to remake themselves in the image of industry rather than focus on delivering a public good (Gumport 2000; Kirp 2003; Slaughter and Leslie 1997). But if economic strain always led to market reform, cases where tuition devolution was not adopted would not exist.

The role of political party control is unclear for marketization in higher education. Party affiliations do not play a significant role in most prominent historical treatments of market-oriented policy reform in higher education (Berman 2012; Gumport 2000; Kirp 2003; Loss 2012). In fact, Slaughter and Rhoades (2004) show no substantive partisan division on market-oriented research and development policies at the federal level. What is unclear from this research is whether politicians, of any political party, *ever* resist marketization, and if they do, whether their resistance has ever slowed the marketization of the university.

Finally, prior studies which explain marketization in higher education as the result of shifting institutional logics also cannot explain an instance of market resistance. Gumport (2000) and Berman (2012) demonstrate that a market logic has come to dominate decision-making within the university and government. The market logic has not completely replaced alternative logics in this domain, such as an academic logic, but has become the reigning ideal. A case of opposition to a market logic does not disprove these arguments, but these descriptions of the predominance of a market logic also cannot explain a deviant case.

INSTITUTIONAL LOGICS AND THE ORGANIZATION OF STATE HIGHER EDUCATION

Attention to the organization of higher education is often missing from these explanations. Some scholars attend to the differences between private and public universities (Eaton et al. 2016; Slaughter and Rhoades 2004) but otherwise do not consider the ways that institutional histories, and the policies underlying them, might influence the direction of policies. Political sociologists have shown that institutional arrangements and pre-existing policy conditions filter which policy goals political actors pursue by orienting what political actors believe is worthy of pursuit (Immergut 1998). Such structural conditions do more than channel policy or structure political conflict; they define interests and objectives and those interests and objectives are inseparable from institutional context (Thelen 1999).

Policies themselves can become politically consequential structures that "influence…struggles through their material and symbolic effects on political elites, interest groups, and mass publics" (Goldberg 1997: 9). Such structural features affect policy outcomes by creating constraints or opportunities for policy makers to mobilize frames for policy solutions to the problems they face (Campbell 1998). A powerful logic emerges and becomes dominant in a field as practices that support it become more accepted, widespread, or common (Berman 2012: 10). Such a logic can "constrain action by limiting the range of alternatives that elites are likely to perceive as acceptable and legitimate rather than useful means to an end" (Campbell 2002: 23). The institutional logics resulting from a policy context become "logics of appropriateness" that are invoked when policymakers must make decisions (McCabe and Berman 2016).

I show that legislative members in New York were constrained by a *family of institutions logic*, which emphasized equality among SUNY campuses. This logic prescribed a set of ideals regarding New York State public colleges, making some viewpoints and actions suitable and others not. Embodied in this logic is the belief that the public, four-year colleges in a state should be viewed as equal in quality. In this way, a student choosing a state university in one part of the state is receiving a degree equal in quality to a degree from a state university in another part of the state. Thus, policies that might convey a hierarchical view of state colleges, or diplomas from them, is rejected. Legislative members in Texas were constrained by a distinct policy context where institutional differentiation was valued through a *logic of institutional inequality*. This logic embodies a belief in the superiority of some state colleges over others. It is not without opposition, but it reflects beliefs held by college administrators and legislative members that one or two public universities in a state are premier institutions and that a degree from one of the top tier institutions is more valuable than a degree from a lower-ranked university in the same state. Tuition devolution was successful in Texas because stakeholders valued institutional differentiation in the public colleges as well as competition between them, but this valuation of differentiation and competition did not stem from commitment to neo-liberal policy ideals. As I will show, it is an outgrowth of organizational arrangements made by previous policymakers.

More broadly, my analysis contributes to scholarship on institutional change in higher education. Tuition devolution policy is a considerable shift in the power and autonomy of public university governing boards. While tuition authority is just one aspect of the equation leading to tuition pricing, the policy is also significant for its organizational consequences. In some states, like Florida and New York, when public college administrators proposed devolution policy they also pledged to an accountability regime under which legislators could hold higher education leaders accountable for metrics such as faculty salary and student performance (NYSCHE 2005a; *Palm Beach Post* 2001). In this way, tuition policy may further legislative efforts toward public higher education accountability demands (Zumeta 2001). In other states, like Texas, legislators require the universities to implement reforms that serve state interests, such as committing to increased financial aid for low-income students funded by tuition payments (TSCE 1995). In the case of tuition policy, the *family of institutions logic* was a primary cause of sluggish policy and relative institutional stability while the *institutional inequality logic* provided lawmakers a logic of appropriateness that guided significant institutional change in the context of fiscal shortfalls.

CASE SELECTION AND RESEARCH METHODS

I engaged in two stages of research and analysis for this study. In the first stage, I conducted a two-part comparative study of devolution policy attempts in Texas and New York. These states make an ideal comparison because higher education leaders and their political allies made appeals for devolution policy at nearly identical points in time: the mid-1980s, 90s, and between 2003 and 2005. Similar timing eliminates the possibility that these divergent policy trajectories are the result of national economic recessions or other national trends. Both of these states are leaders in public sector enrollments and have vast, public higher education systems (NCES 2015). Additionally, data sources in these states are similar and allow for a systematic comparison of political discourse. The primary data sources for this stage of the analysis are legislative hearing transcripts and audio files (which I selectively transcribed), draft bills and amendments, and government reports.

Legislative representatives in each state held hearings to discuss devolution proposals in each decade in each state or, in the case of Texas in 2003, had an extensive discussion of the legislation in the House of Representatives. Hearings and floor debates are windows into the policy-making process and, in particular, the beliefs various groups hold on the subject at hand (Guetzkow 2010; McCabe and Berman 2016).[i]

In the second stage of analysis I drew on data from three additional states to test the features of my argument. I analyzed political debates regarding devolution policy in Florida, Washington, and Wisconsin. The timing of these debates was not identical to Texas and New York but they nevertheless provide additional analytical leverage due to structural similarities or comparable political environments to my primary cases[ii]. Table 2 summarizes the timing and outcome of devolution policy proposals and describes the policy features and structural arrangements of higher education in each state.

Table 2. Devolution policy and structural details for comparative cases[iii]

	New York	Texas	Florida	Washington	Wisconsin
Devolution proposal years	1985, 1996, 2005	1985-1987, 1996, 2003	1987-1990, 2007	2010, 2011	1997-2003
Approved devolution	No	yes	no	yes	yes
Higher education governance structure	Centralized	diffuse	centralized to 2001, partially centralized to present	diffuse	centralized
Flagship designated institutions	No	yes	no	yes	yes

For example, Wisconsin's public higher education system is centrally organized much like New York's while Florida's conservative political environment is comparable to Texas.

ESTABLISHING SYSTEMS OF HIGHER EDUCATION

The divergent ways higher education developed in New York and Texas during the twentieth century created structural legacies that would shape the reforms lawmakers viewed as options during the 1990s and 2000s. Traditionally, when the Texas legislature set tuition rates for the public institutions one of their main goals was to keep tuition rates, especially for in-state undergraduates, as low as possible. As in other states, Texas politicians viewed low tuition as a primary policy instrument for keeping public institutions accessible to all Texans (TXSEC 1996), recommending in October of 2000 "the establishment of an affordability policy on tuition and fees that ensures students, especially those students who are economically disadvantaged, are able to participate and succeed in higher education" (TXHCHE 2000: 46). Unlike New York where identical tuition rates were pursued across all four-year institutions, Texas officials did not adopt guiding principles for tuition pricing aside from a commitment to low tuition.

Texas public institutions have differed in quality and cost for decades (THECB 1991). Institutional inequality was built into higher education funding mechanisms, such as the Permanent University Fund that has supplied endowment funds to the University of Texas at Austin (UT Austin) and Texas A&M since 1876, only allowing other institutions to access these and other endowment funds much later (UTIMCO n.d.). In addition, Texas has a history of racially segregated colleges that includes underinvestment in historically

Black and predominantly Latino universities (Shabazz 2004). The state has long elevated UT Austin and Texas A&M as the state's premier public institutions rather than pursuing a model of system cohesion with comparable four-year colleges. These pre-existing policies have resulted in a *logic of institutional inequality*.

New York State's system of four-year, public higher education was founded in 1949 but began to flourish around 1960, a late start attributable to the state's historic reliance on private institutions to provide four-year and graduate education to state residents[iv] (Gelber 2001). Actors in the civil rights movement and members of New York's Jewish community had pushed politicians to offer a solution to the discrimination they faced as applicants to private colleges (Clark, Leslie, and O'Brien 2010). In response to these, and other, pressures, state leaders created a highly centralized, state-controlled college system. Rather than promote any one institution as the state's premier research university, New York policy emphasized academic research in four "university centers" (Albany, Binghamton, Buffalo, and Stony Brook) but also maintained nearly identical tuition prices across all SUNY four-year institutions as well as close government oversight of the system.

SUNY is directed by a single, governor-appointed Board of Trustees which exercises much less autonomy from state oversight than boards in other states, including Texas. Political scientist Henry Steck (2006) identifies the critical, structural features of SUNY that set it apart from other state college systems and define the parameters of the *family of institutions logic* which has driven tuition policy in the state.

> What traditionally distinguished SUNY from some its sister state ‘systems’ was the principle that the SUNY whole was greater than the sum of its campus parts. …the rejection of a flagship campus model, the absence of formal tiers *a la* California, the historic commitment to uniform tuition—these elements and more created a model that looks to a strong SUNY ‘brand’ (212).

Four-year institutions in the SUNY system have charged nearly identical tuition rates so that a student in western New York can get a quality education at an affordable price without relocating to another part of the state. Legislatively established guidelines for SUNY tuition confirm this orientation by stressing that college access be pursued via a “geographically distributed comprehensive system” and a tuition policy that “most effectively promotes the university’s access goals” (New York State, Laws of 1985). This tuition policy is one incarnation of the idea that SUNY is a system without formal tiers.

The effects of the policy contexts that enabled actors to embrace one logic but reject the other are reflected in the discourse surrounding tuition devolution. In the following sections, I trace the different consequences of each type of organization for the adoption of devolution policies, beginning with Texas and followed by New York. I then draw on data from Florida, Washington, and Wisconsin to test possible alternative explanations for the different outcomes seen in New York and Texas.

FISCAL RELIEF THROUGH DEVOLUTION IN TEXAS

As leaders of the top public universities in Texas sought to gain autonomy from state oversight they invoked the unequal status of the state’s public colleges as a reason for that shift. Leaders of other state universities eventually supported increased differentiation as well. Legislative members debated the proposals in hearings and legislative reports between 1985 and 1987 and again in 1996. The universities gained authority over graduate and out-of-state student tuition in the first period but saw no change in 1996. They debated another devolution proposal on the House floor in 2003, eventually approving it with a substantial majority.

The first proposal for devolved tuition was brought by Democratic Representative Wilhelmina Delco, who viewed “tuition deregulation” as a necessary evil to “preserve quality” in the face of declining state appropriations to public higher education (TXSCHE 1987). One of the most frequently occurring themes among opponents of the bill was that unelected boards would be virtually unaccountable to the tuition and tax-paying public. Representative Delco contended that the governing boards should be allowed to manage the affairs of higher education because they were the true experts on university management and costs (TSCE 1985). Another common theme, expressed by nearly every politician who spoke and several students who testified at the hearings, is exemplified by the words of one Texas Student Lobby spokesperson: “a poor student in this state will have to choose where he or she attends based on his or her income and not on his or her ability, *and it will certainly not be at a first-class university*” (TSCE 1985). To remedy this Delco included a provision requiring that a portion of undergraduate tuition revenue be dedicated to need-based financial aid.

Additional discourse at the hearing and in other documents suggests an acceptance of the unequal status of the state’s universities. One senator expressed concern that “the rich schools are going to get richer, the poor schools are going to get poorer” under tuition devolution, but Delco countered that the so-called “rich schools” had more expensive majors and research programs, so increased differentiation in price would only reflect the differences that already existed (TSCE 1985). Ultimately, Delco's own reservations and those of Senate Committee on Education members led to a compromise with higher education leaders: the legislature would maintain control over undergraduate tuition but the schools would set graduate and out-of-state rates (Cunningham 2013; Texas House Bill 1147).

The most frequent justifications offered by devolution supporters in 1996 was that the policy would benefit all higher education stakeholders because market competition would usher in more efficient pricing and greater institutional accountability. This market logic was described as a response to the fiscal crisis of higher education. Senate Republican Bill Ratliff, author of the 1996 devolution proposal, explained in an interview that he authored and promoted devolution legislation because he believed that tax support for higher education in Texas would never rebound (Ratliff 2015). He advocated for a market solution in the face of this fiscal crisis, stating during a legislative hearing,

> …to me it seems better to have each institution decide how much their constituents can pay, how much their education is worth. I just feel that there is a form of market system with higher education. And to some extent, that market system must work. We're furnishing a smaller and smaller amount of state appropriations to higher education (TXSEC 1996).

Given the inevitability, and potential superiority, of a market approach, Ratliff pursued a devolution policy that would include mandatory need-based financial aid provision by public colleges so that Texas could preserve access for all state residents. The bill was approved in the higher education committee but not carried into the Senate due to a change in committee leadership (Brooks 1996).

By 2003, state political leadership was dominated by conservative Republicans. The Texas election of 2002 marked a major conservative turn in Texas. Moderate Republicans, and some Democrats, were replaced by highly conservative Representatives and Senators (Ratliff 2015; UT Austin LAITS 2006). This change in leadership came with a greater acceptance of neo-liberal policy ideas, although, as I show below with Florida's proposal, this conservative ascendance was not a sufficient condition to devolve tuition authority. The state's ability and willingness to fund higher education had worsened, as Senator Ratliff had anticipated in 1996. Senator Bivins, who had opposed devolution in 1996, reportedly stated that tuition increases and devolution were highly likely because, given a sparse state budget and increased commitment to oppose new taxes, "It's revenue" (Jayson 2002).

Rather than view increased institutional differentiation as a violation of the nature of public higher education in Texas, legislators who supported the policy change invoked a fiscal crisis frame to argue that funding shortfalls were the real threats to the character of Texas' universities (Texas House of Representatives 2003). Unless the legislature devolved tuition authority, Texas' public colleges could not fulfill their commitments to student access, including the racial diversity enrollment targets prior legislative bodies had established.[v] Republican Representative Fred Brown told the assembled House of Representatives,

> we are in a higher education crisis. We are still one of the best bargains in the United States, on higher education…. Every biennium we fund less and less to higher education yet every biennium we know that we have a big job on *Closing the Gaps* in Texas. And we have done nothing to address that in [the] appropriations [committee].

In response, an opponent of devolution, Democratic Representative Sylvester Turner, also drew on the fiscal crisis frame:

> And so the solution to that is to allow colleges and universities to charge more, because you and I haven't addressed the issue here? You and I won't vote for a tax, but we're gonna allow the coordinating board to...add a cost on families and students.

Opponents of devolution did not agree that budgetary shortfalls meant that devolution was the best response to the defunding of higher education. They acknowledge the serious nature of the state’s budget but supported alternative approaches, such as forcing the institutions to trim their budgets. They did not advocate for major funding increases or higher taxes, reinforcing the importance of the political context that imposed an atmosphere of austerity.

Ultimately, devolution was approved in 2003 after Republican Governor Rick Perry enthusiastically signed the bill. Since 2005, numerous attempts have been made to reverse devolution, but the law still stands. Arguments against devolution in Texas centered around issues of access for students and accountability to the public. Opponents believed that student access and university accountability would be diminished as higher costs discouraged enrollment by low-income students and unelected governing boards set tuition rates. For Texas lawmakers and higher education leaders who supported the abdication of tuition authority, these objections could easily be dealt with through sufficient financial aid and institutional reporting requirements regarding the use of tuition funds. There was some concern that current institutional stratification would be exacerbated by such a policy, but this was seldom mentioned and was not a shared belief. Rather, tuition devolution confirmed the belief that public colleges could, and should, differ in mission and price; the policy did not represent a reversal in the state's approach to higher education policy.

PROTECTING A FAMILY OF INSTITUTIONS FROM DEVOLUTION IN NEW YORK

In 1985, the SUNY Board of Trustees made its first attempt at tuition devolution as part of a broader effort to convince the legislature that the system needed independence from "crippling" state oversight (Independent Commission 1985). Control over tuition was part of the flexibility they desired but was quickly rejected by legislators and students and ultimately received limited attention during public hearings. One student who spoke out against it explained that tuition devolution would "allot prestige and quality to a certain few [institutions]" because some colleges could raise tuition more than others (NYSCHE 1985: 132). "Altering the University's tuition policy is clearly not the route to excellence, as it weakens the very basis on which our excellence is built," explained the student. Devolution was omitted from the official legislative proposal crafted by legislators that granted SUNY a measure of increased autonomy.

SUNY leadership again pursued devolution during the 1995-96 biennium as part of a broader proposal to restructure SUNY, including increased campus autonomy, privatization of university hospitals, and, in general, a market approach to SUNY management, such as greater competition between campuses and increased emphasis on outside fundraising. In their proposal, the Trustees argued for devolved tuition on the grounds that "[differential] rates…better reflect differences in cost [and] support campus flexibility" (SUNY Board of Trustees 1995). When they justified differential tuition on the grounds that campuses were unique and needed freedom to develop independently, the Trustees challenged the *family of institutions* ideal, rooted in the policy of equal pricing that reflected institutional similarity.

During the hearings the narrative weight of the family of institutions logic is clear, not only in the testimony of those who *objected* to devolution, but even in the testimony of SUNY leadership who *promoted* devolution, as seen in this dialogue between two Assembly members and a SUNY campus president (NYACHE 1996b):

> Assemblyperson Luster: "I'm concerned that what we're seeing here is about conceiving the very attitude that I think the *Rethinking SUNY* report leads to and that is, let's create a batch of colleges, a batch of universities, let's give them some money so we can call them a state university, but let them actually be so totally autonomous that in almost every way they are privatized in that sense. I think we need to keep focus on a system...." (38).
>
> SUNY Binghamton President, Dr. Defleur: “I would not disagree with that, but it is in a way, it's just like a family. We have different talents and different abilities and I believe that we also need to have a system that allows a Binghamton to exist and to flourish as well as some very different kinds of schools and so that's the balance that we all seek" (39).
>
> Assemblyperson Sullivan: “On that subject, if I may, in my family there were my brother and my sister and myself. We all did different things with our lives, right, but we all had the same fruit, we all had the same dinner, we all had the same roughly size bed. We all had the same clothes and then we all went off and did different things" (40).

Assemblyperson Sullivan went on to say that there was some flexibility needed, but even within a similar funding environment SUNY campuses would have the freedom to meet varying needs. Sullivan’s perspective was common among the Assembly Committee members. Only one Assembly representative at the hearing expressed a desire to see more internal competition in the SUNY system.

Assemblyperson Sullivan asked another campus president whether differential tuition, which he said "brings in a market factor which is not now there" would allow campuses with "a good reputation" to raise tuition while less prestigious campuses would have to keep tuition low. “Wouldn't you be exacerbating the differences between those two campuses?” Typically, SUNY leadership responded to such questions as the president of SUNY Binghamton above: they would explain that they valued the system unity of SUNY but believed that greater flexibility would allow the institutions to fulfill their missions.

Opponents of differential tuition rates worried that devolution would “undermine any cohesiveness that's left” across the campuses and would be the “nail that seals the coffin of some of the smaller, less competitive campuses" (NYACHE 1996c: 130). All of the students and faculty members who spoke, with one exception, opposed tuition devolution on similar grounds. At the Albany hearing a student association representative drew on the same family metaphor and said,

> I'm really against it because…I view SUNY as a family unit, you know. You have like--you wouldn't find a mother and father telling their little child, go ahead and fend for yourself, make your own money and, send yourself through school.... they work together and it brings...the status of the entire family to a better degree. Well, if the SUNY University Centers started charging more and *essentially having the quality of education in those university centers exceed the quality of education in the four-year institutions*, what you would have is just competition within the family. *Competition within the family is dangerous* (NYACHE 1996a: 171-172).

When devolution failed to become part of the legislation granting SUNY increased autonomy from legislative oversight, the legislature requested a report dedicated to its study. In the report, the authors argue that the SUNY colleges “carry one price for undergraduates, even though campuses have differing missions, programs, student bodies, and per student costs" and that "campus-based tuition" would "make campuses more accountable to students for costs" and give campuses the flexibility they needed to run efficiently (NYTTFVCT 1996: i-ii). SUNY leadership overwhelming supported devolution but the authors of the full report noted,

> the most frequent concern the task force heard – from students, former University officials and a professional union – was that variable tuition would create a system of 'have' and 'have-not' campuses. […] Allowing campuses with market flexibility to increase tuition to improve programs will create a gulf between them and campuses that cannot increase tuition because of the market segment they serve, they said (26-27).

This was reinforced in a public hearing held by the task force when a former SUNY Trustee stated, "Traditionally and for philosophical reasons related to the reason that the State University of New York was founded…variable tuition for undergraduate students has been seen as adverse to the University…. Unity and cohesion of the University have been seen as far more important in providing opportunity for students than imagined financial returns" (NYTTFVCT 1996: 47). As in the joint legislative committee hearings, the devolution idea was opposed for violating the *family of institutions logic* that was rooted in the SUNY policy environment.

In addition to the critics who spoke at hearings, three members of the committee that authored the devolution study filed a dissenting report and reiterated the importance of institutional equality in the SUNY system. They explained that "the New York State Legislature made a promise to its citizens to uphold the mission of the public university…by imposing a uniform tuition policy across all State University undergraduate programs" (46) and that devolution could "eventually decentralize the structure of SUNY from a coherent system of coordinated policies to a collection of campuses competing with and among each other likely to produce conflicting policies." The language of the full report suggests that the authors who supported devolution were also subject to the family of institutions logic, explaining that "the Trustees would continue to look after the health of the University as a whole, making sure system-wide needs and priorities are met" (ii). However, no legislative action resulted from their efforts.

