



“All Students Matter:” The Place of Race in Discourse on Student Debt in a Federal Higher Education Policymaking Process

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**“All Students Matter:” The Place of Race in Discourse on Student Debt in a Federal
Higher Education Policymaking Process**

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Abstract: We used Critical Discourse Analysis to examine the racial discourse within recent attempts to reauthorize the Higher Education Act. Specifically, we interrogated congressional markup hearings to understand how members frame student debt and the racialized dynamics embedded within. Our findings highlight three types of discourse: “All Students” Matter, Paternalistic, Race-Evasive, and Explicit Racial Discourse. We offer recommendations for research and policymaking.

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Student debt is one of the most pressing issues in U.S. society today. In 2021, total student debt surpassed \$1.7 trillion, and almost one of every six adults held student debt (Hanson, 2021). Rising student debt levels are partly due to surges in the price of higher education and the insufficiency of grant aid to keep pace with these increases (Jiménez & Glater, 2020; Mitchell, et al., 2019). With the rising cost of college outpacing inflation, more students are dependent on loans to participate in higher education. This dependence is especially true for racially minoritized students, who are more likely to come from lower-income and lower-wealth homes and are also more likely to contribute to their family expenses (Aronson & Fleming, 2021; Perez & Farruggia, 2021). Borrowing for college can have severe consequences for individuals, including delayed homeownership, marriage postponement, and ultimately suppressed ability to build wealth (Fletcher & Fuller, 2021; Montalto et al., 2019).

No different from most aspects of U.S. society, student debt disproportionately burdens people of color, especially Black people (Hanson, 2021; Houle & Addo, 2017; Seamster, 2019; Seamster & Charron-Chenier, 2017). These disparities are largely the consequence of historical and present inequities in wealth accumulation across racialized groups, which reflect social, political, and economic factors that have stymied the ability of people of color to build wealth. In 2019, the median net worth for white families was nearly eight times the net worth of Black families and over five times the net worth of Latinx families (Bhutta et al., 2020).¹

Due to constraints on wealth-building and other social forces that produce inequities in income and wealth (e.g., employment discrimination), racially minoritized students, especially Black students, must take on more student debt and face more significant barriers repaying it (Seamster & Charron-Chenier, 2017). In addition to disparities in their ability to pay for college,

¹ Throughout the manuscript, we use the term Latinx to refer to individuals with Latin American heritage. When referring to data reporting on the racial/ethnic category “Hispanic,” we use the term “Hispanic” for precision.

racially minoritized students have higher debt burdens because they have been disproportionately subject to “predatory inclusion.” This term captures the phenomenon by which financial actors and for-profit postsecondary institutions “offer needed services to Black households but on exploitative terms” (Bandelj, 2020, pg. 565). For these reasons, racially minoritized students, particularly Black students, are more likely to have student debt; they also tend to have higher loan balances and default at higher rates (Hanson, 2021; Scott-Clayton, 2018). Even more troubling, more than half of Black students have student debt balances that exceed their net worth, and almost half of Black students owe more than they borrowed four years after graduation (Hanson, 2021). These dire statistics underscore the racialized nature of student debt.

The fact that student debt differentially affects borrowers across racialized groups is well-known in education policy spaces. As the Lumina Foundation observes, “Stark differences by race and ethnicity exist in student borrowing trends—as anyone worth their salt in postsecondary education should know by now” (Lumina Foundation, 2021, p. 3). With this backdrop, we ask how federal policymakers on a congressional committee tasked with higher education policymaking discuss the racialized nature of student debt. The problems with student debt in the U.S. are structural and connected to racialized systems of inequality from schooling to employment opportunities and pay (Reskin, 2012); therefore, the solutions must likewise be structural (Addo & Baker, 2021). Thus, we also explore the degree to which discourse recognizes the structural nature of student debt or leans into deficit-based narratives that pathologize people of color and blame them for racialized patterns of borrowing and debt.

Guided by Critical Race Theory (CRT) (e.g., Bell, 1987; Delgado & Stefancic, 2001; Ladson-Billings & Tate, 1995) and Bonilla-Silva’s (2006, 2009, 2015) racial frames, we build on the premise that racism is endemic. Further, we recognize that policy action and inaction—both

in education (e.g., through school segregation) and in other policy domains (e.g., housing segregation)-- have contributed to the manifestation and reproduction of the extant disparities we observe in educational attainment across racialized groups (Anderson, 2016; Hochschild & Shen, 2014; Michener & Brower, 2020; Reskin, 2012; Rodriguez et al., 2021). Thus, we posit that disparities in college student debt across racialized groups must be addressed *explicitly* through policy. Because policymaking processes have crucial consequences for racial justice, and racial disparities in education will persist without race-explicit policy action to repair historical wrongs (Bonilla-Silva, 2006), we argue it is important to understand whether and how race is addressed in policymaking processes.

Since student debt is one of the key issues on the federal higher education policy agenda (Beeler, 2021; Gándara & Jones, 2020), policymakers have ample opportunities to address its incongruent effect on racially minoritized students. In this study, we examine how race is addressed in discourse in one congressional hearing held to discuss the reauthorization of the Higher Education Act (HEA). The HEA is an apt policy for this inquiry since it was enacted as part of a broader package of legislation amidst the 1960s American Civil Rights Movement. The HEA primarily sought to expand higher education opportunities for Americans who had traditionally been excluded from postsecondary education, including Black Americans.

Our study is guided by the following questions:

1. What is the racial discourse embedded in federal policymaking related to student debt?
 - a. How is racial discourse framed (e.g., what proxies are used)?
 - b. How are racial inequities (de)contextualized?
 - c. What are the silences in this racial discourse?

2. In what ways does racial discourse related to student debt advance or constrain racial equity in higher education policy?

To answer these questions, we employ Critical Discourse Analysis (CDA; Fairclough, 2013; Wodak & Reisigl, 2001) undergirded by CRT (Bell, 1987; Delgado & Stefancic, 2001; Ladson-Billings & Tate, 1995) and Bonilla Silva's (2006, 2009, 2015) racial frames. Our data comprise 14 hours of policy discourse within the House of Representatives Committee on Education and Labor. The findings illuminate how the committee, comprising primarily white policymakers, reinforces racial inequities through their discourse, policy proposals, and framing of individual-level solutions in lieu of structural solutions to the racialized issue of student debt. Through this work, we answer calls by Rosino (2016) to examine "micro-level processes of contestation over the formation of agendas, platforms, and policies, to illuminate the social dynamics that shape the influence and benefit dimensions of political power" (p. 947).

The Evolution and Racialization of Student Debt

Student debt has recently risen to the top of the national policy agenda (Beeler, 2021; Mbah, 2021). With rising tuition costs and dwindling grant-based financial aid, civil rights and higher education advocacy groups, policy intermediaries, and progressive policymakers have sounded the alarm about the negative impact of college student loan debt on the health of the national economy, families, workers, and communities of color. Students and communities of color are especially disadvantaged by the student loan debt crisis. Some have attempted to explain this disparate impact on racial and "cultural" differences in financial literacy and responsibility (Fan & Chatterjee, 2019; Zachary Finney & Finney, 2018); however, empirical evidence paints a much more complicated picture. A deeper examination of the sociohistorical evolution of educational opportunities for racially minoritized students and student loans

highlights how the systematic disenfranchisement of communities of color intertwines with current racial disparities in the student debt crisis.

Systematic Disenfranchisement and The Rise of the Student Debt Crisis

Access to higher education has always been contested, especially regarding broadening opportunities and support for achieving a college degree for racially minoritized students (Bowen et al., 2005). Tactics used to segregate and exclude racially minoritized students from participating in higher education include the misuse of test scores, profiling of students, use of violence to intimidate and block entry, and creation and application of laws (Hodson et al., 2002; Synnott, 2017). These efforts to exclude and disenfranchise communities of color from the benefits of higher education extend to access to financial aid. The first mass governmental effort to support student financial aid for higher education was the Servicemen's Readjustment Act of 1944 (GI Bill). However, the GI Bill was not given in the form of loans; it was, in fact, "free" aid to veterans. Moreover, this aid was legislated over twenty years before the Civil Rights Act and the Higher Education Act of 1965, which sought to promote more protections and opportunities for persons of color. Consequently, the economic benefits reaped by white WWII veterans were denied to thousands of veterans of color (Katznelson, 2005; Ottley, 2014).

