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Education on Federally-funded Education

In 2016, the Federal Income Eligibility Guidelines for the Advanced Placement and International Baccalaureate Test Program granted a fee reduction for students of families of four with an annual income of \$44,863 or lower (“Child Nutrition Service” 17027). The most interesting aspect of this situation is not the guidelines, but rather the vast differentiation in the fees for those above or below the designated guidelines. Those above the designated income level with a specific sized family will pay ninety-five dollars per test while those below will pay a mere five dollars per test. The fee reduction is a hefty ninety dollars. This vast disparity in the country’s Advanced Placement and International Baccalaureate testing program funding and fees leads to a larger issue in the American public education system. Based upon the equality clause of the Fourteenth Amendment, the United States discriminates against the middle class in its allocation of federal funds for higher education, favoring the lower classes, resulting in inequality in the access to higher education in America. This issue can be clearly argued through exploration of the Fourteenth Amendment’s equality clause, past cases that have argued this clause and have been successful, America’s definition of the middle class, how the Department of Education allocates federal funds for higher education, an analysis of the argument for lower class favoritism in aid, and studying other countries’ public higher education systems as means of comparison to propose an alternative education structure.

Federal aid discrimination can be argued using the Constitution's principal statute concerning equality in America, the Fourteenth Amendment. The equality clause of the Fourteenth Amendment reads as follows,

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws (U.S. Const. Amend XIV sec. 1).

The Fourteenth Amendment's equality clause clearly states that any and every citizen, born or naturalized, is entitled to the same rights and privileges. Therefore, if all citizens are entitled to the same privileges given by the United States, then no citizen can be denied nationally given privileges, like education, on any grounds. This clause is so vital in American legislation because it clearly protects against discrimination as well as supports the principle of equal opportunity. Law professor Robert Sedler's article describing various aspects of the Fourteenth Amendment refers to multiple forms of discrimination that the equality clause has helped to overcome such as race, gender, alienage, non-marital children, and sexual orientation. America's higher public education system adds another form of discrimination to the previously mentioned list of those with which America has previously struggled: socioeconomic discrimination.

Discrimination makes something harder for one American to achieve than it is for another to achieve. Political science professor Charles M. Lamb believes "equality of opportunity has emerged as a principal component of the law of discrimination as courts have attempted to resolve controversies over its meaning and scope" (1195). The idea of "equality of

opportunity” is so fundamental when studying federally funded higher education because higher education is such an important and expensive component of living in America. When the cost of a college education is a much heavier burden on one family than it is for another family, America violates the promise of equal opportunity guaranteed by the equality clause. Not only do opportunities need to be available for all citizens, they need to be equally accessible.

Understanding that the Fourteenth Amendment and its equality clause protect against all forms of discrimination in order to ensure equal opportunity for Americans has been crucial in past cases.

In order to evaluate America’s socioeconomic discrimination in education, past cases that have argued discrimination – specifically issues in education – can be studied. In the past, the Fourteenth Amendment’s protection against discrimination has awarded equality to various individuals and groups who felt they had not received equal opportunity in specific circumstances. In his article on specific aspects of the equality clause, Sedler states,

the equality value of the equal protection clause is implicated most strongly when the government discriminates against groups...such as race, gender, alienage, birth of wedlock, or sexual orientation [meaning] that all members of the disfavored group are disadvantaged by governmental action because of their group membership (916).

Sedler’s argument describes the principle of discrimination based on group membership and continues by naming the specific groups that have been victims in the past. The United States government is often the perpetrator in these cases because they create the groups and fail to deal with the issues that arise as a result. Before the Civil Rights movement, the United States had established the principle of “separate but equal.” By establishing this principle, they defined

groups (whites and blacks), but did not adequately deal with the issues of each group, resulting in inequality. The landmark case *Brown v. Board of Education* ultimately overruled the principle of “separate but equal” because the United States government failed to guarantee the same resources and treatment in public education to the black group that the white group received. Therefore, if the United States cannot treat each group in a way that allows the same access to an opportunity, then they are guilty of discrimination. Desegregation was the result of the *Brown v. Board of Education* case, the first major step in ensuring an equal playing field for everyone in public education. Lamb emphasizes that “Chief Justice Warren and his colleagues realized that their decision in Brown would be immensely difficult to carry out...” following the justices’ decision in the case (1198). Implementing racial education equality was difficult and took some time to achieve, but is absolutely necessary to guarantee equal opportunities for Americans. Just as the *Brown v. Board of Education* case dealt with inequality for blacks in education, the middle class experiences similar education inequality in the United States’ public higher education system.