In 2005, almost a decade later, SUNY leadership again pursued "sector-varied tuition" as one aspect of SUNY restructuring (NYSCHE 2005b). SUNY Chancellor John Ryan proposed a "rational tuition policy" that would allow the universities to set increasing, but predictable rates. SUNY representatives pledged greater accountability in exchange for devolved tuition, promising to submit detailed reports regarding how funds were spent to show whether "this [has] been good for the State University of New York for all the stakeholders, most importantly, for our students" (2005a: 44).

During the Albany hearing, Democratic Assemblyperson Canestrari responded by asking whether a devolution policy would not "hurt some schools as opposed to others" (NYSCHE 2005a: 142). Canestrari's concerns were shared by others. During a hearing in Stony Brook, Senate Republican Kenneth LaValle responded to a SUNY administrator's petition that the committee consider devolved tuition by explaining that,

> …on differential tuition, it has been the policy of our Committee and the Senate to not support that, and for several reasons. Number one, there is a historical and cultural thing in the system…and it's absolutely real. The second thing is that certain regions of the state become discriminated by a differential tuition because of that region, such as downstate, sends a higher percentage of their students to university centers, therefore, my constituents

> would be paying, by and large, higher tuition than Legislator X from upstate New York or another part of the state. And so we like the family approach, that everyone in the family is treated fair and equitably in terms of paying tuition (NYSCHE 2005c: 74-75).

This discourse again highlights the way that SUNY's structure constrained the range of policy options LaValle, and other legislators, believed were appropriate. Responses like this from legislative members quickly eliminated devolution from the conversation of SUNY restructuring in 2005.

Time may prove the family of institutions logic to be less robust than it once was. Scholars have noted that policy often changes incrementally as pre-existing policies inform subsequent decisions through policy feedback loops (Pierson 1994). This appears to have begun in New York in regards to tuition devolution. In 2010 the four SUNY research centers were given authority to charge special fees in addition to tuition in an initiative called *SUNY 2020*. One of the legislators who worked to approve this measure, Senator Kenneth LaValle, was opposed to devolution in every previous instance it was recommended. *SUNY 2020* is not devolution, but it is a move toward differentiated fees with legislative guidance, which was a precursor to devolution in Texas, Washington, and Wisconsin. A similar process has begun in Florida.

ADDITIONAL CASES AND ALTERNATIVE ARGUMENTS

In this section I address alternative explanations for the non-adoption of devolution proposals in New York and successful passage in Texas by comparing them to additional states with similar outcomes. As in New York, Florida officials have resisted devolving tuition authority to higher education governing boards despite numerous efforts by university leaders during the 1980s and between 2003 and the present. In contrast, legislative members voted to approve devolution in Washington in 2011 and in Wisconsin incrementally between 1996 and 2003. The explicitly stratified public university systems in Washington and Wisconsin, and resistance to a flagship campus in Florida, contribute to distinct institutional logics in these states. These logics shape whether lawmakers view devolution as an appropriate policy for their state.

Organizational characteristics

Florida's nine four-year public universities, although once racially segregated and unequal in name recognition, were governed centrally by the Board of Regents until 1998. Many Florida lawmakers and higher education leaders were insistent that Florida did not have a flagship university. Funding formulas reflected this belief, in addition to identical tuition rates (Ost 1987). As in New York, opponents and supporters of devolution proposals invoked a *family of institutions logic*. As higher education leaders proposed devolution between 1987 and 1990, students representing the Florida Student Association told reporters that they opposed the proposals. One student argued that devolution would "'make [the system] inequitable' and encourage a class A, class B mentality among the universities and their students and supporters" (Ost 1987). Another told reporters that "'A history degree from the University of Florida or Florida State is no better than a history degree from the University of West Florida. This [proposed devolution] creates a flagship system, where one institution is considered better than the rest'" (Marcus 1990). A president of the University of Central Florida said that "'It could be a situation where the rich get richer and the poor stay poorer'" and a Democratic state legislator told reporters that the University of Florida (UF) and Florida State University (FSU) "'like to fashion themselves as the flagships…I question that'" (Associated Press 1989). Even supporters of devolution proposals avoided talking about UF and FSU as the state's better universities in quality (Marcus 1990).

Florida's system of public higher education underwent legislative and voter-mandated organizational restructuring twice between 1998 and 2003, effectively eliminating centralized control over the public universities. These actions could have weakened politicians' ability to defend a uniform tuition policy based on a *family of institutions logic* because, as former Florida State University System leader Charles Reed explained, it has created a system in name only—the nine campuses now vie independently for state support (Reed 2015). However, many politicians who opposed differential tuition legislation in 2007 continued to invoke the *family of institutions logic* by rejecting a university system with formally recognized tiers (FLSFD 2007). For example, Republican Senator Lee Constantine told the Florida Senate that the result of the bill would be a "two-tier system" that would treat some four-year universities as "step children" by denying them the ability to raise tuition rates. While this tuition differential bill did pass, permitting some universities to charge a higher tuition rate than others (albeit within legislative controls), legislators made a commitment to grant all other four-year colleges that same authority in the next legislative session (FLSFD 2007), which they did (*Orlando Sentinel* 2008).

In 2013 the Florida Legislature and Governor Rick Scott approved a funding differential for the state's "pre-eminent" universities which gave incentive funding to top-performing institutions (Florida House Bill 7129, Laws of 2013). This change may be the beginning of a *logic of institutional inequality* in Florida that could reorient politicians' beliefs regarding the most appropriate policies for their state universities.

Higher education in Washington has a similar structure to that in Texas, with six baccalaureate institutions governed by six boards of trustees and a state-wide coordinating board that advises, but has little authority over, the colleges (WASHECB 2012; Mayfield, Chance, and Lieb 2002). Early planning for public higher education focused on the development of two research universities, one liberal arts college, and six comprehensive colleges. These institutions were designed to fulfill distinct roles (WASHECB 1987). The legislature set tuition rates in Washington based on the costs associated with educating students at each institution, thereby building institutional differentiation into the price-setting process (WASHECB 1992). The notion that Washington's public colleges should be similarly priced in order to maintain a *family of institutions logic* was never mentioned in devolution discussions given that institutional differentiation is a permanent feature in the state's higher education organizational landscape. In fact, at least nine different stakeholders—including legislators and higher education leaders—drew on a *logic of institutional inequality* by committing their support for the devolution proposal in 2011 because it acknowledged the "different roles and missions of the universities" (WAHWMC 2011). This logic pre-dated this particular policy debate (*Washington State Journal* 1999).

Wisconsin's system of public higher education follows the same structure as SUNY: a single governing board, the University of Wisconsin Board of Regents, directs all public, four-year institutions in the state (NCHEMS 2016). Authority and control are centralized in the Board and, like New York, the state legislature has historically exercised considerable control over the direction of the state university system (Olien 2011). There is a crucial difference between Wisconsin and New York, however. While Wisconsin emphasizes the health, wellbeing, and complementarily of all institutions in the system, UW-Madison has been intentionally elevated as the state's premier research institution (WILFB 2009). This flagship organization of the system introduces a commitment to institutional inequality and differentiation not found in New York. As in Washington, there was no discourse suggesting a *family of institutions logic* in Wisconsin as stakeholders discussed devolution proposals in 1997 and 1999.

Political party control

Conceivably, the adoption of a tuition devolution policy could be attributable to conservative politicians' propensity to spend less on public higher education (McLendon, Hearn, and Mokher 2009). Like Texas, Wisconsin politicians followed predictable party lines regarding the issue of devolution. Senate Democrats, led by Speaker Chuck Chvala, opposed "tuition flexibility" proposals in 1997 and 1999 for its possible, negative impact on low-income students while Assembly Republicans, including Speaker Scott Jensen, supported it (Price 1999; *Wisconsin State Journal* 1997). However, New York's political context in 1996 also presented an ideal opportunity for devolution advocates to succeed, but it failed. The governor was privatization advocate and conservative Republican George Pataki, and the majority of SUNY Trustees were appointed by Pataki (Steck 2006). The "Pataki trustees" ushered in an especially conservative era for SUNY and have been described by SUNY faculty members as looking to neo-liberal markets for ideas about higher education governance, including the conservative goal to reduce the size of the public sector (Scheuerman 2013; Steck 2006). In addition, the devolution charge in Washington was led by Democratic Representative Reuven Carlyle (WAHWMC 2011) and Florida's efforts were supported by Republican governor Jeb Bush, initially discouraged and later supported by Republican governor Charlie Crist, and discouraged by Republican governor Rick Scott (*Miami Herald* 2008; *Palm Beach Post* 2001; *Tampa Bay Times* 2012).

Fiscal crisis

The economic context during 1995-96 and 2003-2005, the periods when devolution was pursued in Texas and New York, were similar for New York and Texas, suggesting that the economic context alone is insufficient to explain non-adoption in New York. In 1995-96 state contributions to higher education in both states had declined and politicians were asking all state agencies, including state universities, to absorb severe budget cuts (Jayson 2002). A SUNY faculty union member, Bill Scheuerman described "horrendous budgets" during the Pataki era (Scheuerman 2013). The proposals that included recommendations for tuition devolution in New York were made in response to budget cuts when legislative mandates prompted the SUNY Board to formulate plans for how they could operate with reduced revenue (NYSCHE 2005b; SUNY Board 1995). New York has consistently appropriated more per full-time equivalent student than the other cases I include (SHEEO 2016). However, Florida legislators have not appropriated such high levels of funds to public higher education (Palmer and Gillilan 2001; SHEEO 2011). Additionally, Florida's low-tax policies have put state legislators in the position of making massive cuts to all government programs much like Texas, yet politicians in Florida have avoided devolution.

Commitment to access

Differences in student activism and legislative commitment to low-income students also do not explain these divergent outcomes. In all five states, opponents and supporters of devolution extensively discussed the necessity of preserving access to higher education, especially for financially needy students. A University of Wisconsin student, reflecting an argument made by Democratic lawmakers, wrote that “Hundreds of thousands of working-class Wisconsin families can afford to send their kids to the UW and on to a better future. Regent control of tuition would end all that” (Manski 1999). And both supporters and opponents of devolution in Texas reaffirmed their commitment to student access, especially for racial minority students (Texas House of Representatives 2003). The issue of student access was the most frequently discussed issue by both opponents and supporters of devolution in Washington. Opponents like Republican Representative Glenn Andersen explained that the “tuition increases being asked for…and the capacity of [families] to pay is dramatically out of line” (WAHR 2011). Supporters explained that the state’s defunding of higher education had threatened the mission of access, making tuition flexibility the only sure way public universities could guarantee that students could access the education they deserved (WAHWMC 2011). Access was mentioned only slightly less than the family of institutions logic in New York, and almost always in connection with it. In contrast, Florida stakeholders discussed student access least of all (FSHEC 2007; FLSFD 2007).

CONCLUSION

My analysis suggests that pre-existing higher education policies have lasting effects on the institutional logics to which policymakers and other stakeholders have access, leading to divergent outcomes. What policymakers deem appropriate policy in their local context is shaped by a history of education policymaking that likely preceded their position in office. Additional stakeholders seeking to influence the policy process, such as university presidents and chancellors, commonly frame their arguments within the structural and ideological context created by pre-existing policies.

New York policymakers were constrained in their decision making about tuition devolution at multiple points in time by a *family of institutions* logic which reinforced the importance of SUNY institutions' lack of formal tiers and price similarity. The state policies governing SUNY became politically consequential because policymakers invoked the system cohesiveness mandated by such policies as a principal reason for rejecting devolution proposals. This powerful narrative appears to have precluded the ideational change toward a market university despite a move in this direction in other states and in other areas of New York state policy (Hall 1993). An alternative *logic of institutional inequality* in Texas presented no such barrier and instead was used to argue for an additional form of institutional differentiation, tuition devolution.

The education policy contexts I discuss likely influence a wider range of policy deliberations and outcomes. Other aspects of marketization in higher education, such as changes in federal laws governing the marketing of scientific discoveries or campus-level policy decisions, may also be (at least in part) a product of pre-existing policy contexts.

For example, although an academic logic dominated on university campuses and in some policy circles, a history of laissez-faire higher education governance (Zumeta 2001) and financial aid policies that empowered student consumers (Loss 2012; Strach 2009) may have encouraged the shift to a market logic among federal policymakers documented by Berman (2012). State-level differences in organizational arrangements may have also led to distinct timing in the adoption of neo-liberal policies on public university campuses. Future research could focus on the role of pre-existing policy conditions in other aspects of marketization in higher education or in higher education policy decisions more generally.

Chapter 2, in full, has been submitted for publication and is currently under review in a peer reviewed journal. Nations, Jennifer M. "Resisting the Market University: Political Challenges to the Locus of Authority in Public University Tuition Policy." The dissertation author is the sole author on the manuscript.

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[i] I did a basic content analysis of these materials, coding and categorizing the texts based on the theoretical perspectives described above: economic factors such as fiscal crisis, structural conditions such as policy legacies, and cultural categories and ideals such as neo-liberal reform. I also inductively identified additional categories of stakeholders' claims, specifically accountability for university governing boards and access for students. I incorporated historical reports on governance and pre-existing policy in each state, newspaper opinion editorials and other news articles. I also conducted interviews with key policy actors but only selectively rely on this data.

[ii]Data for Washington came from legislative hearings, floor debates, and news articles. The Wisconsin legislature does not record committee hearings or floor debates so I relied on opinion editorials as my primary data source for this case. I used general news articles (not editorials) and an interview with a University of Wisconsin administrator to confirm my findings. Florida's legislative records are available on-site or via mail order. I had access to Florida Senate hearings and floor debate in 2007 but prior to this year I rely on news articles. I gathered statements and arguments that speakers and authors made about devolution into an Excel sheet in order to compare them across states.

[iii] Tuition control policies are continually evolving. For example, since Wisconsin abdicated tuition authority to university governing boards between 1996 and 2003 the legislature has implemented a temporary cap on tuition increases (Weeden 2015). This is one of the additional means by which state governments control tuition pricing, even when they do not set tuition levels. Tuition limitation policies are relevant to the study of marketization in higher education, or resistance to it, but were omitted from this analysis.

[iv] I am intentionally leaving New York's other major public university system—the City University of New York (CUNY)—out of my analysis. I omit analysis of CUNY tuition policy because the attempts to devolve tuition authority primarily concerned the SUNY system. In addition, SUNY tuition policy is much more easily compared to other state approaches to tuition policy given their similarities. CUNY is highly unique with no real comparable system.

[v] Between 1981 and 1983 Texas State, and its various public institutions of higher education, began voluntary compliance with a federal order to desegregate state colleges and universities (Shabaaz 2004). Since that time, the legislature has set enrollment targets by racial/ethnic groups. *Closing the Gaps* was the Texas Higher Education Coordinating Board's most recent recommendation of ways to improve enrollment among minority students.

CHAPTER 3 - Producing an Educated Citizenry: State Support for Need-based Financial Aid and the Politics of Redistribution in Higher Education

> "Historically, Texas supported access to higher education by establishing undergraduate tuition rates at one of the lowest levels in any state. Now, however, there is a need to do more to ensure access. Although Texas has met past challenges through a responsive state government and higher education community, the state's ability to meet this new challenge will require new strategies to meet an unprecedented change in the state's demographics. Blacks and Hispanics--groups which continue to be severely underrepresented in the state's higher education system--will make up much of the Texas work force into the next century" (THECB 1994: 1)
>
> -Texas Governor Ann W. Richards

INTRODUCTION

Support for state need-based financial aid nationwide increased more than 1,200 percent between 1973 and 2011 (Heller 2011). In 2012, state-level expenditures on need-based financial aid (NBFA) ranged from over 8,000 dollars per full-time equivalent (FTE) student in New York to a low of zero dollars per FTE student in Georgia and South Dakota (NASSGAP state queries 2012). What explains fluctuations in support for financially needy students? Higher education has played a mixed role in exacerbating and mitigating social inequality: Class inequality is often reinforced by higher education due to access barriers that low-income students struggle to surmount, while programs like NBFA provide opportunity through a progressive redistribution of wealth (Alon 2009; Baum, Ma, and Payea 2010; Mettler 2014; Stevens, Armstrong, and Arum 2008). NBFA is an attempt to vault students over at least one barrier and it has become an effective means by which states promote access for disadvantaged students (Alon, 2011; Goldrick-Rab et al. 2016; McDonough, Calderone, and Purdy 2007).

Prior research on NBFA in the United States has focused on outcomes related to Pell Grant and state-level aid receipt (Baker and Velez 1996; De La Rosa 2006; Goldrick-Rab at al. 2016), the history of Pell Grants (Strach 2009), and the relationship between state spending on general higher education support, merit aid, and NBFA (McLendon, Tandberg, and Hillman 2014). While each study has made important contributions to our understanding of the causes and consequences of current NBFA regimes, these authors are not building on a theoretical foundation that might enrich our understanding of redistribution in higher education. In addition, much of this previous work omits a discussion of how race, and racial stereotypes, might influence state support for low-income students. I borrow theoretical insights from sociologists and political scientists of the welfare state and test whether well-known predictors of variation in U.S. welfare policy also explain state-level variance in need-based aid spending.

In particular, the racial threat hypothesis predicts that welfare provision declines when Black and Hispanic populations increase (Fox 2010). Scholars typically attribute this relationship to the negative stereotypes members of the public hold regarding the worthiness of Black and Hispanic citizens for public subsidy. In addition to this hypothesis, I test additional correlates of welfare state effort common in the welfare literature, including strength of the Democratic Party, liberal political ideologies, and state efforts to provide relief during economic recessions (Soss, Fording, Schram 2011; Soss et al. 2001). I employ a time-series, cross-section analysis of an original dataset for all fifty states and two illustrative case studies of NBFA expansion in California and Texas to further test the applicability of welfare state explanations.

Contrary to what the *racial threat hypothesis* might predict, the quotation in the epigraph above suggests that growth in minority populations may have a positive effect on NBFA spending. This relationship is partially confirmed in my quantitative analysis which shows that increases in a state's Hispanic population are associated with more generous state spending on aid, ceteris paribus. The opposite is true for changes in the Black population: analysis coefficients suggest that NBFA spending increases as the Black population appears to be constituting a stable or declining share of the population, all else being equal. California and Texas politicians responded to rapidly growing Hispanic populations by enacting NBFA programs. Promoting access via NBFA was a step many viewed as necessary to move toward improved racial integration of higher education institutions and increase participation among Hispanic and Black students who had been completing college at rates far below their White peers. In contrast with the quantitative findings, these lawmakers approved policies they believed would benefit both Black and Hispanic college aspirants.

The political party in power, citizen ideology, unemployment rates and other explanations of welfare effort do not explain variation in NBFA, although domain-specific, higher education factors do, especially state support for public higher education. I find that states that are more generous in their support of public higher education institutions are also likely to spend more on NBFA, all else being equal.

Based on these findings, I outline the *educated citizenry perspective* which accounts for the unique politics of redistribution in higher education. This thesis assumes that racial and ethnic population shifts exert different types of pressures on policymakers as they consider the need for an educated citizenry, compared to the consequences of population change for welfare policies. The relationship I analyze here indicates that when redistribution is accomplished via higher education the expected relationship between change in the Hispanic population and state expenditure changes direction. This may also be the case for African American students in some states, such as Texas and California, but appears to not be the case nationwide. Partisan politics and citizen ideology may have less of an influence in the educated citizenry perspective, suggesting that mass public and political support for the goals of higher education access may disrupt politics as usual. Additional research could continue to explore the ways that higher education contexts and institutions mediate state efforts to redistribute funds and I use a brief description of the history of NBFA in New York to explain what factors should be considered.

NEED-BASED FINANCIAL AID IN THE UNITED STATES

Cost increases for higher education in the late 1960s and early 1970s put the issue of affordability and access on the agenda of many federal and state politicians (Thelin 2011). Previously, states had focused their efforts on maintaining low tuition to insure access, but the rising costs of higher education combined with enrollment increases and competing budgetary pressures to discourage the generous funding of previous years (Okunade 2004; SHEEO 2012, 2010).

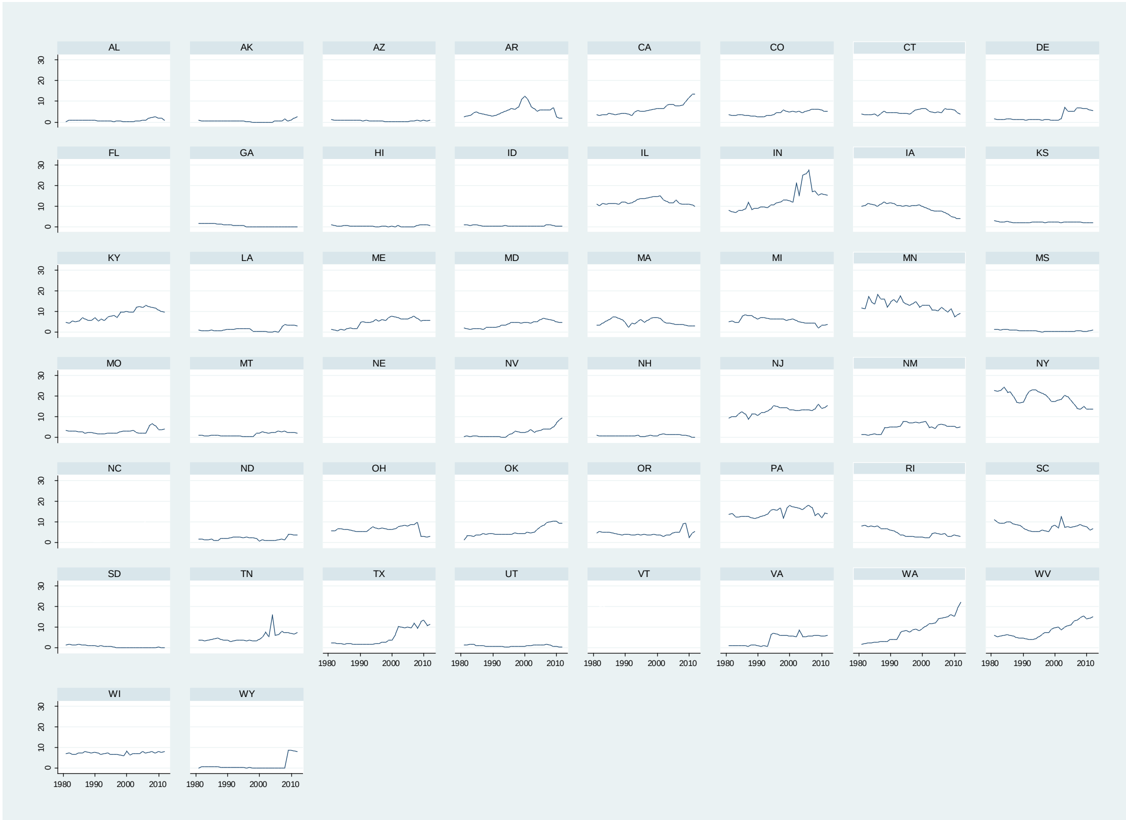

Figure 5. Ratio of need-based aid expenditure per enrolled student to state personal income, 1980-2012.