The first student-loan program sponsored by the federal government was tied to the 1958 National Defense Education Act and targeted students who excelled in math and sciences. That loan program was the precursor to what is now known as the Perkins Loan. At the time, its distribution was primarily directed at high-achieving white students (Porter, 2020). However, the 1960s Civil Rights Movement brought significant changes and hypervisibility to how racially minoritized students were shut out of educational opportunities. With the advent of the Civil Rights Act of 1965, the HEA included a government-sponsored student-loan program designed

to benefit disadvantaged students en masse. The Guaranteed Student Loan Program (commonly referred to as Federal Family Education Loan Program (FFELP)) allowed banks and other private institutions to provide government-subsidized and guaranteed loans for college (Porter, 2020; Watson, 2019).

Shortly afterward, in 1970, the NAACP Legal Defense Fund launched a civil rights lawsuit against the federal government on behalf of Black college students, citizens, and taxpayers from ten states, mostly southern, for “operating segregated systems of higher education in violation of Title VI” of the Civil Rights Act of 1964. The Adams lawsuit would cause a huge ripple that would eventually result in a settlement between the Office of Civil Rights (OCR) and ten states to expand access and opportunity to remedy their segregated systems. However, despite this legal victory for civil rights, OCR never fully enforced the mandates; as such, disparities in access to educational opportunities and resources between white and racially minoritized students persisted (House Committee on Education and Labor, 1988).

This period of a government effort to redress past systemic racism and expand higher education access for students of color also gave birth to both The Basic Educational Opportunity Grant (later called the Pell Grant) and The Student Loan Marketing Association (more popularly known as Sallie Mae). Sallie Mae was created to service FFELP loans, and in 1978, Congress instituted the Middle-Income Student Assistance Act to expand and promote these loans. Unsurprisingly, the demand and expansion of these loans far outpaced the Pell Grant (Porter, 2020; Watson, 2019). These efforts to expand opportunities had a significant impact. By the 1990s, the racial gap in college attendance had narrowed substantially. The American Council on Education reported that between 1990 to 1999, Latinx student college enrollment increased by 68%, and Black student enrollment increased by 31.6% (Cavanagh, 2002). Curiously, during this

time of significant gain in racial progress in access and degree attainment, the Higher Education Amendments of 1992 expanded student loans, creating the Direct Lending program and unsubsidized Stafford loans. This change also meant students, not the government, now had to cover loan interest costs while in school. As a result, the federal government effectively stopped subsidizing student loans at a time when more students of color were pursuing college degrees.

In 2007, the Great Recession hit, creating a wave of housing foreclosures, bankruptcies, and spending cuts at both the federal and state levels. State cuts to higher education appropriations created new economic challenges for institutions. With less state support, many institutions raised tuition and cut need-based aid. This retrenchment was mirrored in federal and state financial aid practices. The shift away from public financing accelerated after the Great Recession, and by the late 2000s, the FFELP was eliminated, and the government required all new federal student loans to be housed under the Direct Lending Program. During this time that private lenders began to offer student loans independent of government subsidy or oversight. By 2012, student loan debt had passed a trillion dollars, and the racial gap in student loan debt continued to increase at an alarming rate (Gilten, 2022).

When the student debt crisis is discussed without attention to race, the monumental burden of student loans appears to be universal. However, the cost-benefit ratio for taking on student debt varies significantly by race. For many white borrowers, student loan debt is still considered a “good” type of debt, one that can create new opportunities for increased income, wealth, and social mobility (Seamster, 2019). This exact characterization is not necessarily accurate for borrowers of color, who have been historically cut off from opportunities for accessing assets and accumulating wealth and shoulder more of an economic burden when trying to access college.

Racial Disparities in Student Debt

In the wake of the recent racial uprisings, student debt has been identified as a key marker of systemic racism that causes, reinforces, and exacerbates long-standing racial gaps in wealth and opportunity. Several empirical studies demonstrate racial disparities in socioeconomic needs (Aronson & Fleming, 2021; Sullivan et al., 2019), student loan borrowing, repayment, and impacts on household income (Sullivan et al., 2019). Research also shows the disparate impact of no-loan grant aid opportunities across racialized groups (Gross et al., 2019; Kantrowitz, 2011; NCES, 2019). American Indian and Alaska Native student borrowers have the highest monthly loan repayments, followed by Black borrowers (Hanson, 2021). Sullivan (2019) writes that “20 years after starting college, white borrowers’ median student debt fell to 6%, whereas the median Black borrower still owed 95% of their student loan” (pg. 10). Black women are especially bearing the weight of student loan debt in comparison to other borrowers (American Association of University Women, 2019). By preventing borrowers from buying homes, starting businesses, and saving for retirement (Brooks, 2021), student debt plays a role in perpetuating racial wealth gaps (Ellis, 2021).

Some scholars, state higher-education agencies, and policymakers have attempted to frame and address the racial disparity connected to student loans using cultural deficit theories that blame the student and their family's lack of financial literacy and responsible borrowing (Keshner, 2019). However, these theories do not account for or explain the enormous racial gap in job opportunities, income, and wealth that creates the need for student borrowing or their ability to repay their loans. On average, people of color are paid less for longer work hours, despite earned degrees (McGee, 2020). A recent Education Trust report indicates that as of 2018, the median annual income for white men with bachelor’s degrees was \$62,000 compared to

\$47,600 for Black men with bachelor's degrees, and for white women with bachelor's degrees, the median annual income was \$50,000 compared to \$42,100 for Black women with the same degrees (Mustaffa & Dawson, 2021). Moreover, regardless of salary, persons of color are more likely to have significantly fewer assets and more debt (Sanchez-Moyano & Shrimali, 2021).

Additionally, numerous factors have contributed to the rising price of higher education, necessitating borrowing for students with lower access to wealth. The sticker price for college (including tuition, room, and board) has more than doubled since 1980, while pay wages have failed to keep up with inflation (Zaloom, 2019). At the same time, while federal Pell Grants have recently increased, they still fail to cover a significant amount of college costs, especially for lower-income students, with greater needs (Hill, 2021). Worse still, there is new evidence that colleges are more likely to spend more on merit-based aid to entice wealthier (and thus whiter) students to attend. According to the National Center for Education Statistics (2019), students in the highest 25% income bracket receive an average of \$11,300 in non-federal financial aid compared to those in the lowest 25% income bracket, who on average only receive \$7,500 in non-federal financial aid. This difference is significant, given how socioeconomic status is tied to racial inequities. These disparities have renewed attention to the types of federal legislative policies that govern and shape the way higher education is financed at the state, institutional, and student/family levels (Jiménez Glater, 2020; Watson, 2019).

Race and Federal Policymaking

Many political, social, and economic scholars have observed how the American policymaking process has systematically excluded, marginalized, and disenfranchised people of color in areas crucial to social mobility, including education (Anderson, 2018; Hawkesworth, 2003; Nelson & Williams, 2019). Efforts to legislate redress for past exclusion and

discrimination are often met with strong political opposition and new strategies to maintain the racial hierarchy (Anderson, 2016; Dixon et al., 2010). Stripping the Voting Rights Act, gerrymandering voting district lines, and barring incarcerated individuals and felons from voting are all legislative efforts to limit who can engage in the policymaking process. Policies that exclude and disenfranchise communities of color are linked to reduced public goods, entitlements, and spending in these communities, which only reinforces racial disparities (Flynn, 2017). Unsurprisingly, racial representation within policymaking continues to favor white citizens. This pattern also applies to higher education, where Taylor and colleagues (2020) point out how partisan control and racial representation in higher education shape state appropriations, especially when white students are overrepresented in the state.

The call for acknowledging the role of race and racism in policymaking has steadily grown in the wake of the 2020 racial uprisings. When it comes to the student debt crisis, many experts agree that race must be considered in any policy discussion regarding student debt (Eaton et al., 2021; Mustaffa & Dawson, 2021; Ross et al., 2021) because of the disparate impact student loans have on racially minoritized students. There have been accusations that evidence of racial inequity has been ignored for too long, and many have even likened policies that perpetuate and maintain current student loan debt disparities to “Jim Crow” de jure policies designed to maintain a permanent Black underclass (Ellis, 2021). In fact, many Black borrowers express that the student loan debt crisis is a civil rights issue that significantly impacts financial freedom and quality of life for many Black Americans (Mustaffa & Dawson, 2021).