The United States’ definition of the middle class must be considered before evaluating the treatment of middle class students in America. The defined “middle class” in America makes

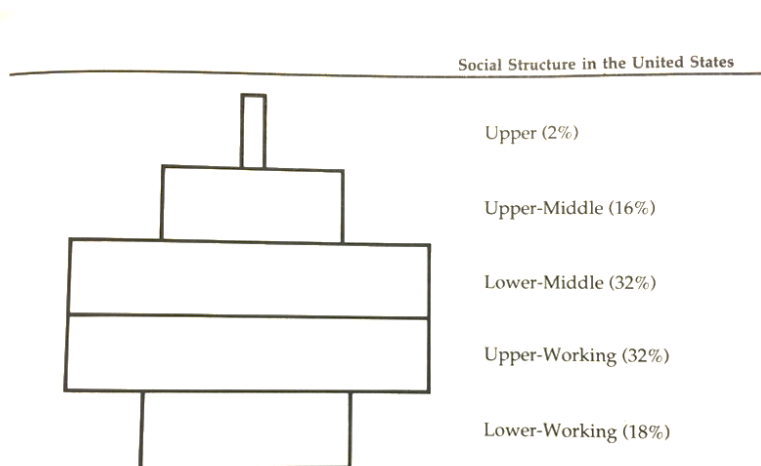


Figure 1.1 The Social-Class Structure in the United States (Source: Authors’ estimates based on a variety of national and community studies and data sets.)

up a majority of the population.

Richard Fry, a researcher for the Pew Research Center, reports that, “50% of adults now live in middle-income households, 29% in lower-income households, and 21% in upper-income households,” proving

the middle class majority in the United States' population. Fry's claim is reinforced by *Society and Education's* "The Social-Class Structure in the United States" graph (shown above) which gives a clear image of the large distribution of the middle class in the United States (7). The "Lower-Middle" and "Upper- Working" classes make up more than sixty percent of the population. Because the middle class makes up the most of the American population, it is absolutely necessary that, as a whole, they are receiving equal access to higher educational opportunities. In order to ensure an educated and successful future generation of Americans, the middle class must be able to equally access the same resources and opportunities that the other classes are given. In addition to the large distribution of middle class families, the wide economic diversity within the group itself makes educational equality difficult. Fry reports that American middle class families "had incomes ranging from \$41,869 to \$125,608 in 2014," a gap that spans more than \$80,000. The lifestyles of a family with a \$41,000 income and that of a family with an \$125,000 income are so vastly different which presents issues when providing federal aid. As discussed previously in the context of groups and discrimination, the socioeconomic "groups" that the United States has created can lead to issues of inequality. The middle class group is so large and wide that specific legislation such as federal funds for education cannot equally satisfy all the members of the group. Thus, members of that group are left without the same opportunities. The middle class is so socioeconomically diverse, which makes it difficult to satisfy its needs. Because they account for such a large part of the American population, it is absolutely necessary to ensure proper treatment.

Information about the middle class can then be used to provide information as to how federal funds for higher education are allocated and what the effects of this system will be. The United States' Department of Education handles the allotment of federal funds for higher