Since World War II, federal support for higher education had focused on rewarding military veterans and supporting research universities (Thelin 2011). Since the benefits of the G.I. Bill became apparent, liberal Democrats, students, and other stakeholders had lobbied for a financial aid program that would extend educational opportunity to financially needy students (Loss 2012). Such a program became a possibility after initial outlines were sketched in the War on Poverty's expansive Higher Education Act of 1965. At present, the federal government is the largest provider of means-tested higher education entitlement aid, or Pell Grants, (Strach 2009; Zumeta et al. 2012) although a full grant has covered a diminishing share of charges at public colleges (ACE 2012). In addition to direct aid to students, the federal government has incentivized states to support students via state-level, need-based aid with its SSIG/LEAP program, or State Student Incentive Grant and, in 2000, Leveraging Educational Assistance Partnership (U.S. Department of Education n.d.).

State level funding of NBFA has varied considerably over time as well as between states. Nationally, funding of NBFA for students in the public sector declined in the 1980s but rapidly increased during the 1990s, although it did not keep up with tuition increases (CSEP 2006). NBFA often increases in periods of economic recession nationally, but declines in the proportion of tuition it can cover given large tuition jumps in recessionary periods (CSEP 2006). This is especially true since tuition jumped substantially after 2008 (Cheslock and Hughes 2011). Figure 5 shows the ratio of need-based aid per enrolled student to state income per capita.

In prior analyses of state NBFA, scholars have found important state-level differences that may contribute to variation in spending. For example, some states formally link grant levels to tuition changes, although most states tend to increase grants when tuition increases without a formal policy (Griswold and Marine 1996). Other states lack a need-based aid program entirely, instead focusing their efforts on merit programs which go to more affluent students and typically discourage enrollment among low-income, Black, and other racial/ethnic minority students (Dynarski 2000; McDonough, Calderone, & Purdy 2007; McPherson and Shapiro 1998). Researchers have also found that states which spend more on merit aid tend to spend less on NBFA. In addition, states where support for higher education is more generous (i.e., high state effort) financial aid—both need- and merit-based—is also more generous and fees are lower (Kelchen 2016; McLendon, Tandberg, and Hillman 2014). Thus, scholars have not found a trade-off between higher education appropriations and need-based or other grant aid expenditures.

Policy scholars have developed a variety of explanations for variation in policy outcomes across the United States, with special attention to the effects of racial and ethnic population change on politicians' willingness to approve redistributive program. This research is especially relevant to the case of NBFA given its redistributive nature, historical pressure for public universities to provide opportunity for racial minorities, and the rapid of increase of Hispanic populations nationwide. The authors of NBFA studies overlook the impact of changing racial and ethnic composition of states. But just as states differ systematically on the welfare policies they adopt (Soss et al., 2001), I suspect that differences in NBFA expenditure levels can be at least partially explained by change in Hispanic and African American population changes. I test the racial threat hypothesis as well as the educated citizenry perspective to determine whether growth in racial minority populations has a positive or negative relationship with NBFA expenditures.

PREDICTORS OF NEED-BASED AID EXPANSION: THEORIES OF WELFARE SPENDING AND THE EDUCATED CITIZENRY PERSPECTIVE

Welfare and the politics of redistribution

Four theoretical approaches—cultural, racial demographics, political, and regulatory—have become standard fare in studies explaining welfare policy in the United States.

Cultural explanations focus on the ideological preferences of elites who tend to proscribe the limits of state generosity by drawing boundaries between the deserving and undeserving poor (Goldberg 2007; Steensland 2008). Scholars have traced the work requirements and meager benefits of modern cash aid welfare to the powerful logic of perverse incentives and claims that the values and behavior of the welfare poor make them undeserving (Reese 2005; Somers and Block 2005). Accordingly, I anticipate that more progressively minded citizens will correlate with higher NBFA expenditures.

These cultural categories of worth are often racially coded. Reese (2005) and Goldberg (2007) show that during debates over public assistance, politicians invoked stereotypes about poor Hispanic and Black citizens by making references to their personal work ethics and family formation patterns (e.g., "welfare queen"). The connection between welfare spending and race in the United States is well-established: scholars have repeatedly found that states with larger Black and Hispanic populations spend less on redistributive programs such as cash aid welfare and/or enact more restrictive participation requirements (Brader, Valentino, and Suhay 2008; Fellowes and Rowe 2004; Fox 2010; Soss et al. 2001; Soss, Fording, and Schram 2011). This racial threat hypothesis suggests that we should see a decline in NBFA expenditures if Black and Hispanic population shares increase or, conversely, growth of NBFA if Black or Hispanic populations do not grow or become proportionately smaller shares of the population.

The ideological stances and political preferences of politicians in regards to welfare often fall along party lines, even if ultimate passage receives bi-partisan support (Reese 2005). Most policy scholars expect partisanship to drive some aspect of policy outcomes and many have shown that in the United States, Democrats generally support direct appropriations for social programs to a greater degree than Republicans (Amenta and Poulsen 1996; Barrilleux, Holbrook and Langer 2002; Burstein and Linton 2002). Political sociologists have also found that Republicans tend to pursue policies that redistribute income in regressive ways while Democrats pursue progressive redistribution (Gilens 2012; Bartels 2008). Thus, we should see elevated spending on NBFA in states with a Democratic legislative majority.

A regulatory explanation departs from these perspectives in predicting that elites' desire to manage the poor primarily explains the enactment of public policy (Piven and Cloward 1977). Scholars have attempted to capture this tendency toward social control by measuring the effect of unemployment on welfare expenditures (Soss et al. 2001). High rates of unemployment, and other indicators of a struggling labor base like poverty rate, should be followed by program expansion as elites seek to placate the jobless and avoid more expansive criticisms of the nation's political-economic system (Piven and Cloward 1977). I anticipate that the economic health of a state will likewise influence support for NBFA through unemployment and poverty rates. This expectation is also rooted in evidence suggesting that college enrollments increase during recessionary periods, or when the unemployment rate rises (Dellas and Sakellaris 2003).

Higher education, NBFA, and the politics of redistribution

In addition to testing these standard theories from welfare state scholars I also attend to the ways higher education may refract the politics of redistribution by considering the effects of state support for public colleges, tuition levels, and higher education governance on NBFA expenditures. Support for public colleges is one way states can use higher education to redistribute taxes as revenue from state general funds is used to subsidize the cost of a college degree for younger people (Nicholson-Crotty and Meier 2003). State support for higher education correlates with increases in NBFA, as well (McLendon, Tandberg, and Hillman 2014), as do tuition increases (Kelchen 2016). Therefore, I anticipate that as states support generous appropriations for higher education and allow tuition increases we are also likely to see elevated spending on NBFA. Of course, tuition levels, and especially the move toward high-tuition/high-aid models, are partly the product of higher education governing arrangements: in states with centralized governance structures tuition tends to rise faster (Hearn, Griswold, and Marine, 1996). Thus, I expect that states with centralized governance structures will spend more on NBFA given that they are more likely to increase tuition rates.

In addition to these factors, I test the hypothesis that the changing racial demographics of a state may lead to *increased* efforts to redistribute income via NBFA. Racial and ethnic diversity take on different meanings in higher education. First, diversity and access have emerged as some of the most frequently discussed ideals in higher education (Berrey 2015). Second, institutions of higher education may aim to attract any sector of the population among whom the population of college-aged youth is growing. Hispanics are the fastest growing population group in the nation. Given institutional needs to maintain enrollment figures (Kirp 2003) and cultural pressures to achieve racially and ethnically diverse student bodies (Berrey 2015; Stulberg and Chen 2013), college and university leadership may lobby the state for expanded NBFA to encourage enrollment growth in traditionally disadvantaged sectors of the population. Increases in the share of the Black population during this period are minor compared to increases in the Hispanic share (Census Bureau Quick Facts), yet universities may still promote NBFA in order to encourage enrollments among African Americans who have traditionally attended college at rates far below their share of the population. I call this the *educated citizenry perspective* and anticipate that increasing minority populations will correlate positively with NBFA expenditures.

Hypotheses

I test the following five hypotheses in my analysis.

Hypothesis 1, citizen ideology. States whose voting citizens express more progressive views (as measured on a 'liberalism' scale where a high score indicates more progressive) will also spend more on NBFA expenditures, all else being equal.

Hypothesis 2, racial demographic change. A) *Racial threat hypothesis:* As the share of the Black and Hispanic populations increase in a given state, spending on need-based aid will decrease, all else being equal. B) *Educated citizenry perspective:* as the share of Black and Hispanic populations increase in a given state, spending on need-based aid will increase, ceteris paribus.

Hypothesis 3, political party strength. As the strength of a state's Democratic Party increases state spending on need-based financial aid will increase, all else being equal.

Hypothesis 4, economic context and social control. All else being equal, states with higher unemployment and poverty rates will spend more on need-based aid given that unemployment and poverty both indicate negative economic conditions that may encourage legislators to enact social protections in order to avoid unrest among the poor.

Hypothesis 5, higher education context. A) As tuition increases at public colleges, need-based aid funding will also increase, holding other factors constant. B) All else being equal, states that spend more on higher education in general will spend more on NBFA. C) States where governing authority is centralized will be more effective at convincing state legislatures to increase need-based aid for students, leading to higher levels of NBFA, controlling for other factors.

RESEARCH DESIGN

I study the politics of redistribution in higher education from two methodological angles. In the quantitative analysis, I measure the effect of various state-level characteristics on need-based aid spending in time-series, cross-section models with fixed effects specifications. I use an original dataset, sources and variables are described in Table 3. I estimate need-based aid spending to be a function of demographic, economic, political, and higher education variables. The qualitative portion is a case study of NBFA expansion in California and Texas. California and Texas are illustrative cases because they have historically spent average and below average amounts on NBFA, respectively, until they enacted major expansions to their programs in 2000 and 1999. These states have also been outliers in the large size of their Hispanic populations: currently about forty percent of each state's population is Hispanic (Census, Current Population Survey). In this way, California and Texas are where some states are headed as Latino immigrants and their children are populating "new destination" states (Durand, Massey, Capoferro 2005). These cases provide details on how political actors weighed information about demographic shifts and broader political issues as they considered changes to California's moderate, and Texas' historically small, grant programs for needy students. Data sources are described after the quantitative results.

Dependent Variable

The need-based aid expenditure data come from the National Association of State Student Grant and Aid Programs (NASSGAP) which has collected data on state-level financial aid since 1967. The variable is a ratio of need-based aid expenditures per student to total personal income per capita. I divided total state spending on need-based financial aid in a state-year by total fall enrollment, using the NSF population of institutions from the National Center for Education Statistics (I could not calculate a reliable, "full-time equivalent" student measure for the earlier years). I then divided per student need-based aid expenditures by total personal income per capita to control for the annual increases in public expenditures that result from state-level economic growth. Figure 5 shows the change over time in the dependent variable between 1981 and 2012 for each of the states.

State financial aid parallels the Federal Pell Grant and other programs in certain respects given that many states provide grants directly to students, but state need-based aid legislation and funding are governed by state-level policymakers. Federal matching grants through the SSIG/LEAP program did have a measurable impact on the initiation of new state-level grants during 1974 and 1976, although the NASSGAP data indicates that many states had already enacted enabling legislation during 1971 and 1973 so state-level need-based aid was not simply a response to the federal initiative in many states. In addition, while SSIG/LEAP funding grew 242% between 1974-1975 and 2007-2008, state need-based aid programs grew 1,248% during that same period (Heller 2011).

Four states (Alaska, Georgia, New Hampshire, and South Dakota) had periods of time where need-based aid expenditures were zero. Five states (Indiana, New Jersey, New York, Pennsylvania, and Washington) have higher than average need-based aid expenditures, as standardized here. Because these states were major outliers I dropped them from the model one at a time and there were no significant changes in the model coefficients reported below.

Independent Variables

The central aim of the following analysis is to assess the influence of shifts in the racial and ethnic distribution of a state population on need-based aid expenditures as well as the impact of context specific factors, specifically attributes of the higher education environment. I include change in the proportion of the population that identified themselves as Hispanic and Black, non-Hispanic to measure the influence of racial population change on the dependent variable.

I measure the higher education context by including higher education expenditures and average tuition costs. Higher education expenditure is a measure of total state and local direct expenditures on higher education divided by total state expenditures. Tuition is average student costs per state-year. Need-based financial aid levels are often set relative to tuition rates so it is highly likely that need-based aid spending will be responsive to tuition rates (Griswold and Marine 1996). It is highly unlikely that this variable is endogenous. For example, researchers have shown that increases in Pell Grant levels do not lead to higher tuition rates (Archibald and Feldman 2016) and as scholars have considered the array of factors that predict tuition changes, state-level financial aid has not been one of them (Ehrenberg 2002; Griswold and Marine 1996). Finally, I include a measure of governance structure where 1= consolidated or centralized governing board that makes decisions for institutions, 0= coordinating or other board with coordinating functions only.

Table 3. Need-based aid expenditure analysis, summary statistics and source attribution

	Description	Mean	Max	Min	SD
Dependent Variable					
Need-based aid per total fall enrollment by income per capita[1]	State effort on need-based aid, or proportion of total state expenditures for financial support of low-income students.	5.2659	27.6214	0.0000	4.9623
Independent Variable					
Black share of population[2]	Share of population counted as Black.	0.1021	0.3785	0.0024	0.0942
Hispanic share of population[2]	Share of population counted as Hispanic.	0.0719	0.4698	0.0040	0.0869
Democratic control of legislature[3]	Additive scale of Democratic power in the legislature, 1=Democratic control	0.5958	1.0000	0.0000	0.4329
Citizen ideology[4]	Liberalism score with 100 as most liberal citizenry, based on congressional election data	49.6344	95.9720	8.4499	15.3629

Table 3. Need-based aid expenditure analysis, summary statistics and source attribution, con't

	Description	Mean	Max	Min	SD
Independent variable					
Higher education spending (by total fall enrollment, divided by income per capita)[5,6]	State appropriations on higher education per enrolled student, divided by income per capita	0.2679	0.4692	0.0794	0.0741
State higher ed governance structure[7]	This variable is binary where 1= consolidated or centralized governing board that makes decisions for institutions, 0= coordinating or other board with no real governance authority/capacity	0.1638	1.0000	0.0000	0.3700
Average public sector tuition (in thousands)[6]	Public sector tuition rates summed for all public, four-year institutions and averaged per enrolled student	2.5438	10.6800	0.1150	1.7471
Unemployment rate[8]	Prevalence of unemployment, or individuals unable to find work divided by all individuals in the labor market	6.0513	17.8000	2.3000	2.1593
Poverty rate[2]	Number of individuals living below the poverty line in a given state-year	13.0021	27.2000	2.9000	3.8397
Per capita income (in thousands)[9]	Per capita income in a given state-year, used as indicator of state economic wellbeing	25.5748	59.6870	7.9520	10.5376
Share of population ages 18 to 24[2]	Number of individuals ages 18 to 24 in a given state-year, divided by all individuals in population	0.1056	0.1490	0.0780	0.0140

Sources: [1]National Association of State Student Grant and Aid Programs; [2]Census Bureau; [3]Klarner, Carl, 2013, "State Partisan Balance Data, 1937 – 2011", http://hdl.handle.net/1902.1/20403 IQSS Dataverse Network; [4]Berry, William D., Evan J. Ringquist, Richard C. Fording and Russell L. Hanson. 1998. Revised citizen ideology measure, "Measuring Citizen and Government Ideology in the American States, 1960-1993." American Journal of Political Science, 42: 327-348.; [5]Tax Policy Center, provided by the Urban Institute; [6]National Center for Education Statistics (HEGIS and IPEDS surveys; surveys conducted by the Department of Education's National Center for Education Statistics, not associated with the Delta Cost Project).; [7]National Center for Higher Education Management Systems; [8]Bureau of Labor Statistics; [9]Bureau of Economic Analysis.

To capture the economic context in which need-based aid expenditure decisions are made, I include state-year unemployment and poverty rates. College enrollment tends to expand during economic downturns as the number of unemployed individuals increases and the unemployed seek new, or further, training (Kelchen 2016). Unemployment growth contributes enrollment expansion which can lead to increased need-based aid spending. Higher proportions of "poor" individuals in a state mean greater eligibility for need-based aid.

I assess the influence of political factors by including a measure of democratic legislative control where 1 = Democratic control of both chambers, 0 = Republican control of both chambers, .5 = Democrats control one chamber, Republicans the other, .25 = Republican control of one chamber, split control of the other, .75 = Democratic control of one chamber, split control of the other. The citizen ideology measure is a score of liberalism where 100 is the most progressive ideology measure and 0 the least. The measure was created by Berry et al. (1998) and is extensively described in their paper. The data has been updated to include state-year values through 2013.

I also include two control variables. The proportion of the population ages 18 to 24 controls for increases in the college-aged population. Higher education stakeholders look at population changes in this age group in order to anticipate enrollment demand. This demographic characteristic is a proxy for an enrollment variable, enrollment being excluded due to endogeneity with the dependent variable. Personal income per capita (in thousands) is included as a control for fluctuations in economic well-being.

Methods

I use a fixed-effects estimation technique to test the relationship between need-based financial aid and the independent variables. Ordinary least squares (OLS) regression is inappropriate for repeated observations across years because the OLS assumption that errors will be uncorrelated is likely violated by time series, cross section data (Beck and Katz 1995). The fixed-effects model (FEM) controls for unobserved state-level variables. A random-effects model (REM) is able to address these issues as well, but a Hausman test indicated that the FEM was preferred. I also include a lagged dependent variable as recommended by Beck and Katz (1996) to address the additional problem of serial autocorrelation in the data.

Change in state-level, need-based aid spending (in state *i* and year *t*) is specified to be a function of higher education, political, demographic, and economic factors, as well as several control variables, in a model with state-years are the unit of analysis.

The equation model is as follows:

$$Y_{it} = \beta_0 + \alpha_i + \beta_1 * X1_{it} + \ldots + \beta_N * XN_{it} + \beta_{N+1} * C1_{it} + \ldots + \beta_{N+M} * CM_{it} + d_t$$

Here the "d" indicates the time dummy variables included in the FEM, "α" is alpha for the state level fixed effects, letters "X" are independent variables, and letters "C" are control variables.

FINDINGS

I find very little support for the application of welfare state theories to NBFA. The coefficients for cultural, political, and social control (or economic) factors almost all support my hypotheses in relationship direction, but none are statistically significant. Thus, while a more liberal legislature and citizenry may prefer need-based aid expenditures, their influence is indistinguishable from zero. Like the political context, the economic or social control context appears to have little effect on the outcome variable: unemployment rate and poverty rate, as well as the control variable measuring income per capita, all have uncertain effects on need-based aid spending. One of the social control measures—unemployment rate—is negatively correlated with the dependent variable, which contradicts my hypothesis, although it also lacks statistical significance. Thus, we cannot with any confidence reject the null hypothesis that these measures have no effect of NBFA expenditures, as measured here.

The results do uphold prior research suggesting a link between racial demographics and welfare provision. For both racial demographic variables we have reason to reject the null hypothesis that racial and ethnic population change do not significantly affect change in the dependent variable. The negative coefficient for Black share lend some support to the racial threat hypothesis because it suggests a correlation between the Black share of the population and NBFA, albeit at a less reassuring level of statistical significance. Thus, it is possible that policymakers increased NBFA as Black Americans appeared to constitute a relatively smaller share of the population (given stagnant or barely increasing population share change among Black Americans compared with more rapid increases in Hispanic and other racial/ethnic groups). I dropped states that were outliers in having both large Black population shares and low NBFA spending (e.g., Georgia) from the model and found no change in the coefficient for Black share.

Table 4. Predictors of need-based aid spending, fixed effects specification, 1981-2012

Hispanic share of population	4.423	±
	(2.344)	
Black share of population	-9.550	±
	(5.397)	
Democratic control of legislature	0.017	
	(0.115)	
Liberal citizen ideology	0.003	
	(0.006)	
Unemployment rate	-0.041	
	(0.032)	
Poverty rate	0.003	
	(0.020)	
Income per capita (thousands)	0.008	
	(0.020)	
Higher education appropriations (thousands)	4.448	**
	(1.224)	
Average student tuition public PSE (thousands)	-0.171	**
	(0.066)	
Governance structure public PSE	0.034	
	(0.250)	
Lagged DV: Need-based aid (per enrolled student, by per capita income)	0.864	**
	(0.016)	
constant	1.159	
	(1.182)	
sigma_u	1.278	
N	1372	
Groups	49	
R-sq within	0.7783	

Standard errors in parentheses
**= p≤.01 *= p≤.05 ± = p≤.10

Contrary to the standard racial threat hypothesis, but in support of the *educated citizenry perspective*, the Hispanic share of the population is positively correlated with NBFA expenditures, all else being equal. This result suggests that state legislators may increase NBFA in response to growing Hispanic populations, reinforcing the possibility that politicians are actively seeking to broaden access for this ethnic population. Since the Hispanic share of the population is much larger in some states than others I re-ran the model while excluding outlier states (specifically Nevada, New York, Arizona, California, Texas, and New Mexico) and found no notable change in the coefficient for Hispanic share. This coefficient, like Black share, is significant at the $p \leq .10$ level, so the relationship should be interpreted with caution.