While seemingly race-neutral policies do not explicitly endorse systemic racism, scholars have shown how race-neutral policy assumptions made by policymakers can lead to higher education policies that perpetuate racial inequalities (Kahn et al., 2019). For example, according

to Ross and colleagues (2021), “Title IV of the HEA grants the federal government regulatory oversight of student loan servicers but *does not* include provisions prohibiting discrimination in loan servicing” (para. 5). Approximately 11 percent of the default payment gap between Black and white borrowers is a direct result of student loan servicers neglecting their obligation to offer protections and education about the loans they provide (Welbeck, 2020). Unlike other consumer protections provided by law and legislation, there is no rigorous oversight of student loans to ensure equity (Frotman, 2020).

This failure to regulate is especially troubling since a disproportionate amount of Black and Latinx students attend schools with higher cohort default rates, including for-profit higher education institutions (The Consumer Financial Protection Bureau, 2019). Moreover, careful analyses of for-profit institutions have shown how they benefit from and perpetuate racial inequities (McMillan-Cottom, 2017). Also underlining the threats of race-evasive policymaking to racial justice, Pusser and Ericson (2018) argued that an attempt to deregulate for-profit colleges and eliminate specific loan forgiveness programs proposed in the PROSPER Act, a Republican-sponsored bid to reauthorize the HEA would negatively affect Black, Latinx, American Indian, and low-income students attending for-profit colleges.

Using CRT to Examine “Race-Neutral” Policymaking

Overt racism in policymaking is universally frowned upon and outlawed; however, neutrality can mask the dominant class’s power and privilege while legitimizing any efforts to engage with history and its legacy of systemic oppression (Settles et al., 2021). Policy scholars need critical frameworks, like CRT, to deconstruct how dominant power is maintained and perpetuates social inequity under neutrality (George, 2021). The use of CRT to examine racial inequity in educational policymaking has been concentrated within the K-12 sector (Wright et

al., 2020). For example, Alemán Jr (2007) utilized CRT to discern whether Texas school finance policy had disparate racial effects on school funding for majority-Mexican American school districts. Key to this analysis was a historical analysis of the Texas state context and its treatment of race in schools. They found inequity at various levels in relation to the school finance system.

Education policy researchers have critiqued the assumption undergirding most policy research that policymaking is rational and “neat” (Ball, 1990; Diem et al., 2014). However, there has been some hesitation among researchers to center race and examine racism in educational policymaking, especially at the federal level (Parker, 2003). The rise of CRT in research and education in recent years has bred contentious debate and increased controversy (Ray, 2022). Within education research, the use of CRT has been proliferating; however, it is still primarily focused on K-12 (e.g., Aleman, 2007; Gillborn, 2005) or state policy (Felix & Trinidad, 2020; Jones et al., 2017). There have been few examinations of federal higher education policymaking using CRT (e.g., Harper et al., 2009).

Some scholars have noted that higher education has been slower to embrace CRT as a framework for examining policy because it contradicts the sector’s meritocratic ideology, which purports to embrace neutrality (Baber, 2016). Previous studies have shown how the policymaking process excludes persons of color without using CRT (Harris, 2018; Wolfman and Thomas, 1970). More recently, Mustaffa and Dawson (2021) utilized a framework of racial capitalism to examine Black student loan debt. With increasing racial contestation over higher education access and student support, there has been growing interest in CRT’s ability to center how racism operates, overtly and covertly, to reinforce the social and economic racial hierarchy. CRT has been used to examine how higher education policies and laws operate to maintain racial

equities in everything from college rankings to admissions and financial aid (Richards et al., 2018; Winkle-Wagner & Maramba, 2018).

More recently, higher education scholars have begun to utilize CRT to understand racialized experiences of taking on student debt. Most of these applications of CRT utilize counter-stories featuring the narratives and voices of students of color (Bostick et al., 2021; Robie, 2021; Yaskowski, 2020), but we are unaware of inquiries using CRT to examine federal policymaking related to student debt. While CRT has not been utilized in this way before regarding student debt, we draw from robust examples, which we review next, of how CRT can be used to glean new understanding about how race and racism shape federal policymaking.

Theoretical Framing

Of particular importance for this discursive policy research was bringing in theories that center race and racism and allow us to interrogate how policymakers discuss, omit, evade, or explicitly mention racial inequity within higher education. The ways policymakers discuss and respond to issues of race and their awareness of the underlying causes of racialized inequities in education remain largely unknown (Bensimon, 2018; Rodriguez et al., 2021). The degree to which policymakers understand these social determinants of inequities directly influences how they frame educational problems and, importantly, the potential policy solutions offered (Perna et al., 2019). To examine the racial discourse in federal policymaking, we weave theoretical elements of CRT (Bell, 1987, 1992; Ladson-Billings & Tate, 1995; Solórzano & Yosso, 2002) and Bonilla-Silva's (2006, 2009, 2015) racial frames. Below we discuss how combining these theories allows us to interrogate the ways race, structural racism, and racial disparities are discussed and embedded in higher education federal policymaking.

Critical Race Theory

Critical Race Theory (CRT), developed in legal studies (Bell, 1987, 1992; Delgado & Stefancic, 2001; Matsuda, 1987), examines the pervasiveness of racism in the law, uncovers patterns and practice that perpetuate racial inequality and actively seeks to dismantle differential treatment in the legal system. Applied in the context of education, CRT seeks to understand the pernicious influence of race and racism in schooling and work towards creating a more just system for racially minoritized students (Dixson et al., 2017; Ladson-Billings & Tate, 1995; Solórzano & Delgado Bernal, 2001). In our work, we draw on four elements from CRT: emphasizing the permanence of racism, challenging ahistoricism, considering interest convergence, and conducting scholarship that leads to justice (Ladson-Billings, 2008).

In our study, we first center and recognize the role and permanence of racism in society, policymaking, and higher education. Second, the use of CRT requires us to consider how “our racial past exerts contemporary effects on present contexts of race and racism,” making sure any critical analysis challenges ahistoricism (Gil et al., 2017, p. 159). This level of analysis is especially true in federal policymaking, where discussions on race and the historical impact of racism have been limited, if not altogether omitted, from the legislative process (Carter et al., 2019). Third, we apply the principle of interest convergence, which emphasizes that any gains by minoritized communities must coincide with, if not primarily benefit, white interest (Bell, 1980; Felix & Trinidad, 2020; Milner 2008). Lastly, we use CRT to critique federal policymaking and challenge the way legislative actors consider, discuss, and formulate policies related to minoritized populations. In particular, policymakers must understand and explicitly address racial dynamics within policymaking to address racial inequity, especially the disproportionate impact of the student debt burden on minoritized students. To this end, our scholarship seeks to

understand the use of race in policymaking and share insights that can advance more race-conscious policymaking (Rodriguez et al., 2021).

Racial Frames

Complementing CRT is Bonilla-Silva's scholarship highlighting how a "color-blind² ideology," seeking to avoid, minimize, or excuse racism in society, dominates contemporary America (2006, p. 25). Bonilla-Silva's work describes four ideological frames —Abstract Liberalism, Naturalization, Cultural Racism, and Minimization of Race— that allow scholars to explore how people interpret and explain race and racism in society. *Abstract liberalism* is regarded as the most important of the four and describes a shift from understanding racism as a structural issue to one of individualism, opportunity, and choice aligned with political and economic liberalism (Carter et al., 2019). *Naturalization* is a frame that seeks to explain differential experiences and outcomes based on race as natural occurrences. *Cultural racism* is grounded in deficit notions of minoritized communities and what they value, such as "Mexicans do not put much emphasis on education" to explain racial stratification (Bonilla-Silva, 2006, p. 28). Lastly, *the minimization of race* suggests that we live in a post-racial society and racial discrimination is no longer a central factor in shaping minoritized communities' outcomes.

Weaving it All Together to Analyze Racial Discourse in Federal Policymaking

Applying and operationalizing these four racial frames within our inquiry helps us understand how legislators make sense of race, its salience in policymaking, and how educational inequity and proposed solutions are framed in race-conscious or race-evasive ideologies. Harper (2012) argues that Bonilla-Silva's work is consistent with tenets of CRT that seek to critique "claims of neutrality, objectivity, and color-blindness in the law, in policymaking

² We refer to Bonilla-Silva's work as "racial frames" to avoid the use of "frames of color-blind racism," which perpetuates ableism through language. We use the term race-evasive instead of "color-blind" in our manuscript.

processes, and in U.S. social structures” (p. 11). Bonilla-Silva’s four frames have been applied to examine the racial discourse in affirmative action cases argued in the U.S. Supreme Court (Carter et al., 2019), the ways diversity frameworks in higher education include issues of race (Chun & Feagin, 2019), and how racism tends to be minimized in social science research (Harper, 2012). The combination of CRT and racial frames provides a comprehensive theoretical framework to discursively interrogate the racial discourse embedded in federal policymaking and the salience of race and racism in a formal markup process related to HEA reauthorization.