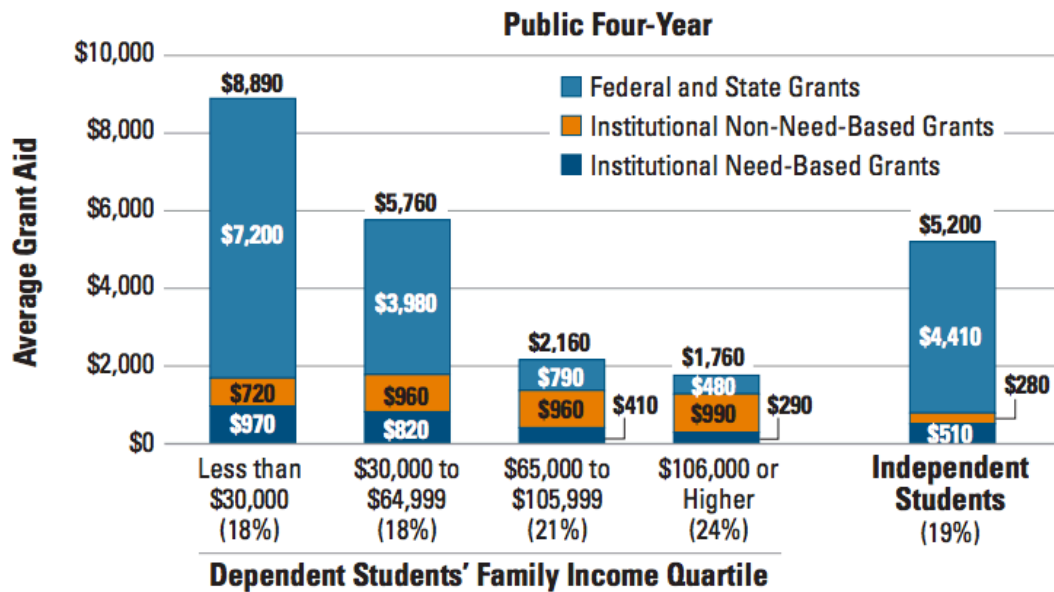
education through the FAFSA, the Free Application for Federal Student Aid, office. The application itself seems to be the only “free” aspect for middle class families applying for aid. To simply be eligible for federal aid, students must meet the basic eligibility criteria defined by the FAFSA office. Basic eligibility criteria include demonstrating financial need, being a U.S. citizen or eligible noncitizen, having a valid Social Security number, registering with selective service, enrolling or being accepted for enrollment as a student at a college or other certificate program, enrolling at least half-time, maintaining good academic progress, signing certification statement on the FAFSA, and proving eligibility to enter college with a high school diploma or completion certificate (“Who Gets Aid”). Most of the criteria are simply binary questions that give or deny students eligibility. The issue lies in the subjective criteria such as “demonstrating financial need.” The Department of Education and FAFSA have created an equation that attempts to equally determine financial need and award adequate funds. The COA is the *Cost of Attendance* that is stated as a yearly figure and includes room and board, allowances for books, supplies, and transportation in addition to the basic tuition and fees. The EFC is the *Expected Family Contribution*, which is a number based on a family’s socioeconomic status that determines how much a family with a specific income and situation should be required to pay. The equation for determining financial need is $COA - EFC = Financial\ Need$. Troy Onink, a Forbes contributor, explains that once calculated into the formula, “if a student’s EFC is less than a college’s cost of attendance, then the student qualifies for need-based financial aid” in the form of scholarships, grants, and loans. The results of the equation are intended to create an equal aid system, proportionally allocating funds among the classes.

Using the way that aid is determined can give a deeper understanding of how aid is essentially distributed. Many higher education organizations provide resources that report and

inform the public on how aid is distributed. College Board is a non-profit college planning organization that administers the Advanced Placement (AP) and Scholastic Aptitude Test (SAT) testing programs as well as provides services to students to prepare them for college. In 2011-2012, College Board did a study on “Trends in Student Aid” as a way of illustrating where funding comes from, the types of funding, and the way it is distributed. Figure 19 from their

FIGURE 19

Institutional Need-Based and Non-Need-Based Grant Aid, and Federal and State Grant Aid, by Dependency Status and Family Income, Full-Time Undergraduate Students at Public Four-Year and Private Nonprofit Four-Year Colleges and Universities, 2011-12



report gives an overview of the types of funding given to each specific group, split up by family income. College Board concluded that, “in 2011-12, on average, low-income dependent students enrolled full time in public four year colleges and universities received about five times as much total grant aid as those from families with incomes of \$106,000 or higher” (30). The College Board’s findings corroborate Fry’s findings presented earlier. The middle class income that was defined earlier in this paper included families with incomes between \$41,869 and \$125,608; this

statistic covers the upper-half of the definition of the middle class. Therefore, five times the amount of aid seems out of proportion when defining aid between the lower and middle classes. Five-times more is significantly extra and questions the equality of this situation. NCES, the National Center for Education Statistics, publishes an annual study on postsecondary student aid. Table 7 of their 2011-2012 report showed that students in the low income tax bracket received just shy of 50% of all federal aid (13). (statistic indicated by the yellow box on the table below)

