



TO: WSW Clients
FROM: WSW Team
DATE: January 18, 2017

On January 17, 2017, Betsy DeVos appeared before the Senate Health, Education, Labor and Pensions Committee for her confirmation hearing to serve as the Secretary of the Department of Education. Below please find a brief review of the hearing.

HIGHLIGHTS/KEY POINTS:

- The hearing was contentious, with Chairman Alexander defending both the process of the hearing for the nominee and DeVos' positions on education policy, in particular her advocacy for charter schools. Chairman Alexander went to lengths to portray DeVos' views on charter schools as well within the mainstream and consistent with prominent Democrats, including support for charter schools by President Clinton and President Obama.
- Democrats complained about Chairman Alexander holding the hearing before all the nominee's paperwork was received, particularly from the Office of Government Ethics (OGE) on DeVos' financial interests, and for the paucity of time that would be spent examining the nominee's position in the one five minute round of questions that Chairman Alexander agreed to provide.
- Democrats spent extensive amounts of their questions grilling DeVos on education policy in an effort to highlight her relative lack of policy experience and portray her staunch support for charter schools as anathema to a vibrant public education system.
- Chairman Alexander initially scheduled a vote on the DeVos nomination for Tuesday, January 24. However, Chairman Alexander indicated that the vote would be put off if the OGE paperwork is not returned to the Committee by Friday.

NOMINEE INFORMATION & LINK TO TESTIMONY

The following is a link to key testimony:

- [DeVos testimony before the HELP Committee](#)

Selections from the DeVos testimony:

- Escalating tuition is pricing aspiring and talented students out of college. Others are burdened with debts that will take years – or even decades -- to pay off.
- There is no magic wand to make the debt go away, but we do need to take action. It would be a mistake to shift that burden to struggling taxpayers without first addressing why tuition has gotten so high.
- For starters, we need to embrace new pathways of learning. For too long a college degree has been pushed as the only avenue for a better life. The old and expensive brick-mortar-

and-ivy model is not the only one that will lead to a prosperous future. Craftsmanship is not a fallback - but a noble pursuit.

- Students should make informed choices about what type of education they want to pursue post high school and have access to high quality options.
- It's time to shift the debate from what the system thinks is best for kids to what moms and dads want, expect and deserve.
- Parents no longer believe that a one-size-fits-all model of learning meets the needs of every child, and they know other options exist, whether magnet, virtual, charter, home, religious, or any combination thereof. Yet, too many parents are denied access to the full range of options...choices that many of us -- here in this room -- have exercised for our own children.
- The vast majority of students in this country will continue to attend public schools. If confirmed, I will be a strong advocate for great public schools. But, if a school is troubled, or unsafe, or not a good fit for a child – perhaps they have a special need that is going unmet -- we should support a parent's right to enroll their child in a high quality alternative.

Chairman Lamar Alexander (R-TN) opening statement

- Discussed the bipartisan accomplishments of the HELP Committee in the 114th Congress: 21st Century Cures, major mental health reforms, and a fix of No Child Left Behind.
- Defended the process the Committee is pursuing, including one five minute round of questions per Senator in the hearing, just as nominees of the Secretary of Education had in 2009 and 2016 – and in Alexander's own nomination to be Secretary of Education in 1991.
- Praised DeVos' nomination and her advocacy for charter schools, which he said was in the mainstream of Democratic views including those of President Clinton, President Obama, Hillary Clinton, former Secretary Arne Duncan, and Secretary John King.
- Defended support for charter schools as akin to Pell Grants for K-12 education.

Ranking Member Patty Murray (D-WA) opening statement

- Criticized the hearing going forward before full paperwork from the Office of Government Ethics had been provided about DeVos to the Committee. Extensively discussed the potential financial conflicts of interests the nominee may have.
- Committed to making sure that the federal government is a strong partner to our public schools; that every student has access to a high quality public education that allows them to succeed; and that federal policies and investments focus on strengthening public schools for all students—and not diverting taxpayer dollars to fund vouchers that don't work for unaccountable private schools.
- Voiced concerns that nominee DeVos has focused her advocacy and philanthropy on “fighting to privatize public education and gut investments in public schools.”
- Indicated that DeVos' record and positions are not clear on higher education and said she wants to learn if DeVos “can be counted on to stand with students and borrower” and her thoughts on Title IX and campus sexual assault. Key quote: “I was not happy with how you talked about this issue when we met—but I am hopeful that you've learned more about it since then and are prepared to address it seriously.”