Methodological Rationale

We employ Critical Discourse Analysis (CDA) (Fairclough, 2013; Wodak & Reisigl, 2001) to interpret the conversations among policymakers as they propose solutions and alternatives to address the issue of student debt. CDA seeks to go beyond normative approaches to policy studies and illuminate how discourse is influenced by social dynamics such as power, ideologies, racism, and white supremacy (Felix & Trinidad, 2020; Kolluri & Young, 2021). CDA enables researchers to examine “social actors engaged in political activity and in the policymaking arena” and interrogate how taken-for-granted and often concealed values, ideologies, and worldviews directly shape deliberations and action related to educational problems and so-called solutions (Fairclough, 2013, p. 194).

Through CDA, we center racial discourse as policymakers have overwhelmingly avoided conversations on race and racism and its endemic role in society (Bonilla-Silva, 2006; Carter et al., 2017; Davis, 2007). This pattern holds in educational policymaking where conversations around problem identification and proposed solutions are found to be race-evasive (Garces & Bilyalov, 2019; Natow, 2020) and tend to use proxy terms such as underrepresented, low-income, or first-generation to veil racialized concerns and comments (Pollock, 2004). In our

analysis, we draw on four elements from CRT (Ladson-Billings, 2008) emphasizing the *permanence of race, challenging ahistoricism, considering interest convergence, and conducting scholarship that leads to justice* as well as Bonilla-Silva's (2006) four racial frames —*Abstract Liberalism, Naturalization, Cultural Racism, and Minimization of Racism*. Using this theoretical framework allowed us to explore how policymakers interpret and discuss race and racism in the formal markup process for a bill to reauthorize the HEA. The markup process is a period where congressional legislators introduce, deliberate, and decide which amendments move forward (Gándara & Jones, 2020). Our combined approach illuminates the racial discourse within recent attempts to reauthorize the HEA and helps to highlight the language, framing, and back-and-forth discussion during the formal policy markup process.

Data Collection

Our paper draws on 14 hours of policy discourse produced by members of the House Committee on Education and Labor. Specifically, we examined this legislative body's conversation during the markup of H.R. 4674, The College Affordability Act, a bill sponsored by Democrats. The markup hearing took place between October 29th-31st, 2019. This work builds upon the work of Gándara and Jones (2020), which utilized policy discourse analysis to examine the 2017 PROSPER Act markup to understand how policymakers tied social constructions of various groups to their conferral of benefits or burdens through the proposed policy. That analysis produced evidence that policymakers employed the discursive strategy of avoidance to bestow benefits and limit burdens to groups targeted by policies, dependent on their social constructions. For example, when policymakers sought to distribute burdens to groups with favorable social constructions, they avoided naming them. Likewise, when they sought to

distribute benefits to those viewed negatively by the public (e.g., for-profit institutions), they discursively avoided them (Gándara & Jones, 2020).

The 2019 markup of H.R. 4674, The College Affordability Act, spanned over 14 hours across three days and was transcribed into 184 single-spaced pages of text for analysis. The full committee markup was held to craft and adopt a comprehensive bill designed to reauthorize the HEA and immediately improve the lives of students and families by “lowering the cost of college, improving quality, and expand[ing] opportunity for all students of all backgrounds to succeed” (Committee on Education and Labor, 2019). During this process, Republican and Democratic committee members sought to discuss, add, or remove amendments that create areas of agreement to pass new legislation and outline the federal government’s role in supporting higher education. According to The Congressional Research Service (2018), “The burden is on those who would change the provisions of the base text; it is up to them to devise alternatives to that text and convince a majority of their committee colleagues to vote for those alternatives” (p. 2). Given the concentrated time to discuss the challenges facing higher education and the role the federal government plays in intervening with policy solutions, these markup sessions allow us to gain insight into the framing of student debt and the conversations policymakers have around addressing the racialized nature of student debt accumulation in higher education.

Analytic Process

Our analytic approach proceeded in four stages. First, our team of three racially-minoritized researchers began the process by reading through the transcripts and gaining familiarity with the structure of conversation and then the content of conversation. This first step was informed by Walcott’s (2009) question: “what did you do to make your data usable?” (p. 99). Through this process, we reviewed the hundreds of pages of policy discourse and began to

narrow conversations that were only relevant to student debt. This narrowing allowed us to capture all data relevant to our study and the questions we set out to answer.

Second, to standardize our approach across the corpus of data, we developed an analytic framework to drive our theory-informed analysis of policy markup discourse (See Table 1 below). Specifically, we used eight theory-driven codes to analyze our data deductively. These *a priori* codes included: *abstract liberalism*, *ahistoricism*, *the centrality of race*, *cultural racism*, *interest convergence*, *justice-oriented*, *minimization of race*, and *naturalization of racism*. Before analyzing the entire corpus of data, we examined a 30-page section of the transcript to apply the analytic framework, refine the coding strategy, and develop a level of trustworthiness within our research team. Finally, we piloted our strategy in Dedoose, a web-based analysis software, to standardize our analytic process and assess the appropriateness of our codes. Through this process, we refined our analytic framework, created more explicit code descriptions, and prepared to analyze the complete dataset in Dedoose.

<<Insert Table 1 about Here>>

Third, as we coded the 14 hours of policy discourse, we created opportunities to continuously capture our emerging insight through analytic memos and team debrief meetings. This structure helped us collapse and expand our theory-driven codes to respond to the robust discussions in the policy markup meetings. As we completed the analysis, we utilized Dedoose to explore our coding patterns, visualize coding frequencies, and identify areas of interest that could help answer our research questions. Given our project research questions, we concluded the analysis process by collapsing our theoretical codes into discourse-oriented categories that capture the silences around race and racism, the veiled language used to discuss issues of race, and the more explicit racial discourse.

Findings: The Racial Discourse Embedded in Policy Markup Hearings

We categorized policymakers' conversations on student debt into four types of discourse: "All Students" Matter, Paternalistic, Race-Evasive, and Explicit Racial Discourse. These categorizations were informed by our conceptual framework and helped us to understand how underlying ideologies and frames like cultural racism, abstract liberalism, and ahistoricism were imbued into Congressional members' conversations as they introduced, debated, and voted on policies to be included in the next iteration of the Higher Education Act. Across our findings, we provide examples of the identified discourse patterns shaping discussions and decisions during markup hearings, with particular attention to how members frame the racialized dynamics of student loan debt and the policy alternatives presented to address them.

"All Students Matter" Discourse

The preponderance of members' discourse on student debt focused on addressing the burdens of loan debt as experienced by "all students." Our analysis captured how policymakers discussed topics like affordability, creating new loan caps, and the possibility of debt relief in ways that would benefit "all borrowers." This framing created a discourse that minimized the racialized nature of loan accumulation and prompted solutions based on a more rigid concept of "fairness," seeking to treat "all students from all stations" the *same* regardless of circumstance or context.

Benefiting All Students, All Backgrounds. Representative Bobby Scott (D-VA), set the tone of the markup hearing with his opening statement, sharing, "We're here to markup H.R. 4674, the College Affordability Act, a comprehensive reauthorization of the Higher Education Act that will lower the cost of college, improve the quality of higher education, and expand opportunity for students of all backgrounds to succeed." Scott continued, "we must fulfill the

promise of making higher education affordable for all students” and “assure that all Americans have a fair shot in a modern economy.” Throughout the markup hearing, policymakers anchored their conversations with terms like “all students,” “all Americans,” or “all borrowers” to describe issues of student debt as well as specific proposals and amendments included in the College Affordability Act. Echoing Scott’s opening statement, other legislators described how their amendments would focus on improving conditions for students from “all backgrounds,” “all stations,” and ensure that “Americans from all corners” would benefit from the promise of higher education.