Table 7.
Percentage distribution of dependent undergraduates at specified parental income levels, by type of institution, attendance pattern, and receipt of specified types of financial aid: 2011–12

Type of institution and student characteristics	Dependent students' parental income ¹					
	Less than \$20,000	\$20,000–39,999	\$40,000–59,999	\$60,000–79,999	\$80,000–99,999	\$100,000 or more
Total	15.8	17.9	12.4	13.7	11.9	28.3
Type of institution						
Public						
Less-than-2-year	33.7 !	26.0	6.7 !	9.0 !	7.1 !	17.5 !
2-year	19.1	21.4	13.7	14.7	11.5	19.6
4-year non-doctorate-granting	16.7	18.8	13.0	13.1	11.8	26.6
4-year doctorate-granting	12.0	14.9	11.5	13.5	12.7	35.3
Private nonprofit						
Less-than-4-year	24.1	14.2	10.2	12.6	5.0 !	34.0
4-year non-doctorate-granting	12.3	14.1	11.5	14.4	11.8	35.9
4-year doctorate-granting	10.0	14.9	11.2	13.4	13.2	37.3
Private for-profit						
Less-than-2-year	38.3	26.4	11.8	6.4	6.2	11.0
2-year	28.7	23.3	12.5	13.5	6.5	15.5
4-year	32.3	24.1	13.5	9.1	8.5	12.6
More than one institution	12.8	15.8	11.4	13.1	12.9	34.0
Attendance pattern						
Full-time/full-year ²	14.3	16.7	12.1	13.2	12.0	31.8
Part-time or part-year	17.7	19.4	12.6	14.3	11.9	24.2
Any aid						
Did not receive any financial aid	8.5	11.7	8.8	16.5	16.1	40.4
Received financial aid	19.5	20.4	13.8	12.5	10.3	23.6
Federal Title IV aid program recipients						
Any federal Title IV aid ³	22.8	22.9	14.8	11.6	9.1	18.7
Pell Grant	37.4	36.6	19.4	5.4	0.8	0.4
Federal campus-based aid ⁴	26.2	26.0	14.2	11.5	8.8	13.3
Any Direct Subsidized or Unsubsidized Loan ⁵	16.9	17.9	14.8	14.4	11.8	24.2
Direct Subsidized Loan	20.0	21.1	17.4	15.8	11.1	14.6
Direct Unsubsidized Loan	15.1	16.2	14.0	14.8	12.7	27.2
Direct PLUS loans	10.3	12.6	13.8	14.9	14.9	33.5

! Interpret data with caution. Estimate is unstable because the standard error represents more than 30 percent of the estimate.

¹ Consists of the 2010 income for parents of dependent students.

² Full-time/full-year students were enrolled full time for 9 or more months from July 1, 2011 to June 30, 2012.

³ Consists of Pell Grants, the federal campus-based aid programs, the Teacher Education Assistance for College and Higher Education (TEACH) Grants, the Iraq and Afghanistan Service Grants, Direct Subsidized and Unsubsidized Loans, and Direct PLUS Loans to parents. Direct PLUS Loans are available to parents of dependent students.

⁴ Consists of Federal Supplemental Educational Opportunity Grants (FSEOG), federal work-study, and Perkins Loans.

⁵ Direct Subsidized and Unsubsidized Loans are also commonly referred to as "Stafford Loans." Students may receive both subsidized and unsubsidized loans. Subsidized loans are need-based, and students are not charged interest while they are enrolled.

NOTE: Dependent students are undergraduates under age 24 who are not married, have no dependents, are not veterans or on active military duty, are not orphans or wards of the court, were not homeless or at risk of becoming homeless, and were not determined to be independent by a financial aid officer using professional judgment. Detail may not sum to totals because of rounding. Estimates include students enrolled in Title IV eligible postsecondary institutions in the 50 states and the District of Columbia. Standard error tables are available at <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2013165>.

SOURCE: U.S. Department of Education, National Center for Education Statistics, 2011–12 National Postsecondary Student Aid Study (NPSAS:12).