In keeping with the *educated citizenry perspective*, the coefficient for higher education appropriations is correlated with need-based aid spending, all else being equal, and is positive as hypothesized. As states increase support for public higher education they may also increase support to low-income students, all else being equal. Average tuition for public institutions is also a correlate of need-based aid spending, although the relationship is negative. This negative coefficient is likely the result of the slow-moving nature of the dependent variable: growth in tuition rates has routinely outpaced NBFA expenditures in the majority of states.

The Hispanic share variable contradicts prior research because it suggests that states spend more on NBFA when Whites are losing majority status. If this relationship is accurate, typical resistance to redistribution for Hispanic Americans does not seem to apply in the realm of NBFA. Other reliable predictors of welfare, like liberal citizen ideology, Democratic Party strength, and unemployment rate have no discernible impact on NBFA spending, ceteris paribus. Instead, redistribution in higher education is more the result of state efforts in supporting public colleges and universities and attending to the perceived needs of changing racial and ethnic state populations. Evidence from California and Texas lends further support to the *educated citizenry perspective* and further clarifies the interests and actors relevant to the politics of redistribution in higher education. These cases provide a counterpoint to the finding that Black population shares are negatively correlated with NBFA expenditure, suggesting a need for additional historical study of other state NBFA policies.

RACE AND THE POLITICS OF NEED-BASED AID IN CALIFORNIA AND TEXAS: PURSUING AN EDUCATED CITIZENRY

I focus this case study on the role of demographic change, as well as the higher education, political, and economic contexts which converged in California and Texas during the late 1990s to push lawmakers toward a major expansion of NBFA. In 1999, Texas lawmakers enacted the TEXAS (Toward EXcellence, Access, and Success) Grant. Prior to a state-funded program for low-income students, Texas mandated several forms of financial assistance to low-income students, including a state-funded "tuition equalization grant" for needy students at private institutions and a tuition-funded, campus-based grant for students at Texas' public colleges (Strayhorn 2004). Neither program was ever funded sufficiently to cover the tuition costs of the students who qualified, never covering more than half of students' expenses (TCSSP 1974; TCHE 1992). In 2000, California lawmakers expanded the state's Cal Grant program. Through this program the state had been providing financial aid to students but had routinely fallen short of the goal to assist twenty-five percent of all high school students (CSAC 1999).

Shifts in the ethnic share of the population mattered in these states because state demographers, elected officials, and members of the postsecondary education establishment (meaning actors from higher education committees, coordinating boards, and colleges) were championing a college education as the best means to successfully bring the large and expanding Hispanic population into civil society and the labor market. These various groups used population forecasts to advocate for policies that would improve Black and Hispanic enrollment rates. They emphasized rapid growth rates among Hispanics especially, but nevertheless discussed improving participation rates for both groups. The impetus to diversify college student bodies came from government, both state and federal, after the Civil Rights Act (1964) and Higher Education Act (1965). During the 1980s and 1990s, higher education stakeholders increasingly focused on population change as a motivating factor for pursuing policies that would support minority enrollment. At this time, university leaders and higher education coordinating boards became central actors in the quest to support minority students. In each state, the various stakeholders argued that educating more minorities was good policy because it would benefit the state economy and because it would promote equitable outcomes.

Economic context and unemployment

Prior to the mid-1980s, Texas politicians kept tuition so low that the underfunding of previous need-based aid programs was not an overtly contentious issue for the students attending state schools: between 1971 and 1983 tuition rates remained unchanged while state appropriations per FTE student increased substantially (TJSCFP 1985). Texas' wealth of natural resources, especially oil and natural gas, had allowed the state to enjoy economic growth even during periods when most other states were struggling financially. This changed in 1983 when the prices of oil and gas declined, leading to decreased government revenue and expenditures, a high unemployment rate, and decreased consumer spending. In their search for savings and revenue without tax increases, Texas politicians became more willing to raise public sector tuition, doubling it in 1985 (*Dallas Morning News* 1985). Texas in-state tuition remained among the lowest in the country despite these increases, however (Texas Research League 1986). After 1983, economic recovery in the state was slow. Texas' gross state product (GSP) remained flat through 1993 then began a slow rise through 2001 (Bureau of Economic Analysis, Texas data).

California students also benefited from low tuition and fee charges through the 1980s. Compared with other states, tuition rates remained relatively low and policy recommendations from politicians and higher education advisory commissions focused on returning to the era of low charges as a means of providing universal access to public higher education (CAACHE 1991; CSAC 1983). Economic recessions led to lower revenue collection. In particular, the global recession of the early-1990s hurt California's economy much harder than the rest of the nation (CALAO 1995) leading the legislature and governor to reduce the budgets of the public universities and encourage the implementation of higher student charges (ACHE 1992).

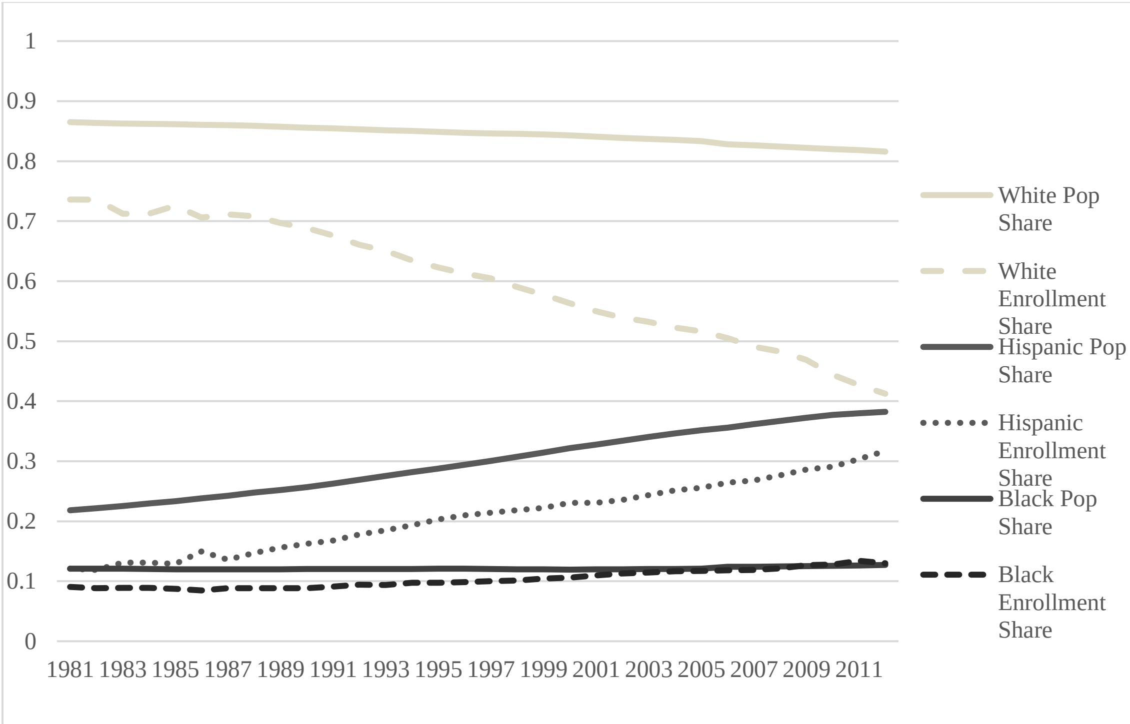

Figure 6. Texas Population and Enrollment Shares by White and Black Race, Hispanic Ethnicity, 1981-2012

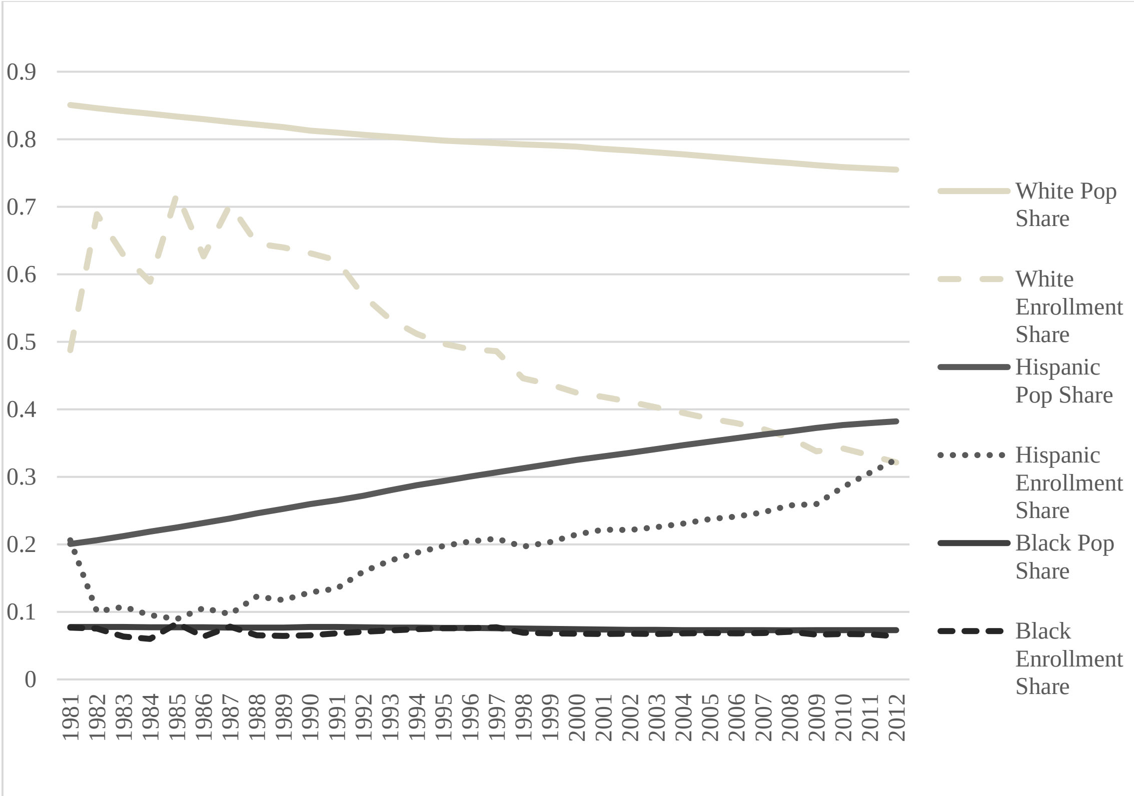

Figure 7. California Population and Enrollment Shares by White and Black Race, Hispanic Ethnicity, 1981-2012

Californians and Texans experienced the effects of recessions differently according to race, ethnicity, and educational status. Unemployment rates were especially high among Black and Hispanic residents, particularly those without a college degree (Krueger and Orszag 2002; Murdock et al. 1997; Reed 2001a, b). Even as the states' economic fortunes improved and state budgets drew surpluses in the late 1990s, college enrollment shares among these two groups remained far below their representation in the state's population (see Figures 6 and 7).

Emergent desegregation frames

In 1981, the Texas government began voluntary compliance with a U.S. Department of Education, Office for Civil Rights (OCR) inquiry into efforts to desegregate public higher education (Texas Office of the Governor 1983). Prior to that year, reports from the THECB and the legislature very occasionally documented low enrollments among Black and Latino students; I did not find systematic efforts to track enrollment by race or ethnicity (see, for example, THECB 1978). This changed after Texas began compliance with the federal mandate. Texas' desegregation plan required each institution to report on enrollment by race and ethnicity which the Texas Higher Education Coordinating Board (THECB) compiled, commented on, and then submitted to the legislature. As a first step toward desegregation, the Texas Legislature appropriated 500,000 dollars to the THECB which it disbursed to the state's 30 general academic institutions for use as scholarships for students who were racial or ethnic minorities on their campuses (THECB 1983). This initiative lasted until at least 1988 (THECB 1988).

The race-attentive reforms mandated by the federal government in Texas influenced the tracking of higher education enrollments but also affected the types of policy problems legislators identified. The THECB released more than one report each year detailing desegregation efforts. Every four years the Legislature revisited its efforts on desegregation in a lengthy report. The authors of each type of report not only focused on efforts to distribute college-going students between institutions of higher education, they also sought to expand the pool of eligible students by highlighting the low college attendance rates of Black and Hispanic students.

Race-attentive reforms in California were a response to various initiatives at the federal level, including the Higher Education Act of 1965 and 1970 Department of Labor guidelines for diversifying the racial composition of the federal workforce (CACCHE 1966; Pusser 2004). Between 1964 and 1967 the California Legislature approved various measures aimed at promoting participation among "culturally disadvantaged" students, including financial aid and special admissions considerations (CACCHE 1966). California Speaker of the Assembly, Jesse Unruh, pressured the State's financial aid board to help minority students attend college, even warning that racial majority students might balk at such assistance but that it was necessary "to build effective multiracial communities on our campuses" (*Los Angeles Times* 1968). Assembly member Willie Brown was particularly active in pressuring the University of California to improve the representation of minority faculty, staff, and students on the various campuses in the 1970s, even threatening to withhold funding should the University not improve its efforts in this area (Douglass 2000). The Coordinating Council argued that such efforts were necessary for the maintenance of a democratic society (CACCHE 1966). By the 1990s, the leaders of the University of California and California State University were looking for ways to recruit more racial and ethnic minority students to the campuses of their own accord.

Framing the issue of demographic change and possible responses

As border states with Mexico, California and Texas have long been major destinations for Hispanic migrants, especially Mexicans (Durand, Massey, and Capoferro 2005). The Hispanic population grew considerably between 1980 and 2012 although college enrollments among Hispanic youth had not kept pace by the year 2000, as seen in

Figures 6 and 7 (Pew Research Center, Hispanic Trends). Texas' African American population did not increase nearly as rapidly during this period but college participation rates were considerably lower for this group than for Whites between 1980 and 1998, before Texas politicians had managed to increase NBFA (THECB 2011). California's Black population is smaller than Texas' but also did not see much increase prior to Cal Grant expansion in 2000. California's public colleges enrolled larger shares of Black students than Texas before the expansion of financial aid although participation rates for Black and Hispanic groups were still below their general representation in the population (CA Educational Roundtable 1998).

Annual reports detailed the growing population of Hispanic students and the need to remedy differential rates of attendance for Hispanic and Black students. One Texas report warns that a "permanent underclass" would develop if the problem was ignored and that newer jobs, which require "brains, not brawn," will not have enough applicants unless Hispanic and Black people complete a college education (THECB 1989: 9-10). The "state has no alternative but to find the means by which access to higher education may be increased" (10). Elsewhere THECB members argued that "the future economic vitality of Texas depends in large part on the state's ability to educate all of its people" to be "high-skilled, well-educated workers" (THECB 1994: 1). Failure to do so would "lead to overburdened and financially strapped governments, rising unemployment, increased poverty, and the social and economic ills that too often follow" (1). Similar admonitions were common in reports from legislative higher education committees, Steve Murdock in the State Demographer's office, and Texas Comptroller John Sharp (Murdock et al. 1997;

Sharp 1992; TJSC, 1992). California stakeholders were less alarmist in their calls for minority incorporation, possibly because the state had decades of strong economic performance in a variety of industries (CA Education Roundtable 1998). Nevertheless, rapid growth of the college-aged Hispanic youth population which might under enroll in state colleges was a major concern (Brewer and Kaganoff 1997; CA Education Roundtable 1998; CCC 1999; Eureka Project 1988). Commentators warned of the negative social costs associated with low college completion rates, including welfare dependency, waste of talent, unemployment and elevated incarceration rates (Brewer and Kaganoff 1997; CA Education Roundtable 1998; CPEC 1998, 1995, 1992).

Regarding the issue of demographic change and higher education enrollments, stakeholders drew on equity and economic frames to justify state action. When invoking an equity frame, stakeholders advocated for increasing racial and ethnic diversity in higher education for the sake of providing equitable opportunities. For example, in one THECB (1994) report, the authors described equal representation of Black and Hispanic students as "a moral imperative." Authors often drew on both equity and economic frames, such as when a THECB member declared a "need for vigorous attention to this goal [of racial/ethnic representation] to meet the demands of both equal opportunity and the state's economy" (THECB 1988: 73-74). "The black and Hispanic minority populations, which are expanding rapidly, are proportionately society's most undereducated citizens," reads one THECB report (1989: 10). And a joint legislative committee warned that "if employers are to have a qualified workforce, minority students must enroll in and graduate from postsecondary institutions at all degree levels" (TJSCHE 1992: 15). Thus, while the OCR and subsequent compliance reports initiated desegregation based on a national goal of equitable opportunity in higher education, Texas stakeholders focused on both the economic consequences and equity concerns arising from such inequities in higher education.

The equity and economic frames were also used by California stakeholders. For example, drawing on an economic frame, in 1984 State Assembly Concurrent Resolution 83 explains that, “The Legislature recognizes that unless increased numbers of ethnic minority and low-income people are educated at California colleges and universities…California will have considerable difficulty meeting the challenges of future economic and technological growth” (California Assembly 1984). During the 1980s and 1990s, when California’s appropriations to public higher education declined and support for the state’s Cal Grant program declined relative to personal income and student charges. CPEC (1992) wrote that “The bitter irony is that just when more and more children are working and studying harder to improve themselves through education, and at just the time when these students are coming from more ethnically and racially diverse groups, California is incrementally dismantling its world-renowned higher education system. Access is being limited, and quality is declining” (1).

Policy development and passage

Public colleges pursued academic programs that facilitated minority students’ preparation for college-level work, as well as outreach to minority communities (Weiss 1998). Despite recognition that finances were a primary barrier to higher education participation (CSAC 1984; Matthews 1968; TCHE 1998), lawmakers were doing little to *financially* support desegregation efforts through the mid-1990s. As college tuition rates continued to rise the push for a more generous NBFA program became the preferred method for channeling state finances toward diversity efforts. THECB (1995) urged the state to increase financial support for Black and Hispanic students by explaining that the best programs included responses to their “social, academic, and financial needs” (Appendix 1) and that “Crucial to the success of any program to increase minority participation in higher education is the availability of financial aid” (THECB 1989: 10). THECB Commissioner Don Brown repeatedly testified before legislative committees on this issue, explaining that low tuition and/or sufficient financial aid were essential for higher minority participation (Brown 2016; TSCE 1995). Similarly, members of the California Assembly Committee on Higher Education and other actors contended that tuition rates must be controlled or financial aid bolstered to insure participation by the state’s minority youth (*Los Angeles Times* 1993). Numerous lawmakers and aides within the state legislature viewed low tuition policies, or adequate financial aid, as “the one hook out of poverty” for California’s financially needy Hispanic and Black students (Ortiz 2014) and a primary goal in legislative deliberations over need-based financial aid policy (Garcia 2016).

Both states’ efforts on financial aid expansion were hampered due to financial shortfalls. In Texas, at least three proposals for grant programs targeting needy students were approved during the 1990s but received no appropriation (Elliot 1990; Texas HB 1261 1993). However, efforts in both states were further complicated by policies banning affirmative action. The UC Regents (1995), California's voters (Proposition 209, passed in 1997), and the Texas Attorney General (in response to the *Hopwood v. Texas* case which outlawed affirmative action at the University of Texas, Austin law school, Lum 1998) rejected the use of race or ethnicity in the treatment of individuals in higher education and any state agency. These bans effectively silenced explicit calls to target state support to racial or ethnic minorities. While each states' coordinating boards and other state agencies continued to track the educational progress of racial and ethnic minorities, the policy recommendations they offered emphasized intervention with low-income students generally. I describe NBFA policy adoption in California and Texas separately.

Texas higher education stakeholders spoke of the *Hopwood* decision, or ban on affirmative action, as both a catalyst for NBFA legislation as well as a hindrance. It was a catalyst, according to Republican Senator Bill Ratliff, because it "added momentum" to efforts for an aid program (*Dallas Morning News* 1998). The inability to use affirmative action was contributing to "'a drain of our best students'" as minority applicants were being drawn to other states by larger scholarships. The THEC (1998), a group created by leaders of public and private higher education leaders, asked former Lt. Governor Bill Hobby to head a committee tasked with "consider[ing] creative approaches to encourage more representative student bodies at all Texas colleges and universities…within the parameters of *Hopwood*" (5). Hobby and colleagues recommended that the state triple financial aid spending "for a simple student aid program based on need" (23), noting that racial and ethnic minority students were more often financially disadvantaged than their White peers. Likewise, primary sponsors of the TEXAS Grant proposal, House Democrats Henry

Cuellar and Irma Rangel, explained that the proposal was an attempt to mitigate the negative effects of the *Hopwood* ruling on minority enrollments (Brooks 1998).

Texas legislators submitted several proposals between 1998 and 1999, some of them merit-based and others need-based. Ultimately, support coalesced around the need-based proposal being championed by leaders in both the House and Senate as well as the THECB and institutions of higher education (Brooks 1998). The Senate's primary sponsors—a Republican and a Democrat—drew on an economic frame as they argued for the bill's passage in an opinion editorial, stating,

> Expanding access to college makes sense for Texas. If we don't begin to produce more highly educated, highly skilled workers, the high-tech boom of the '90s will be a high-tech bust in the next century as industries look to other states for workers. [TEXAS Grants] can be the 21st century GI Bill that opens the door of opportunity to a new generation of Texans (Ellis and Wentworth 1999).

With bi-partisan support and a budgetary surplus, the bill passed almost unanimously. Sen. Ratliff reflected that "The TEXAS Grant program was passed with relative ease, but it passed before the economic downturn. A few years later, it most probably could not have been passed" (Ratliff 2015).