Democrats and Republicans alike took an “All Students Matter” approach to these markup hearings. For example, Representative Joaquin Castro (D-TX) began his remarks by stating, “The [College Affordability Act] is a vital down payment on our education system that would bolster higher education benefits for all Americans.” Similarly, Jim Banks (R-ID) shared, “when considering a comprehensive reauthorization of the Higher Education Act, we should be sure that all students can receive quality education... and ensure federal law doesn’t stand in the way of innovation.” As noted, policymakers were consistent in discussing educational inequity and their potential solutions in ways that focused on and benefited “the average borrower,” as noted by Elise Stefanik (R-NY). We found this “all students” discourse as limiting nuanced conversations on the well-documented racial disparities in access, affordability, and success, which combine to adversely impact communities of color into the burden of student loan debt. Then not surprisingly, this race-evasive and decontextualized approach to discussing students were central to the conversations on student debt and ways to minimize loan accumulation, improve the repayment process, and expand forgiveness programs.

Fair Relief for All. When discussing loan relief, there was limited conversation on the wide-ranging experience of debt accumulation based on students' characteristics (e.g., race/ethnicity, class status) or institution type (e.g., for-profit, minority-serving). When policymakers did discuss student debt and policy alternatives for repayment, relief, or forgiveness, the discussion centered on notions of fairness that sought to treat everyone equally, regardless of their context. This discourse on fairness was especially prominent among Republican members. For example, Representative Virginia Foxx (R-NC) encapsulated the fairness approach taken during the CCA markup hearings, stating, "Everybody should be held to the same standards. Let's just do that. Let's be fair" when discussing proposed amendments to target relief for borrowers at for-profit institutions that leave students with high debt and low completion. Similarly, Russ Fulcher (R-ID) added, "One of the concerns I have about the... [CCA] legislation that's before us today is that it doesn't treat everyone equally. With that inequity comes additional confusion and burden that ultimately limits access to education."

When debating an amendment to improve loan servicing and repayment, Susan Wild (D-PA) shared, "we must streamline the student loan application and repayment processes to ensure that all students, regardless of income or background, can choose plans that will serve their interest." During these conversations, congressional members continued to adhere to the idea of equality, ensuring that any solution to reduce current and future student loan debt could benefit all students. In addition, many Republicans adhered strictly to "fairness" and "equality" in deliberations when discussing forgiveness. For example, when considering expanding the PSLF program, many Republicans like Russ Fulcher (R-ID) used the notion of fairness to describe how the targeted programs were "inequitable" because they do not "treat everyone the same." In this regard, PSLF itself was an inequitable policy since it benefits public service workers over

private-sector workers, even though individuals outside of public employment may actually “contribute most to the public good.” In these arguments, Rep Foxx (R-NC) rallied against the current PSLF and its expansion because it “sows confusion for borrowers and creates unequal benefits for similar occupations.” Going beyond PSLF and into general loan forgiveness proposals, we saw how unsubstantiated and misleading partisan arguments were used to block potential policy amendments in the name of fairness:

I think there's another reason that we want to oppose this amendment because we know the economic results of such extremist ideas. The analysis [has] been done, and loan forgiveness is overall nothing more than a bailout for the wealthy and provides more... white households relief than Black or Hispanic.

This section of “All Students Matter” highlights how policymakers appealed to the idea of equality over equity throughout the hearing. Discussions grounded in fairness seemed to be a covert way to oppose and block proposals that could explicitly target and benefit groups experiencing historical and contemporary inequities. This type of discourse is consistent with abstract liberalism and prompted policymakers to consider proposals for loan relief that targeted all students rather than specific groups known to be further harmed by loan practices, predatory institutions, and historically wealth gaps that cause these debt burdens.

Paternalistic Discourse

A second prevalent framing during the hearing was a paternalistic discourse that described loan borrowers as children who lacked the knowledge to make good and responsible decisions, needed to be taught financial literacy, and were susceptible to dependence on the government. The paternalistic discourse was often used to suggest “discipline” for marginalized groups through policy proposals that prioritized consumer protection over consumer choice and

pathologized students with high levels of debt, framing the accumulation of loans as a personal mistake (Soss et al., 2011). To go further, one Congressional representative discussed how the lack of literacy around student loan borrowing created a “culture of looking to the government for help,” where college students were “taking out loans in order to buy [a] fancy cellphone.” The excerpts presented for this section were captured by our cultural racism and deficit-oriented analytic codes, which help to establish how some policymakers take a paternalistic, if not racist, framing of student loan borrowers and their accumulated debt.

Paternalistic policy proposals ensued throughout the markup hearing; For example, Representative Glenn Grothman (R) described the need for the federal government to create loan limits because students might not be able to stop themselves from taking out more than needed:

From talking to my universities, they feel that some of their students are taking out loans for more than is necessary. We want to go back to the days in which individual institutions can determine loan limits. For example, under current law many students take out a loan of \$9,000 a year. I think I'd make [it] go to \$5,000 a year. I don't want to let them take out too much because it may be fun to take out that loan today and get that check. When you're 30 or 35, you're going to wish you didn't take out such a big loan. So, we call this the institution-determined loan limits amendment.

Representative Grothman's remarks help us unpack the ideologies of paternalistic discourse, where students are intentionally deciding to borrow “more than is necessary” and doing it because it may be “fun... to get that check.” These comments solidify the notion that college borrowers are like impulsive children, borrowing the maximum amount because they can, disregarding any consequence to their future or when they are 35 years old and wish they

knew better. The framing of borrowing debt because it may be “fun” and the assumption that college students are taking out large sums of money for enjoyment rather than education continued. As Representative Grothman discussed his amendment to limit institutional aid, he exclaimed: “there are good institutions who wish they could limit the amount of loans that are taken out because they know full well that a given number of students at their institution are just taking out those big loans for [a] fancy cell phone or fancier lifestyle.”

Directly after these remarks, Representative Suzanne Bonamici asked to be recognized and speak in opposition to the amendment proposed, stating it was “shortsighted” and concerned with “limiting financial aid for people” who need it and can benefit from an undergraduate degree to “do good in society.” Representative Bonamici made it clear that the proposed loan limits would be detrimental to students and society, restricting who can attend higher education. Within this real-time discussion, ranking member Bobby Scott seemed to agree with the sentiment of over-borrowing but not the specific policy proposal, stating:

The gentleman makes a good point; people shouldn't take out more loans than they need. That's why the counseling provisions are in the bills, to make sure that people are well aware of what they're doing and only take out the kind of loans they actually need. Not the kind of money they would like or would want, but what they actually need. But this amendment limits opportunities and I think, therefore, should be opposed. Rather than outright limit levels of borrowing, Representative Scott argued that literacy around borrowing was the appropriate solution, but both caps and counseling on loan debt still placed the responsibility of affordability and cost on the individual. As demonstrated in this section, a paternalistic framing exemplifies how policymakers suggest that students are taking out excessive loans and that the government must act to educate and limit people from taking out

more than they “actually need.” In the subsequent section, we highlight the ways policymakers lean on proxy terms such as “disadvantaged,” “marginalized,” and “struggling borrowers” to veil their racialized discourse in markup hearings.

Race-Evasive Discourse

The discourse on student debt within this markup hearing was rife with mentions of “discrimination” and “inequity” in higher education policymaking but rarely did these appeals explicitly reference racially minoritized students. This omission is noteworthy, considering the unequivocally racialized nature of college student debt. In this way, race-evasive discourse seeks to minimize race-specific discussions or use veiled descriptors to discuss policy problems and potential legislation that is “well-intended” to support “diverse students” yet still maintain and reproduce racialized stratification and inequitable practices. Below we highlight ways members used veiled terms or actively omitted racial discourse, failing to address the barriers facing racially minoritized populations in postsecondary education.

Veiled Descriptors. When policymakers were not discussing “All Students” or blaming their accumulation of loan debt on buying “fancy phones,” most used abstract descriptors to frame conversations that alluded to the experiences of racially minoritized students. Rather than being direct and specific about the students discussed in policy amendments, Congressional members used a litany of veiled terms during the hearing, such as “some students,” “many students,” “other students,” “today’s students,” “students truly in need,” “struggling borrowers” as well as umbrella terms like “underrepresented,” “underserved,” “minority,” “diverse,” “disenfranchised,” “nontraditional” that served as indirect ways of mentioning racially minoritized students. One example across the hearing that named “historically underrepresented” students was from Suzanne Bonamici, stating:

I've heard from far too many people who are struggling with crushing student loan debt. As a nation, we must do more to make sure that people of all backgrounds and especially people from historically underrepresented backgrounds, have the opportunity to access and complete a quality, affordable higher education.