This further supports the statistics that Fry offered earlier showing that 29% of the population are low-income families and 50% of the population are middle-income families. Therefore, spending

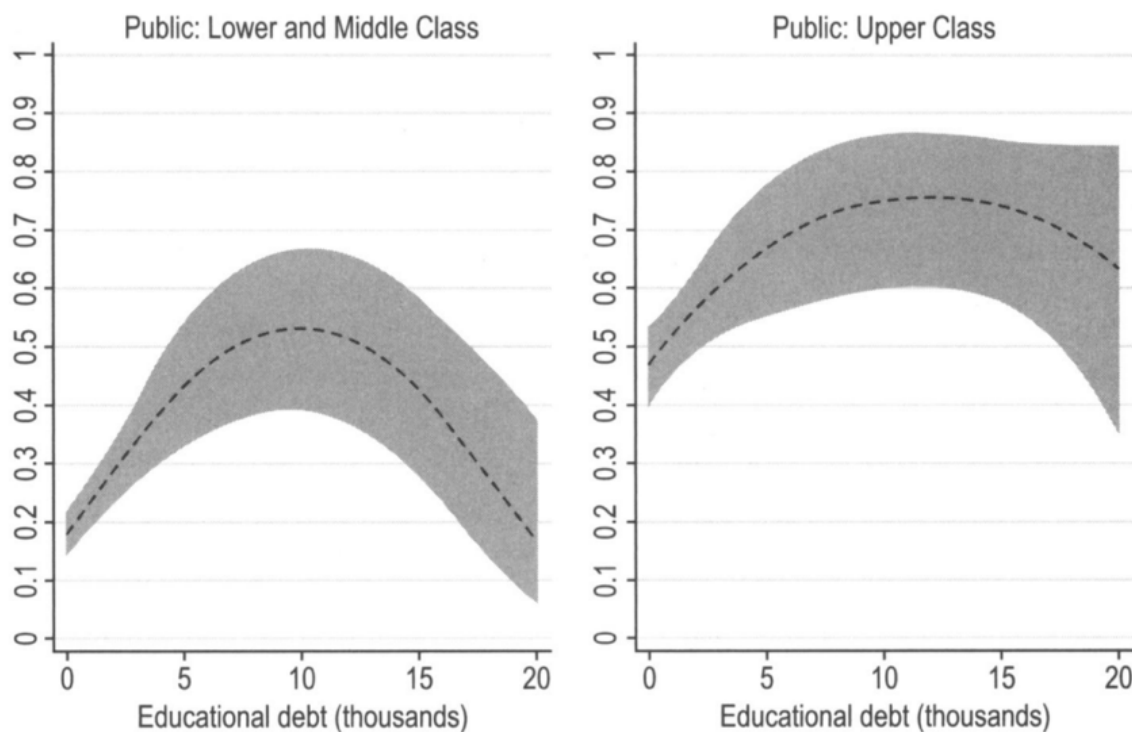
almost half on less than 30% of the population and much less on the majority of the population seems unfair and unequal.

As a result, middle class families are forced to either take on large loans or find aid elsewhere. College Board presented another interesting statistic from their study on “Trends in Student Aid” in 2013 showing that, “almost all of the grant aid received by dependent students from families in the upper half of the income distribution enrolled in private nonprofit colleges and universities comes from the institutions they attend” (30). Students in the middle and upper brackets are then forced to attend only private colleges or universities that can offer them enough financial aid. Even though they still have the opportunity to attend higher education, their choices are limited by financial reasons which ultimately denies their equal opportunity rights guaranteed by the Fourteenth Amendment.

In this study, it is important to understand that tuition and fees of a college education are rising, oftentimes much faster than the rate of the economy. If students cannot access the needed scholarships, grants, and aid, then they are forced to take on large loans resulting in high debt. Theologian William Willimon and professor Thomas Naylor support this idea by reporting that, “tuition at four-year private institutions is about seven times higher than it was twenty years ago...” and that “...the rise in cost at state-supported colleges has grown only slightly less rapidly” (100-101). If higher education costs are growing much faster than families’ incomes, it seems unrealistic to assume that people can still afford to pay their way through college. As a result, students have to take on massive loans and then graduate with hefty loans. A large part of the United States’ financial aid program is providing student loans. Research scholar at Bowling Green University Myron Lieberman explains, “one of the largest items in the 1991 budget of the U.S. Department of Education was \$5.4 billion to cover the cost of guaranteed student loans”

