



GEORGE MASON UNIVERSITY SCHOOL OF LAW



MASON ATTORNEYS GENERAL EDUCATION PROGRAM

WORKSHOP ON THE ECONOMICS OF HIGHER EDUCATION AND PUBLIC POLICY
CONFERENCE ON COMPETITION AND CONSUMER PROTECTION IN HIGHER EDUCATION

OCTOBER 14 – 16, 2015

LAW & ECONOMICS CENTER

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Since its inception in 1974, the Law & Economics Center has played a critical role as a leader in law and economics research and education. The LEC recognizes both the importance of timely, relevant, and unassailable research on public policy issues as well as the necessity of communicating research findings to those who are directly shaping our country's public policy discussions. With research divisions devoted to large-scale empirical projects and top-quality legal policy analysis, and educational arms reaching out to judges, attorneys general, and other policymakers, the LEC is uniquely equipped to positively affect national policy outcomes.

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THE MASON ATTORNEYS GENERAL EDUCATION PROGRAM offers courses that provide a broad-based understanding of economic and public policy issues to state attorneys general and their staff attorneys.

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MASON ATTORNEYS GENERAL EDUCATION PROGRAM
WORKSHOP ON THE ECONOMICS OF HIGHER EDUCATION AND PUBLIC POLICY CONFERENCE ON
COMPETITION AND CONSUMER PROTECTION IN HIGHER EDUCATION
OCTOBER 14 – 16, 2015, ARLINGTON, VA

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MASON ATTORNEYS GENERAL EDUCATION PROGRAM

WORKSHOP ON THE ECONOMICS OF HIGHER EDUCATION AND PUBLIC POLICY CONFERENCE ON COMPETITION
AND CONSUMER PROTECTION IN HIGHER EDUCATION

Wednesday, October 14

*Residence Inn by Marriott
Ballston, All Sessions*

6:00 PM – 7:30 PM

REGISTRATION AND WELCOME RECEPTION

Liberty Room

SESSIONS: George Mason University School of Law, Founders Hall Auditorium, 3351 Fairfax Drive, Arlington, VA 22201

Thursday, October 15

Founders Hall Auditorium,
All Sessions

<p>7:00 AM – 7:30 AM BREAKFAST <i>Residence Inn</i></p>	
<p>7:30 AM WALK <i>Residence Inn to George Mason University Founders Hall</i></p>	
<p>8:00 AM – 9:30 AM WELCOME</p> <p>INTRODUCTION TO THE ECONOMICS OF HIGHER EDUCATION</p>	<p>KAREN M. CZARNECKI Director of Education, Law & Economics Center</p> <p>HENRY N. BUTLER Dean and Professor of Law, George Mason University School of Law</p> <p>RICHARD K. VEDDER Distinguished Professor of Economics Emeritus and Director, Epstein Professor in Health Law and Policy, Ohio University</p>
<p>9:45 AM – 11:00 AM PROPERTY RIGHTS AND GOVERNANCE IN HIGHER EDUCATION</p>	<p>RICHARD K. VEDDER</p>
<p>11:15 AM – 12:30 PM COST AND QUALITY IN HIGHER EDUCATION</p>	<p>JOSHUA C. HALL Associate Professor of Economics and Co-Director, Center for Free Enterprise, West Virginia University</p>

MASON ATTORNEYS GENERAL EDUCATION PROGRAM

WORKSHOP ON THE ECONOMICS OF HIGHER EDUCATION AND PUBLIC POLICY CONFERENCE ON COMPETITION AND CONSUMER PROTECTION IN HIGHER EDUCATION

Thursday, October 15

*Founders Hall Auditorium,
All Sessions*

12:30 PM – 1:30 PM

LUNCH

Founders Hall Multipurpose Room 126

**LUNCHEON ADDRESS:
REAL EDUCATION**

BRYAN CAPLAN

Professor of Economics, George Mason University

**1:45 PM – 3:00 PM
INNOVATION AND
COMPETITION**

JOSHUA C. HALL

**3:15 PM – 5:00 PM
STUDENT LOANS AND
THE COST SPIRAL IN
HIGHER EDUCATION**

TODD J. ZYWICKI

Executive Director, Law & Economics Center and George Mason University Foundation
Professor of Law, George Mason University School of Law