Lawmakers in California were less explicit about using a need-based aid program to address the problem of under enrollment among minority students, although in interviews participants in the process confirmed that this was an intentional tactic. Not only were California agencies forbidden by law to consider race or ethnicity in admissions, both of the governors in office as the Cal Grant expansion was being discussed made their opposition to this type of rationale known. California Governor Pete Wilson, whose term ended in 1999, defended his record on aid to needy students (he had been an advocate for ending affirmative action) by claiming to support higher education outreach programs that were "based on need, not on race, gender, ethnicity, or some other preferred status" (Weiss 1997). His successor, Governor Gray Davis, was similarly opposed to racial preferences and even had reservations about expanding aid to financially needy students: he proposed a program to focus the state's tuition mitigation efforts on high achieving students (Morain 2000).

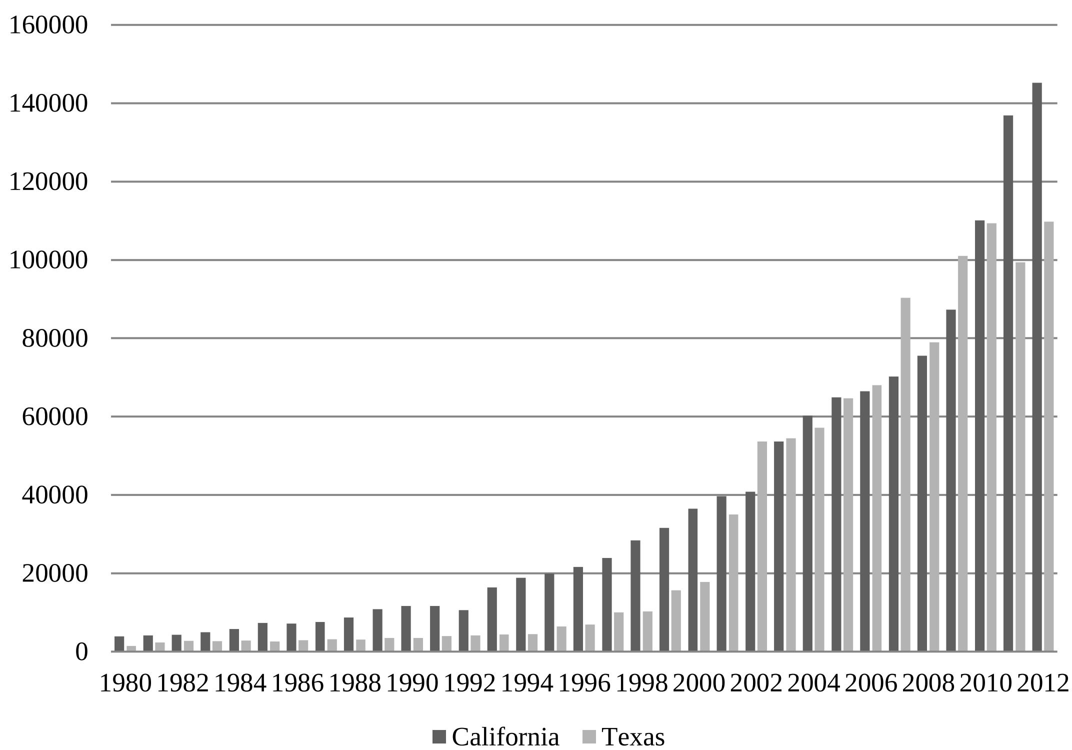

Figure 8. Need-based aid expenditures per enrolled student, 2009 dollars

An expansion to the Cal Grant program was rejected in 1993, largely due to insufficient funding, but also due to opposition from some within the higher education establishment (Garcia 2016). Policymakers were not developing another, similar proposal in 1999 but were instead focusing on ways to boost financial support for the state's community college system. However, when Governor Davis proposed a merit scholarship program the Senate Education Committee reacted by developing a major expansion to the Cal Grant program (Ortiz 2014). Senator Deborah Ortiz explained that from their perspective, Governor Davis appeared blind to the needs of low-income students, and this perspective galvanized Senate President John Burton and a number of other legislators, from both political parties, to propose an alternative plan. Supporters of Cal Grant expansion criticized Davis' plan for aiding students who would attend college regardless of the cost (Morain 2000; Garcia 2016). They believed that California students who successfully completed high school and prepared for college should be entitled to attend a state school, regardless of financial need (Fuentes-Michel 2014).

The proposal these lawmakers put forward was that any eligible, financially needy student should receive Cal Grant financial aid. They called this the "entitlement grant." Sen. Ortiz and others insisted that the grade point average required to maintain a Cal Grant remain low because, as she explained in an interview, racial minority students often struggled to maintain high GPAs in college (Ortiz 2014). Former advisor to Davis, Diana Fuentes-Michel, explained that she was similarly opposed to Davis' merit aid proposal (which granted scholarships to students based on test scores) because minority students tended to do poorly on standardized tests (Fuentes-Michel 2014). During the debates over Davis' and Burton's competing proposals no participating party mentioned racial or ethnic minority students. However, central participants in this policy outcome confirmed that income was understood as a proxy for race by many involved (Fuentes-Michel 2014; Garcia 2016).

After a contentious debate between the Davis administration and the Senate, lawmakers agreed to pass a bill that would approve relatively small merit scholarships along with a new, entitlement expansion to the Cal Grant program (Leovy 2000; Nussbaum 2014). Garcia (2016) argued that California's budgetary surplus in 2000 was an important element in the bill's passage. This new program led to increases in NBFA expenditures in the state and has put California among the top five states for NBFA expenditures per FTE (NASSGAP 2013). Figure 8 shows the rapid increase in NBFA expenditures in Texas after 1999 with more gradual increases in California after 2000.

CONCLUSION

The California and Texas cases reaffirm the quantitative finding that growth in the Hispanic population of a state may contribute to NBFA expansion. Concerns over demographic change were expressed by policymakers and postsecondary education establishment to warn of perceived negative consequences of an uneducated population. After affirmative action was no longer an option for university admissions or state policy decisions, policymakers faced a complication in their efforts to promote racial and ethnic representation in enrollment, so they focused their efforts on a "race-neutral" NBFA program and were eventually successful. A race-neutral program is likely a preferred method of redistribution in higher education across the nation, whether or not states have a history of legal challenges to affirmative action or legally imposed racial segregation of public colleges.

Dire warnings about enrollment imbalances in California and Texas that would lead to social unrest and mass unemployment reflect the social control argument developed by Piven and Cloward (1977) and further used by Soss et al. (2001). Economic factors like unemployment, poverty rate, and the control variable for income per capita did not explain variation in NBFA in the quantitative model, but they were preoccupations of legislators in the case study states who saw higher education as a crucial means for supporting the state economy. These examples show that higher education is often used by policymakers as a means to redistribute taxes and provide opportunity to underprivileged members of the population. Lawmakers do not need to be motivated by a commitment to racial or ethnic equity in order to support NBFA or state support for public higher education generally, their motivations can also be motivated by concerns over the economic prosperity of their state or region.

One lingering question is what role the Black share of the population plays in NBFA expenditures. College enrollment and completion rates among Black Texans were a major concern for California and Texas legislators and received attention alongside Hispanic rates, yet the quantitative results indicated that the Hispanic population share positively correlated with NBFA while Black share was negatively correlated. As stated previously, the difference in effect may be due to the scale of change. Although both Black and Hispanic students were underrepresented in higher education, the very large Hispanic population was more consequential in the equation. However, it is also possible that additional case studies would find that policymakers reacted to shifts in these populations differently. For example, Georgia's sizable Black population grew during this period and also during this period, Georgia politicians shifted state financial aid efforts toward a merit aid program which disproportionately benefited middle- and upper-income students (Dynarski 2000; gsfc.georgia.gov).

These findings have implications for scholars studying higher education as well as race and redistribution. Prior analyses of the impacts of financial aid are clear: NBFA facilitates access for disadvantaged students who are otherwise unlikely to attend while merit aid does not (Alon 2011; Dynarski 2000; Goldrick-Rab et al. 2016; McDonough, Calderone, and Purdy 2007). Monks (2014) also found that state spending on NBFA may lead students to take on lower levels of debt. Knowing what predicts need-based aid expenditures can assist efforts at promoting greater state commitment to NBFA. Although my quantitative analyses suggest that states with high levels of postsecondary education expenditures are more likely to increase NBFA expenditures, the case studies suggest that other factors influence that process as well, such as politicians' desires to promote economic health by increasing the population of college graduates in their state.

Suggestions for future research and the outlier case of New York

Future analyses could further study differences in politicians' responses to population change among Hispanic and Black state residents. Cybelle Fox's (2010) research on racial stereotypes and proximity suggests that as White residents experience increased exposure to Black and Hispanic residents, Whites are less likely to view Hispanics as lazy but more likely to view Blacks as lazy. Positive views of Hispanics do not appear to negate opposition to welfare spending by Whites, but do suggest differences in how Whites react to growth in the Hispanic population versus the Black population. Perhaps negative stereotypes of Black Americans hinder efforts at improving equity in higher education via NBFA, even if the recipients of this redistributive program are potential college students. In addition, scholars could also look at regional differences in redistribution via higher education. The state fixed effects specification of this study controlled for state-level differences, but previous research suggests important regional differences (Hearn, Griswold, and Marine 1996).

I omitted New York from this analysis because the state enacted a generous NBFA program prior to the time period I analyzed (analysis covers 1980 to present, New York enacted the Tuition Assistance Plan in 1974). However, I briefly describe the enactment of NBFA in New York in order to point to several ways in which future research might show additional ways that higher education, as a policy domain, refracts the politics of redistribution. I do not present a full explanation for why legislators in New York enacted the Tuition Assistance Program (TAP) over two decades before California and Texas expanded their programs to comparable sizes, but I do explain that evidence suggests that the ecology of higher education institutions in New York played an important role in encouraging the adoption of TAP legislation—an issue that merits further, comparative investigation.

Unlike California and Texas, but not unlike some other northeastern states, New York State has a large number of independent colleges and universities which have enrolled just under half of New York college students since 1970 (see Figure 9). Tuition increases were large for New York’s private institutions from the late-1960s through the 1970s due

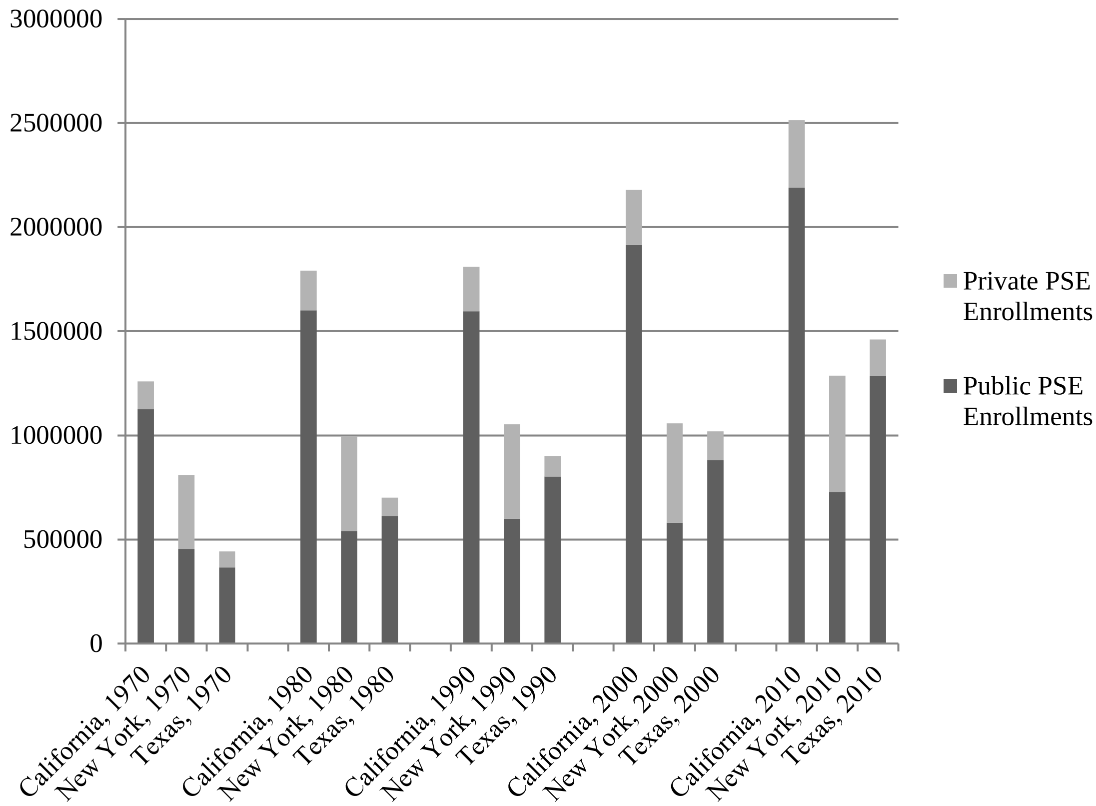

Figure 9. Student enrollments by sector for California, New York, and Texas, 1970-2010

to a decline in direct state support and endowments (NYSTF 1972; USNY 1972b). During the recession of the late 1960s and early 1970s, all higher education sectors felt a need for additional state aid, but the situation of the independent schools was especially dire since a critical number were facing closure without increased aid from the state (NYSJLCHE 1973; USNY 1972b). In the various government reports, legislative hearings, and higher education reports which were devoted to this subject, stakeholders made the case that state

NBFA was the answer to the crisis in New York higher education because it could play a significant role in maintaining diversity (NYTFFHE 1973; USNY 1972a).

Yet diversity in this context did not refer to race, ethnicity, gender, or any other student characteristic; diversity referred to diversity of institutional type. In other words, stakeholders argued that state NBFA would allow students greater choice among higher education institutions, the result of which would be higher enrollments in the private sector. The goal was to slow the private sector's slide into bankruptcy and oblivion (NYSJLCHE 1973; NYTFFHE 1973). One Regent for the University of the State of New York (the state's education oversight department) explained: "I…support increased State Aid to postsecondary students for tuition costs, a concept which I deem necessary to preserve New York's tradition of diverse educational opportunities" (NYSJLCHE 1973). The president of Fordham University expressed his "profound personal thanks" to the governor for what he did to "assure the enactment of what may well prove to be the most crucial piece of legislation so far as private higher education in New York State is concerned" and believed that, with the grants in place, the private system would now "have a fighting chance" (Finlay 1974). And the bill's sponsor in the Senate, Senate Majority Leader Warren M. Anderson urged the governor to approve the bill, arguing that "Enactment of this bill will benefit not only the college students of our state but also our colleges" (Anderson 1974).

The legislation was also praised by the various stakeholders for its potential to "respond to the widespread need of lower and middle income families" who required financial assistance in order to avoid indebtedness (Tobin 1974). More recently, TAP was defended from budget cuts by students and university leadership who argued that it was essential for low-income students of color (Arenson 2003). Nevertheless, as the body representing the State's independent institutions explains, "Its original purpose was to make student choice of institutions a reality by narrowing the tuition gap between the independent and the government-sponsored sectors" (CICU 1977).

Future studies could select states and characteristics that allow for a comparative analysis of how the organizational arrangements of higher education systems, including competition between public and independent higher education, has affected the policies that mitigate college costs. More research is needed to understand the ways that all sectors of higher education might be used by the state to facilitate college participation for disadvantaged students and families while acknowledging the strategies independent institutions undertake to diversify their student bodies.

Chapter 3 is currently being prepared for submission for publication. Nations, Jennifer M. "Producing an Educated Citizenry: State Support for Need-based Financial Aid and the Politics of Redistribution in Higher Education." The dissertation author is the sole author on the manuscript.

CHAPTER 4 – Redistributing to the Middle-Class: How University Leadership and Class Interests Drove Tuition Trust Enactment

INTRODUCTION

As tuition has continued its precipitous rise citizens have demanded, and politicians have responded with, policies that mitigate high tuition. Much of the government's response has been focused on financial aid in the form of need-based grants and loans, or programs that target low -income families. Yet state leaders have also been mindful of how college costs impact middle- and upper-income constituents, leading some to pursue policies that provide tax-advantaged methods to pay for higher education. By enacting tuition trust programs—which allow families to "prepay" a child's tuition in an income tax exempt investment program to, theoretically, lock-in lower costs—states subsidize financially stable and well-off families and become facilitator, and sometimes guarantor, of a private investment strategy (Stripling 2010).

I use this instance of higher education policy to assess two issues in the politics of higher education. First, the relative influence of higher education leadership in policy outcomes. Do the leaders of colleges and universities have a perceptible impact on higher education policy outcomes? And if so, under what conditions are they able to influence policy? And second, the issue of redistribution in higher education. Postsecondary credentials have traditionally been monopolized by elites, but activists, politicians, and progressive higher education representatives have worked to open the doors of higher education (Pusser 2004; Stulberg and Chen 2013). Scholars have repeatedly shown that after a period when access is broadened or income redistributed, elites tend to resist the perceived erosion of their privileges (Ansell 1997; Haney Lopez 2014; Martin 2013). Is there evidence to suggest that the enactment of tuition trusts is an attempt by politicians to appeal to privileged voters, whether White and/or middle and upper-class?

Most analyses of fiscal policy change in higher education focus on the role of political parties and university governance structure (Doyle, McLendon, and Hearn 2010; McLendon, Hearn, and Mokher 2009; Tandberg 2008). My research suggests that these factors were not critical in tuition trust policy outcomes. Using a series of univariate, event history models, I find that none of the structural factors typically associated with higher education policy adoption is strongly correlated with an increased likelihood of tuition trust adoption. In my comparative-historical analysis of six states (California, Florida, New York, Oregon, Texas, and Washington), half of which implemented tuition trust programs and half of which did not, I show that the disposition of public university leadership was the decisive factor in tuition trust adoption. When higher education stakeholders supported tuition trusts (or at least quietly acquiesced to their passage), they were approved, but when college administrators expressed resistance, elected officials did not adopt them. However, this was only the case when no other intervening actors were enabled by policy or other structural condition to challenge their influence, such as voter approval of the measure or an entrenched policy commitment. I conclude that higher education leaders successfully pursued their interests in the political field when the structural apparatus of the state made them the primary, non-elected actors.

I also find evidence suggesting that policymakers were responding to perceived White and middle-class interests as they pursued tuition trust legislation. This is evident in the qualitative analysis as policymakers described the policy as a boon to the middle-class. The event history analysis supports this conclusion as well: a positive correlation between two measures of Black population size and the log odds of tuition trust adoption suggests that states where more African American students were enrolled in college, and where the Black population was larger in general, may have been more likely to adopt such a policy. I argue that tuition trusts should be thought of as one aspect of the broader American policy effort to provide government benefits to the White, upper- and middle-classes.

Through this chapter I contribute to the political sociology of higher education by suggesting a framework for understanding university administrators as political actors by showing the conditions under which university leaders get the policy outcome they desire, and when structural features of the state limit their capacity to prevail. I also suggest another way in which higher education institutions and state policymaking may facilitate or disrupt the politics of redistribution, between social class and racial groups.

BACKGROUND

In a tuition trust program, a purchaser buys tuition units or credits at a price near current public tuition levels on behalf of a child, i.e., tuition trust designee. A state board either contracts with a financial services firm or a state board, which invests the pooled money from all contracts within legislated guidelines and guidance from financial experts. The purchaser of the plan has effectively pre-paid for college for the designee (Olivas

2003). If the investment falls short of the tuition costs once the designee enters college, the investor or designee will have to make up the difference unless the designee and investor reside in one of the six states where the government guarantees the value of investor's projected return, i.e., that they have fully 'pre-paid' tuition (Ziff 2015). In these states, the government covers the cost of tuition by a legislative appropriation or other state-supported means, if necessary. Although less common, some states (including Texas, although about ten years after the passage of the original legislation) have shifted the risk of investment underperformance to the public universities, requiring that colleges accept designee's tuition credit contracts whether or not their value covers the cost of tuition. The appreciated investment funds are exempt from federal income taxes and (where applicable) state income taxes.

Tuition trust policies originated as a means for private higher education institutions to help families afford tuition for their children (Roth 2001). Florida, Michigan, and Wyoming were the first states to approve and implement tuition trust programs in 1987. Figure 10 shows the states that adopted a tuition trust program and the year they approved the enabling legislation.

A favorable court ruling in *State of Michigan v. United States*, and federal legislation making tax liability clear, paved the way for the adoption of tuition trust and other tax-advantaged tuition savings programs nationwide (Small Business Job Protection Act of 1996). Eventually every state but one adopted tax-exempt college savings plans (e.g., California's "Scholar Share Trust" program or New York's "NYSaves") and twenty states adopted prepaid tuition trusts. (Doyle, McLendon and Hearn 2010; McGuiness and

Paulson 1989; Olivas 2003). Table 5 provides basic information about the twenty states that have adopted tuition trust legislation, including the legislative political majority in the year of passage, the higher education governance structure in the state, and whether the state has an income tax (a relevant issue since the policies are income tax exempt).

Sources: McGuinness and Paulson (1989); Olivas (2003, n.d.)

Figure 10. Tuition trust adoption states and year of adoption

Tuition trusts have varied in their success. One early commentator reportedly described them as “almost patriotic” and “a no-brainer” for politicians and families (Berger 1995, quoting University of Houston law professor Michael Olivas). However, at least nine of the twenty programs enacted have been permanently or temporarily closed while several more have been restructured to make them viable, typically because tuition was rising more

Table 5. Details of state enactment of tuition trust programs: political party, higher education governance, income tax policy (Southern states listed first, in bold)

	Democratic majority	Split	Republican majority	Centralized Governance	Coordinated Governance	Diffuse Governance	No inc tax
AL	x			x			
FL	x			x			x
KY		x				x	
MS	x					x	
SC		x				x	
TN	x				x		
TX	x					x	x
VA	x					x	
CO			x			x	
IL		x				x	
MD	x				x		
MA	x					x	
MI		x				x	
NV		x		x			x
NM	x				x		
OH		x			x		
PA	x			x			
WA			x			x	x
WV	x				x		
WY			x			x	x

quickly than the invested funds or because tuition trust managers did not charge a high-enough price for initial tuition units, or a combination of both (Olivas n.d.). For example, the original tuition trust implemented in Texas was enacted prior to a policy change that led to large jumps in tuition rates beginning in 2003. The plan was not performing well enough to guarantee tuition payment for all enrollees so the state closed the plan and enacted a new plan with different terms and payment rates. Currently, states without tuition trust policies in place are not actively considering them. The last effort to pursue a tuition trust was promoted by a New York State Senator in 2012.