MEMBER INTERESTS/TOPICS OF INQUIRY

- **Chairman Alexander (R-TN)**
 - Asked DeVos about her plans for implementation of ESSA and the timeframe for those activities, encouraging the swift / continued rollout.
 - Questioned DeVos about Sen. Alexander’s proposal during consideration of ESSA in the 114th Congress to allow states to take federal education funding and turn it into \$2100 scholarships to follow the students.
- **Ranking Member Murray (D-WA)**
 - Asked about protecting public school funding from efforts to steer resources to charter and private schools.
 - Questioned DeVos on her investments in various education ventures and conflicts of interest that may arise.
- **Sen. Isakson (R-GA)**
 - Asked DeVos about the burden of regulations that affect higher education identified by a HELP Committee task force and whether she would work with the panel to reduce regulation, including issues of FAFSA length and complexity.
- **Sen. Roberts (R-KS)**
 - Asked DeVos about the upcoming reauthorization of the Higher Education Act, the abundance of regulations that govern or affect institutions of higher education, and the need/desire to reduce or eliminate regulations that hamper the goal of educating students effectively.
- **Sen. Sanders (D-VT)**
 - Pressed his support for free tuition for public colleges and universities.
 - DeVos called free college tuition “a really interesting idea,” but said that “we have to consider the fact that there is nothing in life that is truly free.”
 - DeVos also said she thinks they can work together to make sure that college or higher education in some form is affordable for all young people that want to pursue it.
 - Questioned DeVos about universal childcare for working families and her ideas on it.
- **Sen. Collins (R-ME)**
 - Discussed her concerns about college completion and her strong support for the federal TRIO program.
 - DeVos recognized that the TRIO program helps to mentor and prepare students, and said that as Secretary she would like to look at the program, see if there was a way to replicate or improve it to increase participation of students that may not otherwise pursue higher education.
- **Sen. Franken (D-MN)**
 - Asked DeVos about the debate about proficiency vs. growth as it relates to assessments of students in K-12.
 - Questioned DeVos on her family’s financial contributions to groups that support so-called “conversion therapy” for LGBT individuals and whether DeVos would safeguard LBGT students.
- **Sen. Hatch (R-UT)**

- Advocated for students to have access to a wide variety of data when choosing a school, and asked DeVos if she supports increasing transparency regarding loan results for students and parents to use when deciding on a post-secondary school.
- **Sen. Murphy (D-CT)**
 - Asked DeVos about her views on guns in schools and President-elect Trump's campaign pledge to end federal gun-free school zones.
 - DeVos stated that school gun policy "is best left to locales and states to decide" and cited the need to ward off bears as reasons for having guns in schools in rural areas.
- **Sen. Cassidy (R-LA)**
 - Questioned DeVos on whether decisions on education are best left to the states and local officials regarding policies that best meet the needs of students, and whether as Secretary, DeVos would force or coerce any states/localities into implementing Common Core.
 - Noting that he has a child with dyslexia, Cassidy asked if DeVos would agree to work on new federal policies to ensure early screening for dyslexia or universal screenings.
 - DeVos said she was open to exploring it, but was not sure if it is a federal role or one best left to states.
- **Sen. Bennet (D-CO)**
 - Asked DeVos about accountability for charter schools and what she has learned from 20 years of experience with charter schools in Detroit, Michigan.
- **Sen. Whitehouse (D-RI)**
 - Probed DeVos' views on the impact on public schools of a proliferation of charter schools, including the loss of resources, and discussed the infrastructure costs that many if not all public schools face that are not comparable for charter schools.
 - Distinguished between the experience with public charter schools in Rhode Island and charter schools in Michigan, where he says 80% are run by for-profit entities.
- **Sen. Baldwin (D-WI)**
 - Followed up on Sen. Franken's questions on DeVos' approach, if confirmed, to LGBT students and their safety/rights considering the nominee's past contributions to organizations that Sen. Baldwin indicated were adversarial to equal rights for LGBT students.
- **Sen. Scott (R-SC)**
 - Asked DeVos about the importance of helping students stuck in underperforming schools.
 - Questioned DeVos on providing support and encouragement for students to attend high-quality technical schools, discussing "our bachelor's addiction," and suggesting we could address a large part of unemployment if we better aligned the jobs available in the marketplace with the training and technical schools.
- **Sen. Bob Casey (D-PA)**
 - Asked DeVos about upholding the 2011 Title IX guidance on sexual assault on campus issued by the Obama Administration.
 - DeVos declined to commit to doing so, saying it would be premature and noting there are conflicting opinions on the guidance.
- **Sen. Kaine (D-VA)/Sen. Hassan (D-NH)**

- Asked DeVos about compliance with requirements of the federal Individuals with Disabilities Education Act (IDEA) and whether all schools that receive federal funding should be required to comply with the law.
 - DeVos responded that it should be left to the states.
- **Sen. Warren (D-MA)**
 - Asked how DeVos would approach gainful employment, enforcing the current gainful employment regulations, and safeguarding students against unscrupulous institutions of higher education that leave students deeply in debt but without actual education.
 - DeVos said she would review the regulations and see if they were achieving the intended results.