Here Bonamici gestures towards racially minoritized students and other groups that face “crushing debt” but then shares provisions within the amendment that are race-evasive:

I am pleased that this bill incorporates several of my longtime priorities including provisions...empowering students through [the] Financial Counseling Act, which will strengthen financial counseling for student borrowers. The Opportunities for Success Act, which will modernize the federal work-study program to direct funding to students who need it most and help align work-study with students' interests and career goals.

Lacking specificity, the proposed amendments sought to support “students who need it most” and failed to offer straightforward ways that the provisions can benefit and address racially minoritized students. We also observed how policymakers were more comfortable discussing racially minoritized students through proxies like the Minority-Serving Institutions (MSIs) and Pell Grant status. Making statements like, “I hope everybody will support this amendment that gets to the heart of affordability and success for students in Minority-Serving Institutions and Historically Black Colleges and Universities [HBCUs],” as well as “This amendment allows students to truly succeed by helping students afford their education. Without Congressional action, MSIs and HBCUs will remain largely unchanged, and Congress will have sadly missed an opportunity to provide for our student's future.” Again, this highlights the omissions and silences in policy discourse and how Congressional members gesture towards race-specific issues by mentioning MSIs, but never the actual students who attend these colleges and

universities. Throughout the markup process, we note the lack of race-conscious conversations and how policymakers use veiled descriptors and MSIs to substitute or avoid explicit discussion how racialized structures and practices contribute to the disproportionate accumulation and effects of loan debt.

Although race-evasive discourse was common, it was not surprising to see how members explicitly named other populations like veterans, farmers, and low-income students. For example, one member declared, “And, yes, we can paint the for-profit industry in general with, I think a negative cast. In general, the industry has not served our veterans well. It’s not served the low-income students well.” In this quote, the member mentions two target populations who disproportionately attend for-profit institutions: veterans and low-income students. Yet, racially minoritized students, especially Black students, who are overrepresented at and targeted by for-profit institutions, are conspicuously absent from this denunciation of these institutions. In fact, research evidence has uncovered predatory practices targeting racially minoritized individuals explicitly (McMillian Cottom, 2017; Seamster, 2019). In addition to veterans and low-income students, members noted that other populations deserved policy benefits. For instance, in discussing the PSLF, members mentioned “middle-class families,” “adjunct and contingent faculty,” “young farmers,” “health care providers,” “nurses,” “mental health counselors,” “childcare professionals,” and “teachers.” While racially minoritized populations certainly are members of these other groups, the failure to explicitly identify racially minoritized populations in a discussion that has been widely cited as racialized constitutes a glaring omission.

In contrast to discourse that centers all students, infantilizes student borrowers, or speaks in veiled ways, our final theme highlights the scant examples of explicit racial discourse and

attempts to advance policy proposals that improve the conditions for racially minoritized populations.

Explicit Racial Discourse: The Counter-Narratives of Women of Color Policymakers

Lastly, we identified discourse that explicitly mentioned racially minoritized students and countered the deficit-based frames presented in the previous section. Notably, these counter-narratives were advanced primarily by women of color.

Rejecting Cultural Racism. In response to deficit-based narratives pathologizing individuals who use public (welfare) benefits and those who take out more debt than “what they actually need,” Representative Jahana Hayes (D-CT) remarked,

I’m kind of biting my tongue because I’ve had to sit and look in the face of kids who came to school hungry and, therefore, could not learn...This [is] not a bill or an attempt to - I don’t even know how my colleague put it - encourage students to rely on public assistance...I think that comes on the heels of some of the comments we heard yesterday. Like we could have predicted that they would work in factories or they’re taking out loans in order to buy fancy cell phones. That is not the landscape of today’s young people on campus. These are just students trying to take advantage of every opportunity to change the trajectory of their future.

In these comments, Representative Hayes humanizes the students who are the subjects of the preceding comments. She also draws a connection between the narratives claiming that the bill encourages reliance on public assistance to racialized comments made the previous day (e.g., that we could predict certain students who do not complete college would work in factories). As a woman of color and former educator, she rejects the culturally racist and classist suggestions presented in her colleagues’ remarks, offering opposing perspectives.

In another example of a perspective challenging cultural racism, a few members discussed a population that is overwhelmingly racially minoritized, students who are undocumented. Representative Suzanne Bonamici (D-OR) framed “Dreamers” as having “tremendous potential:”

I think about the Dreamers I meet with and the students who have so much tremendous potential. They may find the cure to cancer, write the next great American novel, figure out how to end climate change. There’s so much potential in these students.

Likewise, Representative Frederica Wilson (D-FL) depicted these students as having “hopes for a brighter future” and the potential to “thrive:”

We have 98,000 undocumented immigrants who graduate from the United States high schools every year. They graduate with hopes for a brighter future. If we enable them to thrive, we not only help them but it’s good for our whole country. It helps our economy. Yet, financial barriers make it difficult for these students to attend college.”

This quote also exemplifies an argument of interest convergence, urging support for undocumented students by appealing to the benefits to all people, including white people.

Naming Race and Racism. As noted previously, the discourse in this markup process was largely void of explicit mentions of race or racism. However, some women, especially women of color, acknowledged race in their remarks and offered race-conscious proposals. For instance, Representative Prayila Jayapal (D-WA) observed that Black and Latinx students have lower rates of postsecondary attainment than their peers. In her remarks, she also noted structural problems, including lower levels of funding for institutions that serve most racially minoritized students, and the potential of the College Affordability Act to address some of them:

I'm a proud co-sponsor of the [College Affordability Act] because it recognizes the fact that we have a responsibility at the federal level to make more federal investments to help states close the racial achievement gaps in higher education. It reinvests in some of the most under-resourced public institutions that overwhelmingly enroll Black and Latinx students by creating a federal-state partnership to make community college free... It is critically important that we reinvest in our public colleges that disproportionately enroll Black and Brown students across the country.

Representative Frederica Wilson (D-FL) likewise argued, "Public institutions should help reduce, not exacerbate, racial inequalities and further the public interest by ensuring that everyone regardless of race or ethnicity, can seek and earn a college degree." Similarly, Representative Suzanne Bonamici (D-OR) observed, "We've made some progress [expanding educational opportunity] over the years, but many students of color, first-generation students, low-income students still have to overcome a lack of resources and other barriers to enter into and complete college."

As a final example, Representative Hayes (D-CT) mentioned racially minoritized students explicitly and argued for systemic solutions, recognizing the systemic causes of inequitable educational opportunities,

The financial benefits of a college degree are greatest to those who are least likely to enroll, such as students of color and individuals from low-income families. We also know that those are the students that are most likely to lose if they are not given access to college education. So, we must work together to remove the systemic barriers.

As reflected in the previous quotes, mentions of racially minoritized students, which were rare overall, were coupled with other student groups, including low-income and first-generation

students. In contrast, mentions of low-income students often stood alone. Two specific policy proposals recognized the racialized nature of student debt and sought to use policy amendments to address these racial inequities. First, Representative Omar Ilhan (D-MN) proposed a commission to study “the real life, long-term impact of student debt...and what impact [student-debt cancellation] would have on economic growth, income inequality and the racial wealth gap.” Second, Representative Pramila Jayapal (D-WA) proposed an amendment requiring the Government Accountability Office to report racial and socioeconomic disparities in enrollment, completion, and debt repayment. While recognizing the racial implications of student debt, these proposals to study the issue of racialized debt represent non-material benefits for racially minoritized students.

Discussion

Using CDA undergirded by CRT (Dixson et al., 2017; Ladson-Billings & Tate, 1995; Solórzano & Delgado Bernal, 2001) and Bonilla Silva’s (2006) racial frames, we examined the racial discourse around student debt during the 2019 markup of H.R. 4674, the College Affordability Act. Our analysis was designed to address the following research questions:

1. What is the racial discourse embedded in federal policymaking related to student debt?
 - a. How is racial discourse framed (e.g., what proxies are used)?
 - b. How are racial inequities (de)contextualized?
 - c. What are the silences in this racial discourse?
2. In what ways does racial discourse related to student debt advance or constrain racial equity in higher education policy?

Racial Discourse Embedded in Federal Policymaking Related to Student Debt

We uncovered four types of racial discourses within federal policymaking on student debt, “All Students” Matter, Paternalistic, Race-Evasive, and Explicit Racial Discourse. Informed by our conceptual framework, these racial discourses exposed how policymakers considered (and did not consider) race in deliberations concerning a policy problem that is highly racialized in its origins and impacts.