Tuition trusts present a conundrum for higher education institutions: on the one hand, they potentially enable more families to afford college; on the other hand, they can potentially put pressure on universities, or the state legislature, to keep tuition artificially low so tuition increases will not outpace the rate of increase of the prepaid trusts. For state policymakers, they represent a commitment of state funds initially *and* the possibility of a large commitment in the future should tuition trust investments not perform well. Families who invest in tuition trusts and do not get the payouts they anticipated or desired may look to the budget as a source to close the gap between tuition costs and portfolio performance (Olivas 2003). Of course, this possibility also poses a threat to public postsecondary institutions because the commitment of general fund revenue to tuition trust contract holders may mean reduced state support for state universities.

HIGHER EDUCATION POLICY ENACTMENT: POLITICAL PARTIES AND UNIVERSITY GOVERNANCE

The pattern of tuition trust policy adoption is not well explained by existing literature on change in higher education policy. In this section I contend that potential explanations which prioritize the role of partisan political support, policy diffusion, and higher education governance structures cannot account for the non-adoption of tuition trusts in California, New York, and Oregon and tuition trusts' adoption in Florida, Texas, and Washington.

Analysts have shown that the party of the governor and legislature are important predictors of state effort to support public postsecondary institutions (Tandberg 2008; McLendon et al. 2009; Tandberg 2010). Democratic legislative majorities and governors are more likely to approve higher levels of state appropriations than Republican majorities and governors. The opposite may be true for need-based financial aid—when states have Republican legislative majorities and Republican governors they appear to spend more on this form of grant aid (McLendon, Tandberg, and Hillman 2014)—while Democratic legislative majorities appear more likely to enact tuition trust policies (Doyle, McLendon, and Hearn 2010). A survey of the incidence of tuition trust adoption suggests that political party dominance provides little insight into adoption variance. Tuition trusts were approved by legislatures dominated by both Republicans and Democrats (see Table 5). In addition, scholars of public finance have shown that tax expenditure programs (i.e., programs that constitute a revenue loss for government via tax exemption, incentive, or loophole) cannot be explained by partisan majorities (Howard 1997; Mettler 2011).

Scholars have argued that educational policy innovations are also due to policy diffusion across neighboring states (McLendon and Cohen-Vogel 2008; McLendon, Heller, and Young 2005). Cohen-Vogel and Ingle (2007) show that politicians in neighboring states are most likely to share policy information during the conceptualization and planning phases, rather than adoption stage, but policy diffusion may occur as a result of sharing at an early stage. However, the robustness of the policy diffusion argument is questionable (McLendon and Cohen-Vogel 2008) and cannot explain why some states bordering on adopter states did not enact tuition trusts (see Figure 10).

Differences in state-level university governance arrangements have also been linked to policy adoption in this domain. Scholars have found that governance structures partly explain variation in state spending on public higher education (Lowry 2001; McLendon, Hearn, and Mokher 2009; Tandberg 2008, 2010), as well as tuition trusts (Doyle, McLendon, and Hearn 2010), and can mediate the impact of other factors such as tuition policies (Nicholson-Crotty and Meier 2003). Specifically, state university systems that have strong, centralized governing boards appear to be able to exert greater influence over the government policies that affect them. However, loosely coordinated governance arrangements are neither necessary nor sufficient for tuition trust adoption as evidenced by the four adopter states that had centralized governing boards (see Table 5). And while we can assume that governing and coordinating boards will universally pressure states to increase appropriations we cannot assume that the strength or weakness of a governing board will explain policy adoption in an area like tuition trusts because university systems may have different stances on such a policy unrelated to their degree of centralization.

These studies fail to consider the degree to which politicians respond to the interests of some groups over others, specifically middle-class or White voters over low-income or non-White voters. In addition, pre-existing research fails to anticipate the ways that state-specific policy histories and rules governing policy might intervene in policy adoption. Two states with similar university governance arrangements may develop distinct policies because state-specific political contexts influence the interests that university leadership pursue. In other words, governance arrangements do not predict the interests of university leaders.

HIGHER EDUCATION POLICY ENACTMENT: RESPONDING TO MIDDLE-CLASS, WHITE POLICY PREFERENCES

The relationship between class interests and policy formation is a long-standing subject of study among sociologists. In early formulations, such as power elite theory, scholars argued that economic and social elites were able to win favorable policies due to their disproportionate access to elected officials (Domhoff 2009[1967]; Mills 2000[1956]). At least one recent study confirms that during four successive United States Congressional sessions, Senators' votes more often aligned with the preferences (as measured on a liberal/conservative ideology scale) of affluent voters (Hayes 2012). Analyses of discrete instances of policy formation suggest a more nuanced picture. In studies of reforms to redistributive programs, scholars have found that politicians use implicit racial cues to stoke fears of racial threat in order to garner support from White, middle-class voters (Haney Lopez 2014; HoSang 2010; Mendelberg 2001). In some instances, scholars show that lawmakers appeal specifically to taxpayers, or the people who "don't ask for things" from the government, as a way to juxtapose them with the stereotypically non-White (and possibly non-citizen) beneficiaries of public programs (Haney Lopez 2014; HoSang 2010).

Analyses of the preferences of White voters regarding redistributive programs reveal that racial stereotypes, and the belief in a racial threat posed by growing racial and ethnic minority populations, lead to program disapproval (Fox 2010; Soss et al. 2001). These voter preferences appear to translate into more restrictive or poorly funded programs (Fox 2010; Reese 2005).

Scholars studying tax policies have found that politicians do not necessarily respond to the demands of affluent, middle-class, or White voters, however. In the case of tax cuts and economic restructuring, policymakers in the United States actually worked toward *generating* class-based interest in their policies to gain political support (Martin 2008; Prasad 2006). Wealthy voters have managed to successfully lobby for tax breaks, some of them individually negotiated and planned, but Martin's (2013) study of affluent tax objectors suggests that the rich do not always obtain their desires.

Sociologists of higher education have found evidence suggesting that university policies are formulated or revised to reflect the interests of affluent students and their parents. This argument had early expression in the work of Pierre Bourdieu but has been empirically demonstrated to occur at elite, private universities (Karabel 2005) and regional state universities (Armstrong and Hamilton 2013). Both Karabel's and Armstrong and Hamilton's books focus on social class, but highlight the racial and ethnic homogeneity among higher education elites in their studies. The demands of racial and ethnic minority groups have resulted in programs or policies that encourage greater participation by members of these groups (Karabel 1983), although some concessions have been watered down to please White elites (Berrey 2014).

Thus, there is reason to believe that the concerns of those families most affected by tuition increases—the middle-class—have some influence on policy development. However, this influence is unlikely to come from middle- or upper-income constituents directly (as in calling policymakers or testifying at public hearings) due to the nature of tuition trust policies. Unlike other higher education policies, tuition trusts provide a tax exemption for beneficiaries, not a cash transfer for financial aid or expenditures for public institutions, making the policy less visible and the implications of who benefits not immediately clear. In general, tax expenditure programs tend to keep top incomes high and do not mitigate poverty or job loss (Howard 2009). They are favored by both Democrats and Republicans and have become an increasingly common policy tactic since California voters approved a property tax break in 1978 (Martin 2008). Certain types of tax policies, specifically tax expenditures or exemptions, receive little attention or support from citizens or the media during policy crafting but do encourage entrenched preferences once beneficiaries have enjoyed reduced tax burdens (Howard 1997; Mettler 2011). Thus, politicians may not be directly responding to constituent demands, in the case of tuition trusts, but they may use known financial concerns of this group to generate support for tuition trust programs (Prasad 2006). This possibility does not indicate that middle-class, affluent, or White groups always prevail in policy circles, but that their interests do exert an influence on policymakers.

HIGHER EDUCATION POLICY ENACTMENT: HIGHER EDUCATION LEADERSHIP

I conceptualize public universities and those that represent their interests as an organized, political force. State colleges and universities are much more than a tool the state uses to pursue its aims. Indeed, the modern state and higher education have developed in tandem, with mutual dependence (Loss 2012). The interests of higher education leadership frequently align with the interests of the state, as in the cases of the marketization of academic science (Berman 2012) and the financialization of university endowments (Eaton et al. 2016), but when they do not we should expect university administrators to act purposively in the interests of their organization (Karabel 1983).

We should also expect that higher education representatives will be constrained by the same cultural and legal constraints faced by actors in other policy domains. Scholars have shown that the ability of politicians and interest groups to influence policy is limited by the nature of the policymaking process itself. For example, when decision making processes are structurally more open to "veto points," or influence from varied coalitions of actors, policy innovation may be more difficult (Bonoli 2001). The American political system, which requires multiple stages and levels of approval for bill passage, is an example of this, as are voter referenda and other methods by which voters have a say in policy decisions (Pearson 2014). Pre-existing policies may also influence subsequent innovation. Scholars argue that policies are politically consequential structures because they constrain future action as policies generate loyalties among constituents and shape the policy landscape moving forward (Goldberg 1997; Pierson 2004).

The context in which higher education leaders are attempting to pursue their interests will condition the degree to which they can be effective. By their nature, tax policies are less politically contentious. Thus, although politicians may favor legislation that benefits middle- and upper-class constituents, representatives of these groups are unlikely to make public demands for a tuition trust policy thereby decreasing the pressure for politicians to enact one. If politicians believe such a policy may win votes, and there is little or no real opposition to implementing one, it is likely to be enacted. However, opposition could easily derail such an initiative for several reasons. One, because there are few interests being represented in the first place and two, because the legislative approval process makes it possible for one opposing group to stall policy progress at multiple levels (e.g., a legislative assembly, senate, or governor's desk). If university presidents or other representatives are one of the lone voices speaking to the issue they could have considerable impact on a policy outcome. Their influence is curtailed, however, in cases where non-elected groups (e.g., voters) must also approve policy.

In addition, the ability of higher education leadership to influence policy decisions regarding tuition trusts will be very different once a tuition trust is already in place. The visibility of these policies once they are enacted can generate loyalty among beneficiaries. A constituency of beneficiaries—when no potential beneficiary group was devoted to the enactment of the policy prior to initial adoption—makes for a very different set of political considerations for elected officials. My analysis highlights the ways that higher education leadership can influence policy decisions and how political context can limit their influence.

DATA AND METHODS

The first data I present are the results of a series of univariate, event history regression models. These analyses are meant to provide a general sense for how different independent variables relate to the probability that a state would enact a tuition trust program. I use discrete-time event history models with random effects specifications to assess whether the variables listed in Table 6 have any observable impact on the adoption of tuition trust legislation[vi]. Event history analysis is useful for determining the probability of an event occurring (y=1), as in a study of policy adoption. The random effects specification allows me to assess the likelihood of policy adoption between states and also allows for the inclusion of time-constant variables (i.e., southern state, presence of income tax which was time-constant for all but three states during the period of analysis) and time-varying variables (e.g., Democratic control of the state legislature).

The equation for event history models in general is

$$\log [P/(1-P)] = \alpha + \beta_1 x_i + \beta_2 x_{it}$$

where α is the constant, x_i is a vector of time-invariant covariates for state *i*, x_{it} is a vector of time-varying covariates for state *i* in year *t,* and β_1 and β_2 are vectors of the effects (coefficients) associated with x_i and x_{it} (Chen 2007, 2001). Because I rely on a series of univariate models as a way to describe the data the equation looks a bit different: $\log [P/(1-P)] = \alpha + \beta_1 x_i$ for time-constant variables and $\log [P/(1-P)] = \alpha + \beta_2 x_{it}$, for time-varying variables. I analyze correlations with univariate models, rather than a multivariate model including all independent variables of interest, due to the small number of outcome events in my sample. Researchers suggest an events-to-variable ratio of ten to one. Using too many variables could lead to biased coefficients (Blossfield, Golsch, Rohwer 2007;

Concato, Peduzzi, Holford, and Feinsten 1995). Just twenty states enacted tuition trust legislation, and did so only once, so the number of outcome events in my analysis is twenty. The highest number of independent variables I could have in one analysis is two, so I opted to use event history analysis to understand overall patterns in the data.

Table 6. Tuition Trust Legislation Adoption Analysis, Summary Statistics and Source Attribution

Variable name	Mean	SD	Min	Max
Dependent Variable				
Tuition Trust Approval[1] (1=adopted)	0.023	0.150	0	1
Independent Variables				
Year is election year	0.235	0.425	0	1
Democratic control of Legislature[2]	0.592	0.427	0	1
Centralized PSE governance structure[3]	0.233	0.423	0	1
Diffuse PSE governance structure[3]	0.283	0.451	0	1
Ratio of state spending on public PSE to total state expenditures[4]	0.084	0.021	0.035	0.137
Southern state (1=south)	0.227	0.419	0	1
Percent of enrolled students attend public PSE[5]	0.786	0.125	0.396	1
% enrolled students Black[5]	8.668	7.892	0.318	38.163
% enrolled students Hispanic[5]	4.219	5.814	0.233	36.783
% enrolled students White[5]	76.470	13.489	24.299	98.099
Poverty rate[6]	12.550	3.846	2.900	27.200
% population classified Black[6]	10.331	9.559	0.271	36.994
% population classified White[6]	84.397	12.683	24.038	99.004
% population classified Hispanic[6]	6.541	8.179	0.426	44.198
Gini coefficient[7]	56.347	3.476	47.026	69.511
Income tax (1=state levies income tax)[8]	0.864	0.343	0	1
Need-based financial aid expenditure[9]	0.022	0.057	0.000	0.459

Table 6. Tuition Trust Legislation Adoption Analysis, Summary Statistics and Source Attribution, con't

SOURCES:

[1]Doyle, McLendon, and Hearn 2010; Olivas (n.d.); state tuition trust websites; [2]Klarner, Carl, 2013, "State Partisan Balance Data, 1937 – 2011", http://hdl.handle.net/1902.1/20403 IQSS Dataverse Network; [3]National Center for Higher Education Management Systems (NCHEMS), Postsecondary Governance Structures Database, http://www.nchems.org/psgov/results.php; [4]Tax Policy Center, provided by the Urban Institute; [5]NCES, IPEDS Enrollment Survey, Webcaspar data center; [6]United States Census Bureau, census.gov; [7]Frank, Mark W. 2014. http://www.shsu.edu/eco_mwf/inequality.html; [8]National Conference of State Legislatures (2012). State Personal Income Taxes. www.ncsl.org/fiscal-policy/state-personal-income-taxes-2012.aspx; [9]National Association of State Student Grant and Aid Programs

I created the dataset to include variables measuring political, demographic, higher education, and economic characteristics of all fifty states between 1985 and 2005. The time range begins shortly before the passage of the first tuition trust program (1987) and shortly after the last tuition trust program was enacted (2002). The unit of analysis is the state-year, yielding a data set of 718 observations. All variables use annual data.

The bulk of my analysis comes from qualitative, historical case studies. I chose adopter states Florida, Texas, and Washington for this analysis to account for variation in political party control and governance arrangements (see Table 5). I chose non-adopter states California, New York, and Oregon, which mirror adopter states along these dimensions. Two adopter states and two non-adopter states had Democratic legislative majorities while one state in each category had Republican majorities (Pollack 2014).

The three cases where legislators were unable to enact tuition trust legislation (California, New York, and Oregon) exhibit considerable differences in higher education structure and support for public higher education, allowing me to control for that factor. California's well-known tri-partite system is rigidly organized but is not governed by a centralized board. Rather, the University of California and the California State University systems each have their own governing boards (Douglass 2000). The governing boards of these two systems also have a high degree of autonomy from the state legislature. In contrast, New York's system of public, four-year colleges is governed by a single board—the State University of New York—and the government continues to exercise a higher degree of oversight than found in other states (Steck 1996). Oregon has no system-wide governing board for state colleges; each four-year college has its own governing board (Oregon Blue Book 2016; Pollack 2014).

Of the three adopter states, Texas and Washington are very similar with coordinating boards that oversee certain aspects of higher education development and operations (Mayfield, Chance, and Lieb 2002; Paredes 2014; WASHECB 2012). Florida, by contrast, had a centralized system of higher education governance at the time tuition trust legislation was approved (FLOPPAGA 2009).

I gathered all accessible documents on the subject of tuition trusts for each state, including special government committee reports, higher education governing board reports, state legislation and legislative reports, and any other official documents on the subject. I supplemented this archival research with six interviews with key actors involved in tuition trust legislation and news articles reporting on tuition trust policies. I did a basic content analysis of all these materials in order to construct policy histories for each state, with special attention to the actors involved in tuition trust legislation. For the most part, the relevant actors in each state were elected officials and the presidents, chancellors, or government relations employees of universities or university systems. Students play an extremely minor role in the cases I describe. The parents of college students who anticipated paying their children's tuition were nearly invisible in these exchanges, except that their concerns over the expenses of higher education can be found in news articles written during the time. The private financial institutions that would invest "prepaid tuition" were also uninvolved in the policy arena—they were not present in a single legislative hearing. This does not mean the influence of any of these groups was non-existent, but they were not visible participants in the decision to adopt tuition trust legislation.

UNDERSTANDING THE ODDS OF TUITION TRUST ADOPTION NATIONALLY

I rely on univariate regression analyses to get a sense for which covariates correlate with greater odds of tuition trust adoption. I first tested variables that measure racial demographic and enrollment characteristics. Logit coefficients for these variables can be found in Table 7, odds ratios are provided only for the variables that are statistically significant. The coefficients for Hispanic and Black shares of the population and percent enrollment for Hispanic and Black students are positive, suggesting that states where these populations are larger, tuition trust enactment is more probable. Additionally, the coefficients for White population share and White college enrollments are negative, suggesting that states where White populations are larger tuition trust enactment is less likely.

However, we cannot accept these results with any degree of certainty, with the exception of the coefficients for Black share and Black college enrollment share. The univariate regression result suggests that the odds of enactment of a tuition trust program are greater by a factor of 1.05 in states with larger African American populations. In

Table 7. Univariate Event History Models of Tuition Trust Legislation, 1985-2005, Racial demographic and enrollment variables

	Black share		White share	Hispanic share		% Enroll Black		% Enroll White	% Enroll Hispanic	
Odds-ratios (variables with p<.10 only)	1.056					1.08				
Coeff	0.055	*	-0.015	0.004		0.077	*	-0.022	0.033	
Robust SE	0.026		0.022	0.029		0.036		0.027	0.032	
Constant	-4.550	***	-2.717	-4.029	***	-4.688	***	-2.429	-4.169	***
Robust SE	0.569		1.844	0.444		0.612		1.958	0.472	
Observations	778		778	778		776		776	776	
Log pseudo-likelihood	-82.93		-84.88	-85.13		-82.51		-84.62	-84.81	

p<.001 *** p<.01** p<.05* p<.10^

addition, the odds of enactment of a tuition trust program are greater by a factor of 1.08 in states with higher rates of Black student enrollment in higher education institutions. This finding provides prima facie evidence for the argument that policymakers respond to perceived White desires to maintain elevated rates of access to higher education by providing a government benefit largely accessible to them.

The univariate, event history models also suggest a positive correlation between southern states and tuition trust policy enactment: the odds of enactment are greater by a factor of about three if a state is in the south. Table 8 confirms this possibility because southern states are overrepresented among the states that approve tuition trusts. Of course, this gives us an idea for overall likelihood but does not provide an answer for what was decisive since a number of Northern states also adopted tuition trust legislation.

Table 8. Univariate Event History Models of Tuition Trust Legislation, 1985-2005, Economic and political variables

	Gini coef	Poverty rate		Democratic majority		Election year	Income tax levied		Southern state	
Odds-ratios (variables with p<.10 only)									2.92	
Coeff	0.061	-0.018		0.509		-0.486	-0.702		1.073	^
Robust SE	0.144	0.077		0.719		0.614	0.806		0.574	
Constant	-7.564	-3.821	***	-4.223	***	-3.912	-3.393	***	-4.167	***
Robust SE	8.561	0.879		0.584		0.424	0.755		0.437	
Observations	778	778		757		778	778		778	
Log pseudo-likelihood	-97.51	-85.12		-84.40		-84.83	-84.77		-83.50	

p<.001 *** p<.01** p<.05* p<.10^

Logit coefficients for the other univariate models give a sense for the direction of possible relationships between economic, political, and higher education variables. Tables 8 and 9 show the results for the analyses. The positive coefficient for Gini coefficient suggests that states with a higher degree of inequality may be more likely to enact a tuition trust, lending support to the argument that politicians sometimes respond to the anticipated needs of affluent voters as they craft policy. The poverty rate coefficient suggests that states with higher rates of poverty may be less likely to enact them. However, neither relationship can be interpreted with confidence.

States with a majority of Democrats in the legislature appear more likely to enact tuition trusts. This variable cannot be interpreted with any certainty, but the possibility of this relationship is supported by descriptive evidence in Table 5: states with Democratic Party majorities more commonly enacted tuition trust legislation. This factor merits further discussion because the states with Democrats in power which enacted tuition trusts were almost exclusively southern states. During this period, Southern Democrats still had control in many Southern states, but Southern Democrats were typically more moderate compared to Democrats in other states. The election year coefficient suggests that legislators were less likely to approve tuition trusts during election years and the income tax variable suggests they were less likely to enact tuition trusts if the state levied an income tax. While neither of these variables is statistically significant, descriptive data show that states that lack an income tax are overrepresented in the states that approved a tuition trust proposal. Of the seven states that lacked an income tax for the entire period from 1985 to 2005, five of them enacted a tuition trust (Florida, Nevada, Texas, Washington, and Wyoming).