(238). That sum seems exorbitant and yet, that is a statistic from over ten years ago. The United States Department of Education is ultimately encouraging that people go into debt. Of the young adults sampled from the study included in *Social Forces*, 46% of students ever enrolled in college have large educational loans; and this debt is affecting more than just students' bank accounts. Sociology professor Rachel E. Dwyer describes the detrimental affects that debt has on

Figure 3. Estimated Probabilities and Confidence Intervals of Graduation for Respondents Ever Enrolled in a Public College by Educational Debt, by Class



**Note: Educational debt top-coded at \$20,000.
The confidence intervals are in grey.**

college students and their probability of graduation, shown in Figure 3 (1149). Dwyer supports her study by saying, “the graduation likelihoods of students from modest economic backgrounds attending public universities are significantly contingent on the debt loads that they carry... beyond \$10,000 increasing debt actually undercuts graduation probabilities for these students” (1150). So not only are America’s middle class feeling the pain of loans and debt, their

probability of succeeding and graduating is decreasing due to their inability to pay the outrageous fees.

Therefore, the increased struggles and effects that one group feels as compared to the others in the context of federal aid for higher education challenges the idea of equality of opportunity that is guaranteed by the Fourteenth Amendment. The United States Department of Education is taking a group, the middle class, and generalizing their needs. They are ultimately attempting to meet the needs of a large and diverse socioeconomic group with one solution. The funding scale drastically changes from the lower to middle classes, ultimately making it harder for many middle class families to access higher education. The National Center for Education Statistics' (NCES) report on postsecondary student aid in the 2011-2012 school year clearly illustrates this issue. The section that shows the percentage of undergraduate students receiving any aid based on familial income (indicated by a yellow box in Table 3 below) shows a drastic drop in aid percentages between the \$40,000-\$59,999 and \$60,000-\$79,999 brackets (9).

Table 3.

Percentage of undergraduates receiving selected types of financial aid from federal, state, or institutional sources, by type of institution, attendance pattern, dependency status, and income level: 2011–12

Type of institution and student characteristics	Federal aid ¹				State aid ²		Institutional aid ³	
	Any aid	Any grants	Student loans	Work-study	Any aid	Any grants	Any aid	Any grants
Total	57.3	41.5	40.2	5.3	15.4	14.9	20.5	20.1
All undergraduates								
Type of institution								
Public								
Less-than-2-year	61.9	56.7	20.1	‡	19.2	11.2	2.8 !	2.8 !
2-year	43.6	37.9	16.7	1.8	12.2	11.7	13.4	13.3
4-year non-doctorate-granting	56.5	40.7	37.5	4.9	19.1	18.7	13.3	13.0
4-year doctorate-granting	62.6	37.0	53.5	5.5	24.6	24.0	25.8	25.3
Private nonprofit								
Less-than-4-year	67.5	53.0	46.6	‡	11.1 !	‡	20.1 !	20.0 !
4-year non-doctorate-granting	69.6	39.6	61.4	20.9	24.5	24.1	58.2	57.6
4-year doctorate-granting	65.5	33.0	58.1	21.7	18.2	17.7	58.6	57.9
Private for-profit								
Less-than-2-year	86.7	75.9	74.5	0.2 !	‡	‡	‡	‡
2-year	75.5	60.6	61.3	2.3	6.1	4.5	6.5 !	4.8 !
4-year	79.5	63.0	73.4	1.1	5.0	4.9	3.4	3.2
More than one institution	59.9	39.6	47.1	5.0	13.6	13.2	22.3	21.8
Attendance pattern								
Full-time/full-year ⁴	71.4	47.4	55.2	10.5	24.0	23.5	33.9	33.4
Part-time or part-year	48.5	37.8	30.8	2.0	10.1	9.5	12.1	11.8
Full-time/full-year undergraduates⁴								
Dependency status ⁵								
Dependent	67.1	37.3	52.7	13.1	26.4	26.0	40.6	40.0
Independent	81.0	70.1	61.0	4.8	18.7	17.9	18.6	18.3
Dependency and income in 2010 ⁶								
Dependent students								
Less than \$20,000	92.0	90.9	56.0	16.4	40.7	40.4	39.5	39.0
\$20,000–39,999	84.7	81.8	51.8	17.2	40.4	40.1	42.1	41.8
\$40,000–59,999	80.9	63.4	63.0	15.2	39.2	38.8	45.4	44.8
\$60,000–79,999	62.4	18.2	57.0	14.5	25.1	24.6	41.8	41.2
\$80,000–99,999	57.5	2.8	58.7	12.8	18.0	17.3	39.7	39.3
\$100,000 or more	47.1	0.8	44.1	8.2	11.5	10.9	38.4	37.6
Independent students								
Less than \$10,000	86.2	82.5	60.9	8.0	22.8	22.0	25.3	25.0
\$10,000–19,999	86.2	82.7	63.8	4.0	20.4	19.8	17.3	17.0
\$20,000–29,999	81.4	67.1	62.8	3.5	17.0	16.3	13.9	13.4
\$30,000–49,999	76.9	53.6	63.4	1.5	14.4	13.4	14.4	14.2
\$50,000 or more	57.8	26.5	50.9	1.2	9.0	8.1	9.2	9.1