Throughout the markup hearing, race was minimized to the point where it rarely was mentioned, even when it was highly relevant. The most glaring example of this was the discussion of the impact of student debt on working-class borrowers and families. Not only was there a consistent focus on “all students,” but there was no mention of race or minoritized borrowers, even though there is an overwhelming consensus that the student debt crisis has a disparate impact on minoritized borrowers who also disproportionately come from working-class families. It is not clear if the use of the term “working-class” was meant to be a proxy for minoritized borrowers or an umbrella term designed to refer to borrowers across racialized groups, but what is clear is that the discussion about the working-class struggle with student debt was decidedly race-neutral and race-evasive.

Similarly, policymakers made numerous references to low-income students, consistent with findings from Gándara and Jones (2020). For example, members discussed low-income students’ vulnerability to predatory for-profit institutions. It has been well established that minoritized students, particularly Black women from low-income backgrounds, are the most vulnerable to abuses from this industry (Kahn et al., 2019; Seamster & Charron-Chenier, 2017). However, policymakers repeatedly referenced “low-income” students instead of naming minoritized students. In addition, race evasiveness was so prevalent throughout this deliberation

that we found it difficult to discern when proxies were being used for racialized groups and when racialized groups were simply being ignored. This ambiguity concerning even implicit racial discourses often benefits the consideration of poor whites more than minoritized students (Jones & Nichols, 2020).

Beyond “working-class” and “low-income,” proxies that were more likely about students of color included “others” (as in “low-income students and others”), “background,” and “zip code.” Within the context of the discourse, the latter two proxies are clearly linked to America’s racially segregated socioeconomic system, which CRT would underscore as symbols of how the country’s racial past has shaped the contexts that shape minoritized students’ opportunities and experiences. Although the use of proxies suggests the members who used them were attentive to racially minoritized students and how student debt affected them, by circumventing race, policymakers failed to advance racially just policies. As Anderson (2007) points out, using these kinds of racial proxies instead of referring outright to race is an old and ingrained tradition within federal policymaking. As he points out, “the framers of the Fourteenth Amendment... encoded race as a proxy without a name” (pg. 252). This evasion underscores how policymakers consistently fail to address the consequences of systemic racial oppression with race-neutral language that divorces the proposed remedy from the white racist hegemony that created the problem being addressed. Additionally, by not addressing race explicitly, policymakers send messages to the public about who matters and who is deserving. In this sense, evasiveness can also lead to disenchantment among racially minoritized voters (Michener, 2019).

Although paternalistic discourse was not explicitly tied to racially minoritized borrowers, race has become so tied to proxies, such as income and residential zip code, that they can result in implicit racial bias. This racial bias, in turn, shapes data-driven decision-making in covert

ways that sidestep outright discrimination (Vincent & Viljoen, 2020; Wiggins, 2020).

Consequently, proxies, such as low-income and residential zip codes, can be constructed as examples of personal or familial failure or the result of poor choices often ascribed to racialized communities while also diverting discussion about the state-sponsored systemic disenfranchisement leveled at communities of color seeking access to postsecondary education.

Consistent with the general avoidance of race in the hearing, white students were not specifically named in this discourse. However, members mentioned proxies, groups that are widely conceptualized as white. For instance, in the discussion of groups' deservingness of PSLF benefits, members identified groups such as "middle-class families," "young farmers," "health care providers," "childcare professionals," and "teachers." Of course, these groups all include minoritized persons; however, these groups are often depicted as white in American media and political ads (Haney-López, 2014; Torices, 2021). The avoidance of explicitly identifying minoritized students as a group and the overwhelmingly white representation of these other groups demonstrates how the policymaking discourse favors the discussion of material benefits when it supports the interests of white constituents.

One of the clearest examples of this is the focused discussion about veterans. Both Democrat and Republican representatives rallied around veterans to frame arguments about the deservingness of benefits and protection from injustices connected to the for-profit sector. According to the U.S. Department of Veteran Affairs, "although veterans comprise a richly diverse group, most veterans are white, non-Hispanic, married males," and this is represented widely in the media and conversations around race. For example, honoring veterans was often used as an argument to curtail Black police brutality protests that involved kneeling during the National Anthem. Darda (2021) explains how regardless of partisan politics, white men rallied

around the image of the long-suffering battle-worn white male veteran as the most oppressed and deserving of public sympathy and benefits. However, even this conceptualization of the deserving white male veteran is inconsistent with empirical evidence. In recent years, there has been an increasing rise in diversity within the military, with minoritized individuals representing 35%. Nevertheless, systemic racism continues to disproportionately shape minoritized veteran students' military and post-military experiences, affecting their postsecondary choices and vulnerability to the for-profit sector. The lack of discussion about this disparate impact underscores how the removal of the discussion of historical and systemic racism decontextualized the discourse.

The Constraints on Racial Equity in Policymaking

This higher education policy session was constrained in its ability to advance racial equity. In particular, policymakers employed four distinctive strategies which limited or subverted attention to addressing racial equity related to student debt: 1) the persistent focus on all students and silences around race; 2) the coupling of race-evasiveness and ahistoricism; 3) race-neutral but racially coded deficit narratives; and 4) co-opting equity language for private interests. One consequence of addressing problems rooted in systemic racism without explicit attention to race and racism is that proposed solutions target individuals rather than oppressive systems and structures. This analysis of a markup hearing revealed how paternalistic discourse, predicated on cultural racism manifested as long-held deficit narratives, anchored individual proposed solutions. For instance, policymakers discussed low-income students "taking out more loans than they need," implying that the disproportionate loan debt incurred by minoritized students incur is a result of poor decision-making, rather than systemic barriers, such as constraints on wealth-building, labor-market discrimination, and predatory inclusion.

Researchers have refuted the over-simplistic and deficit-oriented argument that debt results from poor decision-making (Darity & Muller, 2022; Gándara & Zerquera, 2021).

There were notable silences around how race and systemic racism have created a racial wealth gap. The rhetoric of “all students” pervaded the session and served as an effective tool for decontextualizing the racial inequities in student debt from the racially stratified American system that produces student debt. Rather than addressing the systemic sociohistorical racial inequity that is both the cause and consequence of the student debt crisis, deliberations were largely framed in ways that are consistent with Abstract Liberalism by either focusing on “all” or emphasizing individualism and student choice to pursue different types of postsecondary education pathways. Scholars have pointed out how framing the discussion around college affordability around student choice obscures the way systemic racism and disenfranchisement have created limited options, both financial and academic, for minoritized students who are seeking educational opportunities that will lead to better job opportunities (Darity et al., 2018; Freeman, 2005; Mustaffa & Dawson, 2021).

We found that the discourse taken up by legislators had a chilling effect on addressing racial equity in higher education policy. In particular, race-evasive discourse is the most insidious as it uses terms like “underrepresented” or “diverse” to reference racially minoritized groups broadly but stays abstract in ways that the policy amendments proposed do nothing to explicitly benefit or support communities of color (Felix & Trinidad, 2020). In this way, race-evasive discourse seeks to minimize race-specific discussions or use veiled descriptors to discuss policy problems and potential legislation that is “well-intended” to support “diverse students” yet still maintain and reproduce racialized stratification and inequitable practices. To address and support racial equity, there must be clarity and explicit intent, so that appropriate measures and

outcomes can be developed (Bensimon et al. 2016). Silence on racial inequity constrains the legislative body's ability to even consider material provisions that could advance racial equity related to college affordability and relieve student debt.

Closely related to the Congress' silence around race in this markup are the use of racially veiled language, and lack of consideration and discussion about the sociohistorical conditions that have shaped the postsecondary financial aid needs and choices minoritized students make. As Jiménez and Glater (2020) point out, "the size of the racial wealth and wage gaps in the United States means that more Black students and families must borrow, and borrow more, to pay for higher education" (pg. 136). By enacting race-evasiveness, policymakers were able to discuss students of color in seemingly racially neutral ways, ignore America's history of systemic racial disenfranchisement, and identify other causes of student debt, some of which are deficit in nature, to students and their families. Because of their absence, this use of silence around racism and America's history of systemic racial oppression presents an interesting methodological quandary in our discourse analysis. We were unable to identify any overt examples of ahistoricism. However, we contend that the very refusal to address the sociohistorical conditions that give rise to the "choices" minoritized college students must make is an example of how ahistoricism operates within this discourse. Additionally, the use of racially veiled language constrained the discourse about racial equity, especially considering provisions that would result in material benefits for minoritized students. As Jones and Nichols (2020) point out, "...higher education has used racist policies to exclude students, therefore, race-conscious policies are necessary to achieve racial justice" (p. 4).