5:00 PM

WALK

George Mason University Founders Hall to Residence Inn

6:00 PM – 8:00 PM

RECEPTION AND DINNER

George Mason University Founders Hall to Residence Inn

SESSIONS: George Mason University School of Law, Founders Hall Auditorium, 3351 Fairfax Drive, Arlington, VA 22201

Friday, October 16

Founders Hall Auditorium,
All Sessions

7:00 AM – 7:30 AM

BREAKFAST

Residence Inn

7:30 AM

WALK

Residence in to George Mason University Founders Hall

8:30 AM – 8:35 AM

WELCOME

TODD J. ZYWICKI

8:35 AM – 10:00 AM

**PANEL 1: THE
GOVERNMENT'S
ROLE IN HIGHER
EDUCATION**

RICHARD K. VEDDER

JOSHUA C. HALL

JANE S. SHAW

Member, Board of Directors, John William Pope Center for Higher Education Policy

ANNE D. NEAL

President, American Council of Trustees and Alumni

MODERATOR: TODD J. ZYWICKI

MASON ATTORNEYS GENERAL EDUCATION PROGRAM

WORKSHOP ON THE ECONOMICS OF HIGHER EDUCATION AND PUBLIC POLICY CONFERENCE ON COMPETITION AND CONSUMER PROTECTION IN HIGHER EDUCATION

Friday, October 16

*Founders Hall Auditorium,
All Sessions*

10:15 AM – 11:45 AM

**PANEL 2: CHALLENGES
TO HIGHER EDUCATION
TODAY: COST AND
QUALITY ISSUES**

ROGER E. MEINERS

Goalsby-Rosenthal Endowed Chair in Law and Economics, Department of Economics,
University of Texas at Arlington

SCOTT E. MASTEN

Professor of Business Economics and Public Policy, Ross School of Business,
University of Michigan

DANIEL D. POLSBY

Professor of Law, George Mason University School of Law

TODD J. ZYWICKI

MODERATOR: HENRY N. BUTLER

12:00 PM – 1:30 PM

**LUNCHEON ADDRESS:
THE FUTURE OF HIGHER
EDUCATION**

Founders Hall Multipurpose Room 126

BRIAN SHULL

Attorney, Federal Trade Commission

SESSIONS: George Mason University School of Law, Founders Hall Auditorium, 3351 Fairfax Drive, Arlington, VA 22201

Friday, October 16

*Founders Hall Auditorium,
All Sessions*

1:30 PM – 3:00 PM

**PANEL 3: CONSUMER
PROTECTION
ISSUES IN HIGHER
EDUCATION**

MICHAEL E. DEBOW

Professor of Law, Cumberland School of Law, Samford University

JAYME S. LEMKE

Senior Research Fellow and Associate Director, Academic and Student Programs, Mercatus Center at George Mason University

DAVID A. HYMAN

H. Ross and Helen Workman Chair in Law, and Director, Epstein Program in Health Law and Policy, University of Illinois College of Law

ALEXANDER T. TABARROK

Bartley J. Madden Chair in Economics, George Mason University

MODERATOR: JOSHUA C. HALL

3:00 PM

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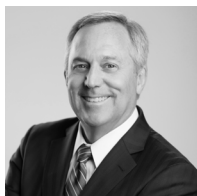
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Henry N. Butler is dean and professor of law at George Mason University School of Law. Prior to his appointment as dean, Dr. Butler was a George Mason University Foundation Professor of Law and executive director of the George Mason University Law & Economics Center. For over 20 years, he has led judicial education programs that teach judges the basics of economics, finance, accounting, statistics, and scientific methods to over 3,000 sitting federal and state judges.

From 2007 to 2010, Dr. Butler served as the first executive director of the Searle Center on Law, Regulation, and Economic Growth at Northwestern University School of Law. He has held prior appointments at The Brookings Institution, Chapman University, the University of Kansas, The University of Chicago, and Texas A&M University. From 1986 to 1993, he was a law professor at George Mason and during that period also served as an associate dean and director of the Law & Economics Center.