! Interpret data with caution. Estimate is unstable because the standard error represents more than 30 percent of the estimate.

‡ Reporting standards not met. (Too few cases for a reliable estimate.)

¹ Includes all Title IV aid in addition to aid awarded through other programs (e.g., fellowships, traineeships) also funded by the federal government.

² Consists of all grants and scholarships, loans, and work-study provided by state governments, including vocational rehabilitation and job training grants funded by the federal Workforce Investment Act.

³ Consists of all grants and scholarships, tuition waivers, loans, and work-study provided by the institutions the students are attending.

⁴ Full-time/full-year students were enrolled full time for 9 or more months from July 1, 2011 to June 30, 2012.

⁵ Dependent students are undergraduates under age 24 who are not married, have no dependents, are not veterans or on active military duty, are not orphans or wards of the court, were not homeless or at risk of becoming homeless, and were not determined to be independent by a financial aid officer using professional judgment. Other undergraduates are considered to be independent.

⁶ Consists of parents' income for dependent students. Independent student income includes the income of a spouse if the student is married.

NOTE: Students may receive more than one type of aid and aid from more than one source. Estimates include students enrolled in Title IV eligible postsecondary institutions in the 50 states and the District of Columbia. Standard error tables are available at

<http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2013165>.

SOURCE: U.S. Department of Education, National Center for Education Statistics, 2011–12 National Postsecondary Student Aid Study (NPSAS:12).

While the difference in percentages drops less than 10% between many other brackets, the percentage drop between these two categories is almost 20%, double what the difference is between many other groups. Moving right one column to the percentage of students receiving federal grants, the difference is ridiculous. 63.4% of students in the \$40,000-\$59,999 bracket received grants while only 18.2% in the \$60,000-\$79,999 bracket received any grants. The 45% decrease in funds seems incongruous in the context of students receiving aid. The popular phrase “too rich for aid but too poor to pay” rings true in the lives of many American families. A mere thousand dollars can make or break a family’s chance of receiving ample financial aid for their student to pursue higher education. Lieberman voices his concern in this matter by asking his readers, “...is [equality] achieved by restricting those deemed to have advantages, or by empowering those deemed to be disadvantaged?” (203). The United States has and continues to struggle with finding that balance, and therefore chose to empower only those deemed to be “disadvantaged,” creating inequality in the system.

Using the information provided thus far, the argument of empowering only those deemed “disadvantaged” can now be evaluated. The United States’ higher education system is so focused on improving and equipping the lower classes that it fails to realize its neglect to the needs of the middle class. The United States has always been a place of social mobility and self-made success, and education is something that can contribute to that self-made success. Fry maintains that the lower class makes up just 29% of the population, while the middle class makes up for more than half of the American population. While prioritizing aid to that 29% of the population is important, assisting more than half of the population is also necessary. Improving the incomes and lives of lower class citizens is important but foolish if it means abandoning many individuals of the middle class. While the lives of lower class citizens are improving, the lives of middle

class citizens will be deteriorating. The United States is ultimately counteracting their actions. The declining middle class will eventually become the lower class as the improving lower class becomes the new middle class, resulting in the same issue as before. The United States needs to find a balance where each group is given aid and resources proportionally, to ensure equal access to a better life.