None of the hypotheses relating to higher education support or governance structure receive support in my analyses (Table 9). Both centralized and diffuse governance appear to be associated with a decreased likelihood of adopting tuition trust legislation. States with higher expenditures on need-based financial aid appear more likely to adopt tuition trust programs while states that spend more on public higher education in general may be less likely to adopt them. And states with higher rates of enrollment in public universities also appear more likely to adopt the programs.

The main conclusion that can be drawn from the quantitative results is that none of the structural factors that scholars predict will influence higher education policy adoption appear to affect the likelihood of tuition trust enactment. The political, economic, and

Table 9. Univariate Event History Models of Tuition Trust Legislation, 1985-2005, higher education variables

	Centralized governance		Diffuse governance		Need-based financial aid		Public PSE expenditures		Percent enrollment public PSE	
Odds-ratios (variables with p<.10 only)										
Coeff	-1.181		-0.405		0.886		-3.142		3.337	
Robust SE	0.852		0.668		3.422		12.073		3.105	
Constant	-3.714	***	3.584	***	-4.019	***	-3.573	***	-6.596	**
Robust SE	0.380		0.415		0.408		1.119		2.568	
Observations	757		757		778		718		778	
Log pseudolikelihood	-83.473		-83.283		-85.116		-83.908		-84.189	

p<.001 *** p<.01** p<.05* p<.10^

higher education variables I included in the models had no discernible relationship with the state policy adoption of tuition trust programs. States with larger Black populations and higher enrollment among Black students might be more likely to adopt tuition trust programs, but this finding is preliminary due to the limited explanatory power of the univariate analyses. It is possible that, as seen in Figure 10, southern and Rust Belt states more frequently enacted tuition trust programs due to larger African American populations, providing additional support for the possibility that racial threat motivated the adoption of these policies. For now, this aspect of my argument is speculative.

THE POLITICS OF TUITION TRUST PROGRAMS: POLICY REJECTION

In California, New York, and Oregon—the three cases where tuition trusts were rejected—elected officials argued that a prepaid tuition program was good policy because it would lessen the financial burden of college tuition for middle-class families. Although the legislation failed in all three states, the pathway to failure differed between the three. California legislators rejected tuition trust legislation twice, in 1991 and 1997. The legislature approved a tuition trust bill twice but Republican Governor Deukmejian vetoed the legislation in 1987 and 1988. In New York, tuition trust legislation never made it before the full Assembly or Senate for a full vote in either 1997 or 2012, the legislation was abandoned earlier in the legislative process. Oregon legislators and the governor approved a tuition trust bill in 1996 but Oregon voters rejected the measure through a voter referendum the following year. In California and New York, senior university officials and government relations employees communicated their disapproval of tuition trust legislation to the authors of the bills, the press, and to other elected officials. Their rejection of the idea compounded the concerns held by detractors within the government and was sufficient to derail efforts to approve such a program. In contrast, leaders of Oregon's public university system became active participants in crafting tuition trust legislation. With university leadership on board, program supporters were able to make the case that such a program would be good for Oregon families and worth the risks it posed. However, because Oregon law requires voter approval of a state financial guarantee, voters—who were otherwise not involved in the process—were able to defeat the legislation.

Middle-class interests

Tuition rates for public higher education in California, Oregon, and New York had risen during the 1980s and the increases had attracted attention from lawmakers and the general public. Politicians largely described tuition trust programs as a state intervention for the middle-class, regardless of their party affiliation. The sponsor of numerous tuition trust proposals in California, Assemblyperson (and later Senator) Tom Hayden, told news reporters that tuition trusts made affording higher education a possibility, despite rising tuition rates: “When you tell the middle class they can't afford houses or college education, you've taken away what they think are their basic entitlements....” (Sweeney 1988). In retrospect, Hayden described the program as a benefit to “both the poor and then up to the middle class” because “All grandparents, regardless of economic status, throw money at their grandchildren” (Hayden 2014). Yet Hayden also admitted that promoting the legislation was a political move to attract middle-class votes: “…both parties debate this every year in the national elections about what's good for the middle class. It's this swing vote and swing rhetoric in all politics” (Hayden 2014).

Tuition trust’s biggest proponent in New York State, Republican Senator Kenneth LaValle, also designed the program for the middle-class and argued that it was not problematic to design legislation that would benefit them. In an interview, he stated that “If you’re low income, you don’t have the money [to save]” and the program was meant to “help the people that don’t ever get any help” (LaValle 2013). He explained that “we need to take credence that there are people in the middle and we shouldn’t be crushing them. We should be providing them with a pathway of success.” Oregon lawmakers did not make explicit reference to the needs of the middle-class, instead making more general statements such as “it's imperative we start something like this for kids” (Hernandez 1996).

Opposition in California and New York

This commitment to provide a program for middle-class students was one of the reasons higher education representatives gave for rejecting the program in California and New York. There, some elected officials and higher education stakeholders said they feared that such a program would reduce general support for public higher education or would indirectly hurt financially needy students. Assembly Speaker Sheldon Silver viewed any new tuition relief bill as a distraction from defending existing policies from the funding reductions initiated by Governor George Pataki: “I don’t want this to cloud the main issue, which is cuts to higher education” (*New York Times* 1997). A faculty union leader wrote, “any program that encourages New Yorkers to save for or to attend SUNY institutions” can be positive, but tuition trusts are likely to “overshadow” longer-term goals to make college more affordable for all students (Scheuerman 1997). Diana Michel-Fuentes, advisor to Governor Davis and later head of the California Student Aid Commission, explained that “folks who were advocating for underrepresented, low-income people could see that [tuition trust participation] wasn’t an option for working-class parents because they weren’t able to participate at the same level,” so they rejected the bill (Fuentes-Michel 2014). California higher education leaders were reportedly “intrigued…but skeptical” of the idea, particularly due to concerns that directing resources to middle- and upper-income students would hurt efforts to provide aid to low-income students (Smith 1987). The director of California Student Aid Commission, the state agency charged with implementing loan and grant programs, told a reporter, "I would hate to see any diminution of the broad commitment California has made" (Smith 1987).

Lawmakers in California and New York did not include university leadership in the design stages of tuition trust legislation as they did in Oregon. This appears to have left university leadership with unanswered questions about the potential financial liability their institutions would have to bear should tuition trust investments not perform as planned. As one long-time employee of the UC Office of the President's government relations department explained,

> …the problem we had with [tuition trust legislation] was that it would guarantee a particular tuition level but with no way to forecast what the actual tuition levels would be. And so, the notion was you put in so much and you're guaranteed that what if tuition is 15,000 by the time your kid goes to school? We're talking about a long period of time… And so then it became a big issue about who holds the bag if it doesn't match up? You know, is the state stuck for it? Is UC stuck for it? Is the student and family somehow stuck for it? It was just way too much uncertainty to be able to make commitments (Arditti 2015).

Another UC government relations employee voiced similar concerns: "There's a [financial] risk that someone will have to take. Would it be the University of California, the state, the taxpayer, or the contributor?" (Celeste Rose, quoted in Lifsher 1987). These possibilities, they believed, could threaten already compromised appropriations to the state's public postsecondary schools or may require the university to keep tuition artificially low in order to keep the tuition trust program solvent. Spokespeople for the University advocated for a tuition savings program which entailed minimal, or zero, risk for the University and the State. Diana Fuentes-Michel also explained that "the institutions weren't supporting it because they wanted to be able to charge what they needed in order to, you know, finance a student's education" (Fuentes-Michel 2014).

In addition, California's higher education coordinating agency, the California Postsecondary Education Commission (CPEC), opposed the measure as proposed in 1988 (and vetoed by Gov. Deukmejian during the 1989-1990 legislative session). The CPEC study of state tuition trust programs found them to be risky and warned that no amount of expertise on the subject of future tuition, market performance, or state budgets could allow a state to completely avoid financial risks to their general funds (CPEC 1988).

Assemblyperson Hayden was able to gather support in the California Assembly in 1987, 1989, and 1991 for his proposal. In the first two instances the bill cleared both houses with bi-partisan support but was vetoed by Governor Deukmejian who explained in his veto messages, and through his education policy advisor, that the legislation could become too taxing on the general fund, that it was not the role of government, and that it was "misleading to encourage parents to rely upon the state when there is absolutely no guarantee the state will subsidize the program" (Matthews 1988; Sweeney 1989). Financial uncertainty was a concern for the governor, as it was for university leadership. In 1991 the bill died in a Senate committee. Hayden's final proposal, initiated in 1996, was merged with a competing proposal for a tax-advantaged savings program which provided no guarantee that future tuition costs would be covered (AB 2629). This program was approved and became California's current ScholarShare Trust program; Hayden's attempts to enact a tuition trust program ultimately failed.

In New York, SUNY representatives were the chief opponents of the legislation. In an interview, Sen. Kenneth LaValle said that "SUNY bureaucrats" did not want to deal with the program due to the costs of administering it and its overall complexity in an administrative sense, paraphrasing their response as "Oh, it's too much for us…and it will cost us more to administrate this program than we get" (LaValle 2013).

LaValle was partially correct. Early on, a SUNY Board of Trustees Committee approved the tuition trust, at least in theory, leading a *Buffalo News* reporter to write that "they approved the concept of an advanced tuition payment plan 'from a public policy perspective,' but suggested that it be watched closely in the Legislature" (Brady 1997). However, the administrative costs were a burden and the "bureaucrats" LaValle referred to—including SUNY financial aid services and government relations employees—explained that "the complexity of it makes it not the most glamorous" and that "The enormity of it," having to process all the relevant information for "a million college students in New York," was costly and time-consuming (Thompson 2015). In a joint interview, Thompson and another government affairs employee confirmed that the execution of the program was off-putting to their offices.

The 1997 legislation specified that unfulfilled tuition trust contracts would be fulfilled by New York State, meaning that, should investments not appreciate sufficiently to cover the future costs of tuition, the State would step in and cover the difference. This provision provided more certainty regarding who would be "left holding the bag" should the plan fail, so its defeat in 1997 is primarily explained by SUNY representatives' concerns about the costs of administering it. This remained a concern for SUNY government affairs employees when LaValle attempted to encourage support for tuition trust legislation in 2012 (LaValle 2013; Thompson 2015). In contrast to the 1997 legislation, the 2012 proposal provided no state guarantee to contract holders and instead stipulated that SUNY campuses would have to absorb the cost difference between tuition trust contracts and the actual price of tuition, should tuition rates be higher than the contracts.

One of LaValle's aides, who authored most of this legislation, said that the 2012 bill never

> …got a proper vetting because it was never introduced in the Assembly (bill was only discussed in the Senate)… *I do not recall anyone else [besides SUNY] really coming out against it.* It wasn't conceptual…it wasn't a problem of doing something *like* this, it was a problem of really actually doing it, how is it really going to work: How are you going to track it? Is there going to be enough participation to really make sure this is a viable account that's going to be invested well, that's going to have the money. Where is the guarantee? (Stewart 2013)

This explanation matches the explanation given by the SUNY administrators I spoke to who explained that the risk to the university was high because "With those programs…there's not a lot of margin for error, your forecasting has to be spot on." When they are not "spot on," the public institutions might suffer financially (Thompson 2015). As a result, SUNY representatives believed that they would potentially be forced to change their tuition rates to fund the tuition trust contract holders. Thompson explained that the program was a potential cause of complaint and unrest in students who may see student charges increase:

> you're putting at risk all of your future students because...when you have some kind of misstep like that then how, all those years down the line, you might have a handful that can be served by the prepaid program but you're making up the difference on the backs [of other students]…those resources have to come from somewhere (Thompson 2015).

Support in Oregon

In contrast, officials in the Oregon State System of Higher Education expressed cautious optimism when tuition trusts were first proposed. Initially, they were concerned that such a program could require the universities to accept lower tuition payments which would hurt the university (Hernandez 1996). More details were needed, they said, before they could lend their support to the program.

Unlike California and New York, where higher education leaders were external advisors on tuition trust legislation, in Oregon they were recruited as coalition members and coauthors. At least three government relations employees from the Oregon University System (OUS) were involved in the earliest legislative discussions of a tuition trust program (ORHCE 1997a) and at least one became a chief member of the workgroup tasked with constructing the legislation (ORHCE 1997b). Their main goal was to ensure that the bill included a provision requiring that the state support contract holders should investments not cover tuition costs when designees enrolled in college, an issue that had concerned them from the beginning (Hernandez 1996). *The Oregonian* reporter Romel Hernandez (1997) quoted an OUS lobbyist, "'This is the sleeper bill of the Legislature for us," said Grattan Kerans, lobbyist for the State System of Higher Education. 'This will allow families to control one of the largest costs they will ever face'." Hernandez's (1997) report suggests that the university system's student governing association, the Oregon Student Association, also supported the bill.

The bill had bi-partisan, and nearly universal (one Republican dissented), support in the House and Senate (Hernandez 1997; Suo, Mayer, and Carter 1997). Peter Courtney, Democratic House Minority Leader and primary bill sponsor, emphasized the financial guarantee the bill provided: if the return on investments did not cover the cost of tuition the legislature would appropriate money to cover the difference (Hernandez 1997; see also ORHCE 1997b). Oregon state law requires that any extension of the State's financial backing (no-risk guarantee) be approved by voters (OR Legislative Assembly 1997), so a measure authorizing the state to enter such an agreement was placed on the 1998 ballot.

A little over a month before voters headed to the polls, *The Oregonian* published an editorial exhorting voters to support Measure 55 (*The Oregonian* 1998). The initiative language, what voters saw on their ballots, only specified that a "Yes" vote would "authorize state to guarantee earnings under tuition trust fund" by amending the constitution so that the legislature could exceed the constitutional debt limit for initial start-up funds as well as the state guarantee on tuition payment (Secretary of State, Phil Keisling 1998: 7). Voters did not approve the measure, however. The bill's supporters blamed the measure's failure on a lack of understanding about what it was, but voters quoted in *The Oregonian* seemed to understand the measure. One voter claimed to have rejected the measure because he had little faith the money wouldn't "'be already squandered [by the state] by the time kids got old enough to go to college'" while another said "the system, with all these good intentions, keeps laying more obligations on the citizens of this state" (Hernandez 1998).

Rejection of tuition trusts

The cases of California and New York suggest that the failure of tuition trust legislation in these states was due to a lack of support among higher education leadership.

Their reasons for opposing the measure were varied, but according to the primary proponents of those bills, resistance from university administrators was central to tuition trust's failure. The desires of higher education leadership were also expressed in the initial outcome of tuition trust legislation in Oregon: the OUS worked with state leadership to pass a tuition trust program that they believed would benefit families and not hurt the university system. However, the Oregon State requirement that voters approve such a measure allowed for an additional interest group to weigh in on the issue. Giving voters the ultimate veto point led to the policy's rejection.

THE POLITICS OF TUITION TRUST PROGRAMS: POLICY_ADOPTION

Many of the organizational and ideological aspects of the tuition trust legislative debates I describe in California, New York, and Oregon were similar in Florida, Texas, and Washington. As in the non-adopter states, these programs were proposed by Democratic and Republican legislators, tuition increases were a major concern for families and policymakers, and the disposition of higher education representatives was an important consideration for policymakers. Although tuition trust legislation was approved in all three states, and higher education leadership supported the idea (or at least did not disapprove), events that occurred after the programs were initially approved demonstrate the importance of pre-existing policies as a constraint on the ability of higher education leadership to pursue their interests. Specifically, when Texas' lawmakers made changes to the plan about ten years after its initiation, the president of the University of Texas system was unable to convince lawmakers to make the changes in a way that would protect the finances of the UT campuses. University of Washington petitioned the state for changes to the program after it was approved and contracts had been sold and they, too, were unable to convince lawmakers to rule in their favor.

Middle-class interests

Concerns over how tuition cost increases impacted the middle-class were expressed by the sponsors of tuition trust legislation in all three adopter states. The program's chief supporter in Texas, Democratic State Comptroller John Sharp, provided this justification for the bill: "'This was designed so that a middle-class family can come in and say, 'I get to sleep at night. I got little Joey here…[a] big chunk of [his] college is paid for'.'" (Ramsey 1995). Similar to Sen. LaValle in New York, Sharp believed the tuition trusts would fill an important gap in college financing by covering families that do not qualify for financial aid but struggle to afford college for their children. A spokesperson for Sharp told a reporter that "Rich people don't have to worry about college, and lower-income people have numerous sources of income aid…It's the middle-income people who have been falling through the cracks" (Associated Press 1997).

A Seattle newspaper reported on the anxiety felt by parents of young children as they prepare for future college tuition bills (Iwasaki 1996). One Seattle parent is quoted as saying, "Most people I know don't feel they'll ever be able to have their kids go to college" (Iwasaki 1996). Parents and lawmakers were reportedly finding relief in the proposed tuition trust program which "is intended to encourage parents – particularly middle-income families who may not qualify for much financial aid, and who don't want the risk of investing money on their own – to invest in their children's education" (Iwasaki 1996). This emphasis on support for the middle-class was mentioned by another report that quoted the bill’s primary sponsor, Republican Representative Don Carlson: “It's really about helping the middle class…. If you're very poor, you can get financial aid. If you're rich, you can go anywhere you want. So it's the middle-income people who need help today" (Ammons 1997).

Unlike the other states in this analysis, Florida’s tuition trust legislation was spearheaded by a group of students who began collaborating with an elected official to enact a program for the state (Florida Student Association n.d.; Ost 1986). Nevertheless, the desire to support middle-class families was no less evident. A news report cites a top leader of the Florida Student Association explaining that, "‘We kind of look at it as a middle-class financial aid program’" (Ost 1986). Several unspecified Dade politicians reportedly said the plan would “rescue the middle-class from the increasing burden of education loans” (Livingston 1987a). After the bill passed in the House a key supporter, Republican Senator Ileana Ros-Lehtinen, told a news reporter “I think all the legislators are empathetic to the concerns of middle class parents” (Livingston 1987b).

Dissenters in Florida argued that such a “yuppy bill” would benefit those who did not need assistance (Benedick 1987) while in Texas a University of Texas financial aid officer pointed out that the belief that the college costs of the poor were covered by financial aid was inaccurate (Associated Press 1997). Related to this, a number of legislative members worried that the benefits of tuition trusts would accrue to the wealthy and middle-class (Texas House of Representatives 1995). Their concerns were assuaged by an amendment providing for a scholarship fund that might produce scholarships if individuals donated to the designated ‘low-income scholarship’ tuition trust (although this was fully dependent on voluntary contributions).

Support in Florida, Texas, and Washington

A tuition trust proposal was first introduced in Washington State during 1988 (McLauchlan 1988; *Seattle Times* 1988) but was abandoned after the two politicians supporting it lost bids for higher office (Pryne 1988). The issue was raised again almost a decade later when outgoing governor Mike Lowry recommended that the 1997 Legislature consider a tuition trust proposal (King 1996). The previous Legislature included funds for a tuition trust in the budget but had not discussed an actual proposal. Instead, the Legislature in 1996 directed the Higher Education Coordinating Board (HECB) to develop a proposal (WA Senate 1997). Washington’s diffusely coordinated system of institutions was best represented by the HECB which had the greatest potential of speaking for all higher education in the state.

From an early date in their role as drafters of the legislation, the HECB argued that the “Significant question of full faith and credit of the state needs to be answered before we go forward. People are more willing to participate when the program is guaranteed by the state” (WA Senate 1996). Their approval of the program was tied to that guarantee because it made the financial burden of the program clear. HECB’s approval of a program does not necessarily mean the various universities also approved the measure. However, legislative evidence suggests at least some did: a representative of Western Washington University testified in support of the plan (assuming it included a state guarantee) at a 1996 hearing. Otherwise, leaders at the University of Washington and other state-supported universities were generally uninvolved, at least in a public way: university leadership did not testify for or against the legislation in any other committee hearing and are cited in news reports only after the measure is passed. With general support from university leadership the bill was approved by a large bi-partisan majority and signed by Governor Locke, a Democrat.

News reports suggest that when tuition trusts were initially proposed in Florida the state's highest Florida University System (FUS) administrator, Chancellor Charles Reed, was wary of the program. He was concerned that the state would not live up to its pledge to appropriate money to cover the costs of the program accounts once trust designees enrolled in college, possibly leaving the universities to fund the students (Associated Press 1987; Ost 1986). Reed confirmed these criticisms in an interview, stating that he believed "it was a bad deal" for the state and that there was no way to plan accurately for future tuition costs (Reed 2015). Reed also pointed out that Florida's extremely low public tuition rate made such a plan less-than-helpful and suggested that the plans cover room and board, which were costlier than tuition. However, Chancellor Reed and the FUS Board of Regents supported the measure when an amendment committed the state to cover any program shortfalls (Benedick 1987). At least one Regent and Chancellor Reed followed the bill very closely as it moved through the legislature, voicing concerns and especially making sure the state guarantee remained in the bill. The legislation passed that same year and Floridians began buying tuition contracts in 1988. Florida's program, which still carries a state guarantee, has historically been the longest running and largest tuition trust program in the nation (FLOPPAGA 2003).

The actions of higher education representatives in these states contrasts with representatives in Texas who were absent from discussions of the tuition trust proposal. No representative of the University of Texas, Texas A&M, or any other Texas postsecondary institution testified in a hearing or spoke to a news reporter about the issue (Texas House of Representatives 1995). In an interview, former UT System Chancellor William Cunningham said that he was uninvolved in the legislation process for tuition trusts because it did not seem to pose a threat:

> We didn't play a big role in that…. We never looked on that as a threat, it was not one of these things that force tuition to stay at a certain level, it was just a way for people to pay for higher education. And uh, I don't remember ever testifying about that or being involved in that.

The only reported commentary came from a representative of the Texas Higher Education Coordinating Board (THECB) who told a reporter "'It's good for the buyer, but whether or not it's a good deal for the state of Texas and its taxpayers is not as certain'" (Moreno 1995). The representative appears to have been the lone voice in higher education questioning the wisdom of the plan, but he did not speak during legislative hearings nor did any other representatives of THECB.