He received a MA and PhD in economics from Virginia Polytechnic Institute and State University and a JD from the University of Miami School of Law. He received a bachelor's degree in economics from the University of Richmond.



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As a Professor of Economics, Bryan Caplan has published in the *American Economic Review*, the *Economic Journal*, the *Journal of Law and Economics*, *Social Science Quarterly*, the *Journal of Public Economics*, the *Southern Economic Journal*, *Public Choice*, and numerous other outlets. His book, *The Myth of the Rational Voter: Why Democracies Choose Bad Policies* (2007), was published by Princeton University Press and named "the best political book this year" by the *New York Times*.

Professor Caplan's personal web page is www.bcaplan.com and his working papers can be found on <http://econfaculty.gmu.edu/bcaplan/econ.html>. Professor Caplan's book, *Selfish Reasons to Have More Kids: Why Being a Great Parent Is Less Work and More Fun Than You Think*, was published in 2011.



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Professor Michael DeBow is a native of Tupelo, Mississippi. He received his bachelor's and master's degrees in economics from the University of Alabama (1976, 1978). He graduated from the Yale Law School in 1980, and is a member of the District of Columbia Bar. Professor DeBow's career included a stint in private practice in Washington, DC, followed by a judicial clerkship with the Honorable Kenneth W. Starr of the US Court of Appeals for the DC Circuit in 1983-84. Professor DeBow then served as an attorney-advisor to Federal Trade Commission chairman James C. Miller III (1984-85), and a special assistant to assistant attorney general Douglas Ginsburg, in the Antitrust Division of the US Department of Justice (1985-86). He began his teaching career at the University of Georgia business school, where he taught for two years prior to coming to Samford.

From 2000 to 2004, Professor DeBow also acted in a part-time capacity as special assistant for legal policy to Alabama attorney general Bill Pryor. He was a visiting professor of law at George Mason University in 1999. He was a (nonresident) Salvatori Fellow of The Heritage Foundation during 1993-95, and a member of the executive committee of the Association of Private Enterprise Education during 1995-99. In 2008 he was named an adjunct fellow of the Alabama Policy Institute.



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Dr. Hall's areas of interest include applied microeconomics, with an emphasis on economic freedom, state and local public finance, and entrepreneurship. In addition to being the author of more than 50 articles in journals such as the *Journal of Economic Behavior and Organization*, *Journal of Public Administration, Research, and Theory*, *Contemporary Economic Policy*, and *Southern Economic Journal*, he is co-author of the widely-cited *Economic Freedom of the World* annual report.

Dr. Hall earned his PhD in economics from West Virginia University and his MA in economics and BBA in business economics from Ohio University.



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David A. Hyman, MD, JD, is the H. Ross and Helen Workman Chair in Law and professor of medicine at the University of Illinois, where he directs the Epstein Program in Health Law and Policy. He focuses his research and writing on the regulation and financing of health care. He teaches or has taught health care regulation, civil procedure, insurance, medical malpractice, law & economics, professional responsibility, and tax policy.

While serving as special counsel to the Federal Trade Commission, Professor Hyman was principal author and project leader for the first joint report ever issued by the Federal Trade Commission and Department of Justice, *Improving Health Care: A Dose of Competition* (2004). He is also the author of *Medicare Meets Mephistopheles*, which was selected by the US Chamber of Commerce/ National Chamber Foundation as one of the top ten books of 2007. He has published widely in student edited law reviews and peer reviewed medical, health policy, and law journals.



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Jayme Lemke (PhD in economics, George Mason University) is a senior research fellow and associate director of academic and student programs at the Mercatus Center at George Mason University and a senior fellow in the F.A. Hayek Program for Advanced Study in Philosophy, Politics, and Economics. Her specialization is in public choice economics, law and economics, and the political economy of women's rights. Her research on these and other topics has appeared in outlets such as the *Journal of Institutional Economics*, *Public Choice*, the *Review of Austrian Economics*, and *Studies in Emergent Order*. Prior to joining Mercatus, Dr. Lemke held positions at Utah State University and the Political Theory Project at Brown University.