The balance needed in America's higher education system cannot be found in the current system for determining and giving aid. Using solely socioeconomic information to determine the amount of financial aid that families receive from the government still leaves many students in high levels of debt or with incomplete degrees. Researching and analyzing higher education systems in other countries suggests solutions to America's issues. For example, Spain's public education system uses a merit-based system to admit and fund students, solving inequality in the system. Spanish universities use a test called the "Selectividad" to admit students. This test is difficult and requires serious studying to earn a score that qualifies students for admittance to a university. If the test is passed with a sufficient score, students are admitted and are required to pay little to nothing. Economics professor Morris Horowitz writes, "tuition costs are so negligible that few persons are prevented from attending because of the direct cost of school," in his analysis of the Spanish education system. (343). The Spanish education system succeeds and produces great graduates because students are not burdened by the cost and are only admitted if they are truly committed to achieving. When students finish secondary education, usually at age 17 or 18, and are ready to move onto postsecondary education, they are still highly dependent on their family and often do not have means to finance their own college education. The United States higher education system puts so much pressure and value on the family's income to determine whether or not that student can attend a university. This ultimately takes their fate, the

future of their lives, out of their own hands. On the contrary, the Spanish education system puts control in the hands of the student, the person who will actually be receiving the education. Regardless of their family's economic or social status, students in Spain can study, test, and earn a higher education for themselves. America was built on the idea of "the American dream" and the ability to move up in society no matter their circumstances. Daniel Levine writes in his book, *Society and Education*, about this principle of a socially mobile society: "Such a society is called meritocratic and should display a good deal of upward social mobility for its young people," just like Spain encourages through its merit-based education system (216). America needs to stay true to the principle of self improvement, and education is one major way this is made possible. Studying the primarily merit-based Spanish public higher education system questions the fairness of the American system and suggests a reform of its structure.

Using the conclusions from studying the Spanish higher education funding system, the United States needs to reevaluate and restructure its higher public education system. Higher education should be universal. This is not to say that it would be best or must be free to all people; this is saying that higher education should be equally accessible to any citizen using a unique combination of federal aid as well as personal funds. Spanish university professor José-Ginés Mora's comments regarding the Spanish education system should be used to draft a new focus for the United States' system. Like Spain, the United States' focus should be on equality using "a new student aid program which is better able to equalize the opportunities of the students from any economic or cultural level" (Mora 237). A new system could focus more on merit than on social or economic status, while still taking socioeconomic conditions into account.

Equality of opportunity is guaranteed by the Fourteenth Amendment and therefore should be the main focus. As a result, the United States could "design a fairer and more efficient system

of student aid that should be able to compensate students for their reduced probability of access to higher education and not only for their low family incomes” (Mora 237). The current system is so focused on giving the lower class financial aid that it overlooks the “reduced probability of access to higher education” that Mora discussed that the middle class is experiencing (237). The loans and debt makes it unequal and, as a result, is ruining the academic resolve of those students. Lieberman’s autopsy on public education presented a unique idea to combat the inequality of opportunity. Lieberman’s solution introduces “fair and open competition for scarce rewards: scholarships, grades, admission to higher levels of education” to truly level the playing field for students (203). Lieberman’s solution is brutal in the scarcity of rewards but the core idea is original. A system that combines Lieberman’s fair and open merit competition as well as socioeconomic standings could be the result to this issue. Oftentimes students in the lower socioeconomic classes do not have the same access to academic resources so the United States could also incorporate an aspect that would take care of that inequality. If students were ranked academically with students from similar areas or with similar socioeconomic backgrounds, the United States could slowly develop a strong system that ensures equality of opportunity as well as holds students accountable in their academics. This way, aid is only given to students dedicated to succeeding but students are not held to unrealistic standards. The overall goal would be to equalize EFC proportionally across the income levels. The discrimination that the middle class experiences in the allocation of federal funds for higher education makes it absolutely necessary for the United States to reevaluate and reform its system.

The Advanced Placement Federal Income Eligibility Guidelines generalized a category of people and thus is guilty of violating the Fourteenth Amendment’s guarantee of equal opportunity. The United States’ allocation of its federal funds for higher education is similar in

generalizing a large group that is very diverse. The result is that some Americans are denied equal opportunity to access higher education. Studying Spain's merit-based public higher education system presents a structure that is more equal and one that does not discriminate based on social class. Using their system and ideas from other experts, the United States should reform their system for funding for higher education. The new system would use multiple factors to create a more definitive technique for determining aid. The more specific the system, the better chance the United States Department of Education has of providing equal access to higher education to all citizens.

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