Finally, these discourses ignored the original racial equity and opportunity goals of the 1965 HEA and policymakers often employed the language of equity in ways that subverted

attention and support for minoritized populations. The language of equity and fairness was frequently co-opted to advocate for privatized interests that have been shown to be detrimental to students of color. Many scholars have warned and provided examples of how the language of equity can be utilized to maintain power and control for the elite (Lewis-Durham, 2020; Ching et al., 2018; Trujillo, 2012). Within this markup, fairness and equity are framed to protect the interests of the for-profit sector's ability to continue predatory practices targeting minoritized students, particularly Black students. Mustaffa and Dawson (2020) also warn that this type of cooptation of the language of inclusion is associated with the racial capitalism of the student debt crisis in which the government sanctions efforts to use predatory means to exploit group-differentiated vulnerabilities (Mustaffa & Dawson, 2020, p.7). This markup shows the language of opportunity and choice used repeatedly when it comes to the most vulnerable students. Meanwhile, the language of protection, equity, and fairness is used to protect a sector that has preyed on these students.

Myths and Fallacies Underlying the Rhetoric of “All Students”

Throughout the session, we noted that policymakers used several arguments rooted in myths, rather than documented empirical or historical truths. These myths often supported the use of abstract liberalism, paternalism, cultural racism, and the minimization of race. The first myth we identified was that treating everyone the same is “fair.” This myth was repeated both implicitly and explicitly, but especially concerning material benefits such as relief or accountability measures. The notion of fairness here does not consider the historical legacy of systemic state-sponsored racism, which has led to today's disparities. The second myth we identified was that eliminating flawed programs instead of repairing them was in the best interest of students. However, a systematic literature review of quasi-experimental studies on the causal

effects of outreach and financial aid interventions suggests that when outreach policies are improved by adding active counseling or simplifying the university application process, outcomes for disadvantaged students improve positively (Herbaut & Geven, 2020). Additionally, when need-based grants are enough to cover unmet need and include an early commitment during high school, the completion rates of disadvantaged students rise.

The third myth we identified was the argument that white people benefit more from student debt relief than people of color. This idea has been disproven in countless studies because people of color shoulder disproportionate student debt (Charron-Chenier et al., 2020; Eaton et al., 2021; Seamster, 2019). Additionally, students of color are more likely to attend lower-resourced institutions that cannot give them as much financial aid (Garcia, 2018; Hamilton & Nielsen, 2021).

A fourth myth voiced by policymakers to justify paternalistic and culturally racist beliefs is that student borrowers use loans to buy fancy things. The reality is that for many low-income students, especially students of color, student loan debt is a fear that prevents them from attending college. The fifth myth asserts that students just need more information, and arguments for better financial literacy rely on the notion that more money is available than needed. Contrary to this claim, prior research has shown that more information rarely improves educational opportunities and outcomes (Baker et al., 2021). The appeals for greater information were often presented in lieu of tangible, material policy benefits.

The sixth myth promulgated was that income is a proxy for race. The use of low-income as a proxy for race has been proven to be inadequate in highlighting how racialization impacts students' academic achievement (e.g., López et al., 2018) and their ability to pay for college (Mitchell, 2019). Furthermore, income does not consider the stark racial disparities in overall net

worth and resources available for different students. The high cost of college has disproportionately impacted those who need it the most and has exacerbated societal inequities based on class and race (LeBlanc, 2021; National Center for Education Statistics, 2021; Wood, 2021). For example, the average net price of a public four-year institution accounts for nearly a quarter of white families' median household income and as much as 36% of Black families' median household, depending on their state of residence (Mitchell, 2019). Consequently, the average loan debt balance for Black college graduates is \$53K, while the average white graduate only carries \$28K in debt (Mustafaa, 2022).

The seventh and final myth we identified is the idea that public aid creates a culture of dependence. This concept of a “culture of dependence” is directly tied to neoliberalism’s priority to encourage individual interaction in free markets and to correct the “overextended state” (Mavrozacharakis & Tzagkarakis, 2018). The notion that citizens should not be dependent on government at all represents an ideological viewpoint that ignores the sociohistorical role government has played in creating and addressing inequities. This rhetoric is also linked to neoliberal aims to promote a market-based culture that places blame for disadvantages on individuals (Tonkiss, 2004; Wrenn, 2019).

These myths constitute ingrained ideologies that nourish policies and practices that uphold white supremacy. Anti-racist approaches to policymaking should recognize and contest these widespread myths. We conclude with recommendations for future research.

Recommendations for Future Research

This analysis revealed new insight into the racial discourse of federal policymaking on student debt that highlights lingering gaps and raises new questions. While we contend that ahistoricism was prevalent in this markup, the absence of discourse about the racialized

sociohistorical conditions that created racial gaps in college affordability and student debt needs closer examination. As Munchow (2017) points out, “silences can describe what does not need to be said because it is shared knowledge... or what cannot be said because it would be socially unacceptable” (pg. 215). Further quantitative and qualitative inquiry ought to be conducted on how policymakers are socialized to discuss or avoid discussing race and minoritized populations. Additionally, scholars should analyze other spaces where policies on college affordability and student debt are crafted. What are the conditions that enable more explicit discourse around race? How does the discourse in other policy spaces shape the discourse in a markup session like this? Who participates in policy discussions about college affordability and student debt before the markup session (e.g., policy intermediaries and private for-profit sector lobbyists), and how do they influence the discourse and decisions? Ethnographic case studies and narrative inquiry can further shed light on the types of racial discourses used by these actors and how their influence shapes policy deliberations.

Our study highlights the implicit nature of racial discourse within federal policymaking. We found very little explicit racial discourse, and when it emerged, it was either used to make appeals for material benefits for “all students” or to combat racially coded deficit narratives connected to policy proposals shown to be harmful to students of color. This lack of specificity is an example of what CRT defines as interest convergence, in which the benefit for the majority has to be clearly made to make benefits for the minoritized more palatable. We recommend that more empirical examination be done on the CRT tenet of interest convergence, particularly as it pertains to how material benefits are proposed and considered within deliberations and policy.

Minoritized students were explicitly referenced in some of the counter-narratives offered by women of color representatives; however, even in these counter-narratives, the discussion

around race and student debt is muted. There were no references to sociohistorical and systemic oppression, the racial wealth gap, or fewer job opportunities and lower pay for minoritized graduates (Hernandez et al., 2019; Houle & Addo, 2019). The appeals made on behalf of minoritized students were always connected to non-material benefits instead of policy provisions for aid or relief that could mitigate student debt. This pattern is also true for referenced groups that have been racialized, such as undocumented and justice-impacted students. We recommend that more empirical examination be conducted on counter-narratives related to minoritized students in policy and how non-material benefits emerge in connection to appeals made on their behalf. Finally, there needs to be more examination of women of color policymakers, primarily focused on how they are constrained in their advocacy on behalf of minoritized students of color within policymaking sessions.

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Table 1: Theoretical Codes

Codes	Description
AHISTORICISM	
Ahistoricism	Discourse that fails to consider the historical, systemic, and permanence of racism in higher education
Minimization of Race	Discourse that refers to a post-racial society or alludes that race is no longer a central factor in creating educational inequity
ALL STUDENTS	
Interest Convergence	Discourse that frames addressing racialized student debt in ways that benefit all communities, society, or the economy
Abstract Liberalism	Discourse focused on taking an “all students” approach rather than race-conscious policy alternatives.
DEFICIT-ORIENTED	
Naturalization	Discourse that explains racial inequity as a natural or common occurrence.
Cultural Racism	Discourse that frame causes of racial inequity on student, family, community, and culture.
JUSTICE-ORIENTED	
Justice-Oriented	Examples of discourse that explicitly discuss the issue of race or racial inequity in education and propose reforms that advance justice and equity for minoritized groups.
RACIAL DISCOURSE	
Centrality of Race	Discourse that mentions individuals, institutions, and student debt in racialized ways. Captures how policymakers introduce, discuss, or frame race, racial inequity, or racially minoritized communities during the markup process.