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Professor Masten's research focuses on issues at the intersection of law, economics, and organization. He has published numerous articles relating to contracting, vertical integration, and antitrust, and his work has made him a leading scholar in the area of transaction cost economics. Professor Masten joined the University of Michigan faculty in 1984, following two years as a member of the economics faculty at the University of Virginia. He held the Louis and Myrtle Moskowitz Research Professorship in Business and Law in 1998-99 and was president of the International Society for New Institutional Economics in 2008-09. He is a co-editor of the *Journal of Economics & Management Strategy* and serves on the editorial boards of the *Journal of Law, Economics & Organization* and *Managerial and Decision Economics*.

Professor Masten chaired the University of Michigan Senate Assembly Committee on University Affairs (SACUA), the executive committee of the University's Faculty Senate, in 2014-15.



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Dr. Roger Meiners is the Goolsby-Rosenthal Endowed Chair in Law and Economics. His PhD is from Virginia Tech and his law degree is from the University of Miami. Prior to the University of Texas at Arlington, he held faculty appointments at Clemson University, Emory University, and Texas A&M. Dr. Meiners also served as a regional director for the Federal Trade Commission. His research interests focus on legal and economic aspects of environmental policy. He is a senior fellow at the Property and Environment Research Center in Bozeman, Montana.



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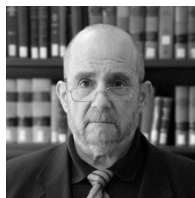
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Ms. Neal co-founded the American Council of Trustees and Alumni and has been president since 2003. For over 15 years, Ms. Neal has been a prominent national player in higher education reform, publishing widely and appearing frequently on radio and television, including the PBS *NewsHour*, Fox Business News, CNN, Fox News, WGN, and National Public Radio. She has authored or co-authored numerous ACTA studies on historical illiteracy, federal accreditation, governance, intellectual pluralism, and cost, and contributed chapters to *Reforming the Politically Correct University* (AEI Press, 2009), *Accountability in American Higher Education* (Palgrave MacMillan, 2010), and *Intellectual Property Rights and Capital Formation in the Next Decade* (University Press, 1988). She has also convened higher education conferences under the auspices of the Philanthropy Roundtable. In 2007, and again in 2010, Ms. Neal was appointed to the National Advisory Committee on Institutional Quality and Integrity which advises the US Secretary of Education on federal accreditation.

Prior to joining ACTA, Ms. Neal served as general counsel and congressional liaison for the National Endowment for the Humanities. She also worked as a First Amendment and communications lawyer for Rogers & Wells and Wiley, Rein, & Fielding. Ms. Neal graduated Phi Beta Kappa and *magna cum laude* from Harvard College with an AB in American history and literature. She received her JD from Harvard Law School where she was president of the *Harvard Journal on Legislation*.



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Professor of Law Daniel D. Polsby joined the faculty of the law school in 1999 after serving 23 years on the Northwestern University law faculty, most recently (since 1990) as the Kirkland & Ellis Professor of Law. He has held visiting appointments in the law schools of the University of Southern California, the University of Michigan, and Cornell University. He was appointed acting dean of the George Mason School of Law in 2004, named dean in 2005, and served until he stepped down in June 2015.

Professor Polsby has published dozens of articles on such diverse subjects as voting rights, family law, employment rights, and spectrum utilization. He is the author of the award-winning article, "The False Promise of Gun Control," the cover essay of the March 1994 *Atlantic Monthly*. The article is one of the most widely anthologized essays of recent years.

Professor Polsby received his BA from Oakland University (1964) and earned his JD, *magna cum laude*, from the University of Minnesota (1971). He teaches criminal law, family law, constitutional law, and other subjects.



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Jane S. Shaw was president of the John W. Pope Center for Higher Education Policy until February 2015, when she retired and joined the Pope Center's board of directors. Before joining the center in 2006, she was a senior fellow of PERC, the Property and Environment Research Center in Bozeman, Montana.