Various concerns about the legislation were expressed by legislative members and outside commentators. They worried about the serious financial risk the programs posed to the state, should the prepaid tuition contracts fail to appreciate sufficiently to cover future tuition costs. Republican Senator Bill Ratliff explained that legislative members and higher education leaders were already discussing the possibility of deregulating Texas public sector tuition, which would likely lead to rapid increases in tuition rates, a prospect that threatened the viability of tuition trusts to cover future tuition costs (Ratliff 2015). Ratliff told a reporter, "I could imagine how it would create a long-term liability for the state" (Ratliff quoted in Brooks 1994). Such concerns were shared by University of Houston law professor, and higher education fiscal policy expert, Michael Olivas who told reporters that the programs "could become an attractive nuisance, either by dampening legislative support for general institutional appropriations or as a large, unintended ratchet to drive up tuition rates" (quoted in Ramsey 1995).

Despite these objections, legislative members on committees of higher education and finance unanimously voted for the bill. Several amendments were made and the bill moved through the House and Senate, after which it was signed by Governor George W. Bush (Moreno 1995; TX Legislature 1995). In 1997 several legislators (again, bi-partisan) proposed a constitutional amendment which voters later approved that required the state to back the prepaid plan with the state's "full faith and credit" (TXHCHE 1998; TXHRO 1997). The voters' decision would not invalidate the tuition trust legislation as it did in Oregon, it only amended the legislation to include a constitutional guarantee. The measure was approved.

Reforms to pre-existing tuition trust programs

While the tacit approval of tuition trust programs by higher education leadership facilitated the bill's passage in Texas and Washington, once the bill was in place university administrators were limited in their ability to influence policy direction. About eight years after officials adopted tuition trust legislation in Texas they approved the devolution of tuition setting authority. As long as tuition was priced by the legislature, rather than the universities (the boards of which are more likely to price tuition close to market rates), one aspect of the risk calculus for the tuition trust investments was decreased. Tuition devolution led to uncertainty in the program and the board overseeing Texas' program closed it to new enrollments that same year (Stutz 2007). The program was closed to new applicants while the investment board and legislature worked out a strategy for insuring the continued profitability of the program, between 2003 and 2008. A new tuition trust program was developed and approved by the legislature which no longer included a financial guarantee from the state and required that Texas colleges and universities accept the program beneficiaries' tuition trust credits regardless of whether or not they covered the full price of tuition. Thus, if the tuition trusts did not cover the full rate of tuition, the universities would have to shoulder the cost. At this point, opposition to the program came from University of Texas administration. The issue was not covered by the press, but then-Chancellor of the University of Texas system, Mark Yudof, explained that he communicated his opposition to this plan repeatedly to state legislators but did not succeed in defeating the proposal (Yudof 2015).

A similar series of events transpired in Washington. After the legislation was approved, University of Washington representatives pressured the state to change the rules of the program because they believed the existence of tuition trusts led the state to hold tuition prices artificially low (Sanchez 1999). This strained UW's resources, an issue UW had not vocalized prior to passage of the legislation but became apparent to them after the fact. However, once the policy was in place and Washington families had invested in it, the board members that oversaw the investments and elected representatives were very reluctant to consider changes.

CONCLUSION

Disapproval by higher education leaders, communicated by them and institutionally-affiliated government relations specialists to policymakers, was the common factor in the failure of tuition trust legislation. In contrast, states where higher education leaders directly supported the legislation, or at least tacitly approved, bill sponsors were able to win sufficient support in state legislatures to pass tuition trust proposals. However, when voters (in Oregon) and loyalties to an existing program (in Texas and Washington) became influential in the policy field, higher education leaders' influence decreased. Higher education institutions have a variety of interests they try to defend in the political sphere. Foremost among these is funding. The case studies reveal multiple instances when university representatives sought to influence the outcome of legislative policy because they believed the legislation might eventually impact the revenue they received through appropriations or tuition.

Due to the nature of tuition trust policies, which are generally unknown to potential recipients prior to passage, the interests of higher education leaders are especially relevant. Without much input from other groups, higher education leaders were able to push this type of policy in the direction they deemed best for their institutions. This highlights the importance of higher education organizational interests in the pursuit of market-oriented policies. While higher education institutions are market oriented in some aspects (e.g., relying on increasing proportions of private funds for support, generating revenue and prestige through privately held patents, resisting public interference in the governance of university life), their central aim is organizational survival. This aim has been well served by laissez-faire policies (Labaree 2013), but the example of tuition trusts demonstrates that this is not always the case because some postsecondary administrators believed that the risks inherent in tuition trusts could potentially threaten their autonomy and ability to secure stable revenue streams from tuition or financial aid. Thus, we cannot assume that university presidents and other administrators will uniformly support tuition trust programs or any other market-oriented policy.

The appeals policymakers made to the middle-class are not as clear an instance of implicit racial coding as that referred to by other scholars. An appeal to the middle-class, with no accompanying signal of racial threat, may serve one of two purposes. It could be an effort to attract elite, White voters that are hoping to maintain access to higher education. It could also, however, be an attempt to attract support from the White and non-White families that are seeking access to higher education and the middle-class. The historical maintenance of White privilege via higher education, and research on the politics of redistribution cited earlier, suggest that the former is more likely. This possibility is also supported by my preliminary finding that states with larger Black populations (in general and as enrolled college students) may be more likely to adopt such a policy. Thus, it is possible that in these states, lawmakers were more apt to believe that too much of the focus for mitigating tuition costs was being placed on poor students—many of whom, they may have believed, are Black.

Given my speculative argument about the importance of racial threat in this policy outcome, how should we understand California lawmaker Tom Hayden’s support of such a bill? Or the adoption of tuition trusts in Washington and other states outside the southern and Rust Belt states? Despite his references to the needs of the middle-class, it appears that Hayden's primary motivator for promoting a tuition trust program was a desire to impose cost control on the University of California. During his time in the Assembly, and especially as Chair of the Assembly Committee on Higher Education, Hayden spoke out repeatedly against what he viewed to be out-of-control costs on UC campuses (CAACHE 1992, 1991; Hayden 1986). He was critical of the entire tri-partite system, which he believed favored the UC to the detriment of financially needy students (Hayden 2014, 1986). But because the UC Regents control tuition rates and operate with a greater degree of autonomy from the government than other state university systems, Hayden and the legislature had no method of controlling student charges aside from threatening decreased appropriations levels. I believe Hayden turned to tuition trusts because, as he said, they were "a pretty good capitalist gamble" (Hayden 2014), but also because the structure of higher education in California left him with few alternatives to control tuition costs. The other Western states that enacted tuition trusts (Washington, Nevada, and Wyoming) all lack an income tax. Lawmakers there possibly saw a tuition trust program as a political win for themselves that would cost the state virtually nothing to operate.

[vi] Many scholars prefer a continuous-time method but here I use discrete-time because the legislative bodies in seven states (Arkansas, Kentucky (until 2001), Montana, Nevada, North Dakota, Oregon, and Texas) meet only biennially. Thus, the state-years when these states did not convene are dropped from the model. This method is preferable because including state-years when legislation could not have possibly been enacted would bias the coefficients in regression results. I use a random-effects specification because, for the purposes of this analysis, I am most interested in how states differ from one another in what influences their odds of enacting a tuition trust program.

CHAPTER 5 - Conclusion

FREE COLLEGE AND THE POLITICS OF HIGHER EDUCATION

Contemporary politicians and educational leaders continue to decry the high costs of college, including at public universities. Proposals for eliminating college tuition charges have been made by the Obama administration (White House 2015) as well as presidential candidates Bernie Sanders (Bernie Sanders Campaign 2016; Sanders 2016) and Hillary Clinton (Hillary for America 2016). These, and other, political figures, express concern over the burden of student debt carried by college students which can jeopardize entrance into the middle-class. They argue that higher education is a right, not a privilege, and should be accessible to all. The state policies which determine who should set tuition rates and the degree to which states will mitigate tuition costs underlie the problems identified by these politicians.

A federal policy that guarantees free college for two or four years, if made into a concrete proposal, would be subject to social constraints similar to those I describe in my research. Critics of such proposals argue that state cooperation will be impossible because states will derive different benefits from such a program (Feldman and Archibald 2016; Lobosco 2016). This criticism is valid, but my research offers a number of insights into what we can reasonably expect if a free college proposal is considered. In particular, the research I present in this dissertation provides a variety of insights regarding the likely position policymakers and higher education representatives will take and the ways that current laws and structural constraints will constrain the choices policymakers can make as they consider such a proposal.

For example, in Chapter 2 I make the argument that a shared belief regarding the organization of public higher education—rooted in real organizational arrangements—influenced the actions of policymakers as they considered revising their tuition policy. In the states where the legislature had maintained authority over public sector tuition charges, university leadership worked with legislators to devolve that authority to university governing boards. In two states (New York and Florida), elected officials rejected this proposal. New York and Florida have both resisted the elevation of a public university campus to flagship status, instead emphasizing the ideal that state campuses operate as a family of institutions with diverse contributions to the larger educational system. In states that devolved tuition authority, no such belief existed. Instead, higher education stakeholders assumed dissimilarity between institutions and the superiority of their flagship campus. These differences in belief are rooted in distinct organizational arrangements: states that lacked a family of institutions logic (Texas, Washington, and Wisconsin) had long elevated one or two campuses as the crown jewels of the public system. This led to a shared belief in the appropriateness of an unequal system, therefore, a proposal that might further differentiate campuses did not violate policymakers' understanding of how public higher education should work. In contrast, the equality between institutions in New York and Florida made such a policy appear to violate the character of these states' university systems.

The organization of federal financial aid programs gives us an idea for how organizational arrangements, and the beliefs they generate, might influence a free college policy. The federal government has never favored direct funding of public universities (Thelin 2011). The Morrill Land Grant programs and the funding of research are the closest the government has ever come to this type of support. Instead, the federal government has opted to support the consumers of college degrees, or students, through financial aid programs (Strach 2009). This has placed tuition pricing in the purview of the states and the states have chosen to reduce financial support and place the costs of financing an education on the consumer. As a result, any policy that gives a college student years of free college is unlikely to achieve this by paying state colleges directly or even by shifting funds to state governments. Rather, the most likely method will be to create a grant program that students can use at the institution of their choosing. In fact, all three of the proposals mentioned above approach the issue in this way. Each proposes to make college tuition free by increasing federal student aid and incentivizing states to do the same.

My mixed methods study of need-based financial aid expenditures in Chapter 3 suggests that such a policy will also be subject to the financial wellbeing of the federal government, as well as conflict over who deserves government support. Using a nationally representative, quantitative analysis and two case studies, I argued that state spending on NBFA was correlated with the size of racial and ethnic minority populations. As state populations become increasingly Hispanic, need-based aid spending increases, all else being equal. However, as Black population shares remain relatively stable or even shrink, states spend more—meaning as populations become less African American, state effort on need-based financial aid go up. This suggests that state governments may work to diversify higher education because they see racial or ethnic diversity—or at least some forms of it—as advantageous, politically or economically. California and Texas politicians enacted generous need-based financial aid programs in 2000 and 1999, respectively. In both states the Hispanic share of the population grew substantially before this period. Elected officials in these states expressed concern that growth in this population, combined with low college completion rates among Hispanic and Black residents, could lead to a sizeable portion of state residents that could only compete for low-paying work. California and Texas officials and policy advisors appealed to widespread beliefs in educational equity and desires for economic stability as they worked toward solutions to the underrepresentation of minority youth in higher education. However, due to legal bans on considering race or ethnicity for higher education policy, the successful policy proposals in these states focused exclusively on financial need, rather than race.

Financial aid at the federal level has historically been targeted to the needs of discrete populations, such as veterans or financially needy students. It would be a departure from precedent for the federal government to provide college financing for all students, as proposed by President Obama (White House 2015). It is possible that, were President Obama's proposal discussed in Congress, the proposal would be changed to cover only financially needy students, with enhanced tax breaks or similar means of assistance for middle-class and affluent families. Hillary Clinton's free college proposal reflects many of the concerns expressed by policymakers in California and Texas. Her proposal not only provided free college to students based on income, it also included provisions to increase government investments in historically black colleges and universities and other minority serving institutions (Hillary Clinton Campaign 2016). Clinton did not discuss the changing racial and ethnic composition of our country but her proposal is in-line with political goals to produce an educated citizenry by reaching Hispanic and Black students. The Sanders and Obama proposals avoid overt discussion of race and ethnicity.

My research on NBFA and tuition devolution also suggests that any government attempt to mitigate the costs of college are more likely to succeed during a period of economic growth. When budgets are tight higher education programs are vulnerable to cutbacks or do not receive support. Bernie Sanders and Clinton preempted concerns over the cost of these programs by describing funding mechanisms in early proposals (Hillary Clinton Campaign 2016; Sanders 2016).

In Chapter 4 I focus on legislative consideration of a financial aid program that benefits affluent families via tax breaks and state guaranteed returns on investments. Scholars might expect such a program to be the outcome of efforts by the middle-class to win favorable tax treatment, the result of decentralized and weak university governing boards that cannot defend their interests to state policymakers, or a policy promoted by Republicans who favor neoliberal reforms. I show that none of these explanations is sufficient and instead argue that state politicians approved tuition trusts when higher education leadership consented and did not adopt them when higher education leadership opposed the idea. Tax expenditure policies like tuition trust programs are typically passed with little awareness from taxpayers or other interested parties. In the case of tuition trusts, higher education leaders were the primary interest speaking to policymakers about their preferences and were therefore able to influence policy direction. The exception to this rule was when state law required that the public also approve the program. When they did, voters in Oregon defeated the measure. Thus, veto points can interfere with the ability of public colleges to pursue their interests. Once the policies were in place, college administrators were unable to sway state legislatures to change the programs in the ways the administrators desired, suggesting another way that a more complicated policy field interfered in the ability to university leaders to pursue their interests.

My research on tuition trusts suggests that, if a free college proposal is taken up by Congress, the ability of the nation's postsecondary institutions and broader postsecondary community to influence it will depend on the degree to which policymakers involve them in the process and the complexity of the policy field. The proposals made by Obama, Clinton, and Sanders are all based in programs that have been implemented at the state level. It is not apparent that these proposals were developed in consultation with leaders in the postsecondary education community (e.g., American Association of University Professors, National Education Association, presidents of college systems), although they might be consulted if the proposals become legislation. However, there is no reason to believe that those players would be central in the advisory process because state government representatives and Department of Education officials would have greater access to policymakers if a bill is considered. Historically, the leaders of universities were unable to dissuade the federal government as it took steps away from institutional support for research universities and toward support for educational consumers in the 1960s (Thelin 2011).

Additionally, the design of a federal free college proposal (i.e., grants to students versus payment to educational institutions) will partly determine whether the postsecondary education community supports it, but the “strings attached” provisions the government includes might matter even more. When the federal government has intervened in state higher education policy and university affairs it has been to enforce compliance with federal mandates, such as the racial desegregation of institutions and the stipulations of Title IV. Colleges and universities, at the behest of state leaders, have complied with such orders (albeit sometimes grudgingly, see Shabazz 2004 on desegregation in Texas). A likely development that could occur alongside free college proposals are federal accountability requirements. In fact, proposals by Obama, Clinton, and Sanders all include a tit-for-tat provision. Obama’s plan would require community colleges to provide more career focused majors, for example, while the Sanders and Clinton plans would encourage cost control. Obama’s efforts to create an accountability system for higher education institutions is an example of political attempts to open the black box of what colleges are, or are not, doing to help students graduate (White House 2013). The Obama administration’s concerns reflect the national accountability movement, the advocates of which want to impose a grading system on university faculty and higher education institutions in order to discourage waste and other practices they deem problematic (Zumeta 2000). If such stipulations are attached to a free college policy, I believe that the postsecondary education community will become fragmented in its support for any free college proposal.

I expect this outcome because it aligns with Martin Trow's insightful description of higher education institutional interests. Trow (2010[1984]) succinctly described the interests of higher education leadership as excellence and equity. Excellence in academics and rankings and equity as part of the "long standing unwritten treaty" between states and public research universities wherein the state pledges financial support to achieve excellence if the university will "look after our bright children—white, black, or brown" (Trow 2010[1984]). Both excellence and equity require financial support via tax-funded appropriations at the state level, federal research grants, and state and federal financial aid for students. University leadership may view a free college proposal as a benefit to both excellence and equity, but if such a proposal requires implementing accountability reforms that interfere with what they believe generates excellence, their support will wane. The tension over equity and excellence is apparent in the dilemmas policymakers faced as they attempted to pass tuition devolution and tuition mitigation policies. For example, State University of New York and University of Texas administrators saw devolution as an issue of supporting excellence on their campuses since their state governments had reduced financial support. However, the policymakers critical of these programs saw devolution as inimical to equity efforts.

HIGHER EDUCATION REFORM IN THE NEO-LIBERAL ERA

Since 1973, neoliberal policies have become the preferred approach to policymaking in the United States. Neoliberal (or market fundamentalist) policies refer to the mix of government rules that limit the role of government in business, favor income and wealth accumulation over income redistribution, retrench government services to the public, and generally promote market solutions to social and economic problems (Krippner 2011; Prasad 2006). In other words, policies that are said to free financial markets from the burden of government control (Block and Somers 2014). The unifying principle is an avoidance of market interventionism. Of course, as Polanyi (1957) made clear decades ago, this is impossible: states must intervene in the economy to protect citizens from serious losses (Block and Somers 2014; O'Connor 1973). Neoliberal states pursue actions like those I previously listed. Trends in higher education, such as increased reliance on tuition dollars as government support wanes and quasi-privatized control over tuition rates by university governing boards, follow this approach to policymaking. America's public postsecondary education system as a whole reflects this approach much more than most European universities which receive greater public subsidy and have less autonomy (Trow 2010[1983]). Neoliberal ideology has become a largely unquestioned intellectual force in modern United States politics, embraced in some form by both Democrats and Republicans.

Although the policies I study were approved two and three decades ago they remain relevant guides to understanding contemporary policies, such as free college proposals, because no major orienting ideology to guide political action has replaced neoliberalism. Targeting aid to needy students, relying on tax breaks and investment programs to ease the college costs of middle-class families—these are policies we expect in a political context where intervening in market processes is discouraged. Elected officials like Kenneth LaValle, quoted at the beginning of Chapter 1, want to ease the cost of higher education for citizens, but they are almost universally opposed to using political force to control the price of this commodity. This reluctance is reflected in the free college proposals that have been offered. Neither Clinton, Sanders, nor Obama suggest that the government intervene in the pricing of college. In the past, major tuition increases, or the move toward privatized funding models, has been justified "on the grounds of practicality and realism" (Hayden 2014). University leadership has favored this approach given that these actors want to maintain autonomy from government intervention but such distance reinforces reduced financial support from the state, leading to the need for tuition dollars (Chapter 2, this dissertation; Yudof 2003, 2014). Free college proposals reinsert the government into a market transaction by covering college costs, rather than controlling those costs, thereby continuing to support the inevitability of rising tuition rates.

Some university leaders question the long-term viability of this non-interventionist model. In particular, former director of University of California's Government Relations department Stephen Arditti argued that the UC's redistributive financial aid program (a program by which a portion of the tuition paid by UC students is diverted to scholarships for low-income students) was approaching "a point of diminishing returns" as the portion of tuition revenue required to fund campus-based NBFA continued to climb as tuition levels climbed (Arditti 2015). At some point, he explained, over half of tuition revenue would need to be diverted to financially needy students since tuition increases put college affordability out of the range of more and more families.

The three policies I have discussed are pieces of the larger problem of college access. College costs limit who can attend higher education, who completes their degree, and the level of debt they incur. Public and private higher education institutions, however, have support from poor Americans to the most elite. The elite have been best served by such organizations—especially prestigious ones—but the goal of college completion and a viable career is widespread among the poorest youth and families (Rosenbaum 2001). Although higher education confers class advantages, it has typically not been a site of open class conflict (Stevens, Armstrong, Arum 2008). This may be because everyone has a system they can attend. Although access and outcomes are far from equal, or equally shared between social classes, the poor are satisfied because institutions like community colleges and for-profit colleges meet their needs. Thus, opportunities for a college education are seen as equitable within the context of widespread cultural beliefs in the fairness of meritocracy (Brint and Karabel 1989).

The explosive growth and "massification" of higher education in the US occurred at a time of budgetary surpluses. This context set the tone for what many began to expect from public postsecondary education: generous state funding, low tuition costs, and broad popular support (Labaree 2016). However, this period was short-lived as the Post WWII economic honeymoon ended in 1973 with oil shocks and stagflation. Like many other aspects of state provision, higher education funding shrank and popular concerns about the ability of the state to provide support were also placed on college aspirations. This opened higher education to the possibility of further market-oriented reforms. The laissez faire approach of government toward higher education prior to the reemergence of market fundamentalist ideals facilitated neoliberal reforms.

Higher education is integral to the crisis of the state because in the United States policymakers have held it up as the means to upward mobility. By not providing a true safety net, relying on higher education instead, the defunding of higher education signals a significant privatization of one of the few public goods American states provide. Thus, who pays is a critical question not just in terms of who incurs the costs associated with college, but also in terms of state support for a social program.

As long as the prevailing purpose of government is to shield citizens from some of the risks associated with modern capitalism, programs that broaden access to higher education are a valuable contribution toward a redistributive agenda. The details of free college proposals will determine whether a universal approach is a financially feasible option. Moving toward federal financing of higher education should have more permanence than the approach some states previously took of incentivizing public universities to keep tuition charges low. A program such as that promoted by President Obama, which would benefit citizens universally, could become a fixture of the federal role in higher education since universal programs tend to be less vulnerable to retrenchment. Ultimately, a better understanding of the politics of higher education can inform such policy debates by doing as I have done here—applying the historical lessons learned in previous policy outcomes to the contemporary era.

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