Before moving in to higher education policy, Ms. Shaw was a frequent writer and speaker on environmental topics. With Michael Sanera she coauthored *Facts, Not Fear: Teaching Children about the Environment* (Regnery 1999). She co-edited *A Guide to Smart Growth: Shattering Myths and Providing Solutions* (Heritage Foundation, 2000) with Ronald Utt. Before joining PERC in 1984, she was an associate economics editor of *Business Week*. Ms. Shaw has a BA in English literature from Wellesley College.

Ms. Shaw is a past president of the Association of Private Enterprise Education, editorial adviser to *Econ Journal Watch*, a member of the Editorial Advisory Panel of Regulation, and a member of the Editorial Advisory Council of the Institute of Economic Affairs (London).



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Alexander Tabarrok is associate professor of economics at George Mason University. He is the editor of a number of books including *Entrepreneurial Economics: Bright Ideas from the Dismal Science*, *The Voluntary City: Choice, Community, and Civil Society* (with D. Beito and P. Gordon), and *Changing the Guard: Private Prisons and the Control of Crime*. He is also co-author (with Daniel Klein) of the extensive web site on FDA policies and reform, *FDAReview.org*. Dr. Tabarrok's research includes papers in the theory of voting, political economy, and empirical law and economics.

He has published in the *Journal of Law and Economics*, *Journal of Theoretical Politics*, *Public Choice*, *Economic Inquiry*, *Journal of Health Economics*, and the *American Law and Economics Review* among many others.



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Richard K. Vedder is co-author (with Lowell Gallaway) of The Independent Institute book, *Out of Work*, the recipient of both the Sir Antony Fisher International Memorial Award and Mencken Award Finalist for Best Book, and the author of the Institute monograph, *Can Teachers Own Their Own Schools?*

Professor Vedder received his PhD in economics from the University of Illinois, and he has been senior economist at the US Joint Economic Committee and visiting fellow at the Center for the Study of American Business, Washington University, and he has taught at The University of Colorado, Claremont Men's College, and MARA Institute of Technology. His other books include *Going Broke by Degree: Why College Costs Too Much*; *The American Economy in Historical Perspective*; *Poverty, Income Distribution, the Family and Public Policy* (with L. Gallaway); *Essays in Nineteenth Century Economic History*; *Essays in the Economy of the Old Northwest*; *Economic Impact of Government Spending: A Fifty State Analysis*, and *Variations in Business and Economic History*. His hundreds of articles and reviews have appeared in numerous scholarly journals as well as such publications as *The Wall Street Journal*, *Christian Science Monitor*, *National Review*, *Washington Times*, and *Investor's Business Daily*.



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Todd J. Zywicki is a executive director of the Law & Economics Center, a George Mason University Foundation Professor of Law at George Mason University School of Law, and senior scholar of the Mercatus Center at George Mason University. In 2009, he was honored as the recipient of the Institute for Humane Studies 2009 Charles G. Koch Outstanding IHS Alum Award.

Professor Zywicki has testified before Congress on consumer bankruptcy and consumer credit. He is a co-author of the recently published book, *Consumer Credit and the American Economy*, which examines the economics, behavioral science, sociology, history, institutions, law, and regulation of consumer credit in the United States.

He writes for the legal blog the *Volokh Conspiracy* and is the co-editor of the *Supreme Court Economic Review*.

Professor Zywicki received his JD from the University of Virginia, his MA in economics from Clemson University, and his BA in economics from Dartmouth College.

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UPCOMING SCHEDULE

AGEP SYMPOSIUM ON THE ECONOMICS AND LAW OF PUBLIC PENSION REFORM

Thursday, October 29 – Saturday, October 31, 2015

Sheraton Palo Alto Hotel, Palo Alto, CA

19th ANNUAL LAW REVIEW SYMPOSIUM ON ANTITRUST LAW

Thursday, February 18, 2016

George Mason University School of Law, Arlington, VA

SIXTH ANNUAL PUBLIC POLICY INSTITUTE ON FINANCIAL SERVICES

Tuesday, June 7 – Thursday, June 9, 2016

George Mason University School of Law, Arlington, VA

LEC PUBLIC POLICY CONFERENCE ON THE ECONOMICS OF PRIVACY & DATA SECURITY

Wednesday, June 15, 2016

George Mason University School of Law, Arlington, VA

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