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7. PRIVATIZATION AND MARKETING OF HIGHER EDUCATION IN MEXICO

Contributions to a Debate

INTRODUCTION

Interest in studying private systems of higher education has its origins primarily in the processes of expansion and transformation that various nations have undergone in recent years. Among these processes, diversity has become a characteristic trait reflected in systems' internal composition and high complexity. The differentiation of the public and private sectors has had great impact on the development of systems of higher education at the international level. The expansion of private sectors is associated with the public policies of a neoliberal nature that have been promoted in most nations with regard to higher education. An additional factor is the debate surrounding the marketing of educational services, within the framework of the General Agreement on Tariffs and Trade (GATT), whose consequences are reflected in the diversification of the suppliers of education and in the emergence of a type of suppliers directed to the market, for profit (Buendía, 2011; Levy, 2009).

Private higher education has dominated systems like those of Japan, South Korea, Taiwan, and the Philippines; it is the fastest growing sector in many countries of Central and Eastern Europe, as well as in the nations of the former Soviet Union. In Latin American, on the other hand, post-secondary education has shown a considerable shift from public to private institutions, even in nations traditionally characterized by their development of dominant public sectors with peripheral private sectors (Geiger, 1986), such as Mexico and Argentina. At least one-half of the university students in Brazil, Colombia, Peru, and Venezuela attend private universities (Altbach, 2002).

In Mexico, the state's role as the leader of public policy has determined the sector's configuration. The passage of time has accented the problems of regulation, control, and deficient quality in many private institutions of higher education: a result of laxity and in some case, of improper practices in the application of regulating instruments, with a persistent absence of a regulatory perspective and a permissive framework, resulting in uncontrolled growth (Levy, 1995; Kent, 1995; Kent & Ramírez, 2002). The market has been given an active role as the principal regulating agent in the supply of educational services, a reaffirmation of the idea that the state has not developed an active role in the governance of private universities.

M. A. Geo-JaJa & S. Majhanovich (Eds.), Effects of Globalization on Education Systems and Development, 109–130.

This chapter is divided into four sections. The first addresses the historical evolution of the configuration of the private sector in Mexico, in four stages: emergence (1935–1959); expansion and deregulation (1960–2000), which can be divided into two periods (1960–1980 and 1982–2000); a market stage (2000–2006); and lastly, the stage of uncontrolled stabilization since 2007. The second section of the chapter discusses if Mexico has a market or non-market model of higher education, according to the model proposed by Brown (2011a). The third section analyzes one of the most relevant matters in the study of private higher education in Mexico: quality. The chapter's final section includes final remarks and pending matters in the study of this sector.

CONFIGURATION OF AN UNPLANNED BUT NECESSARY SECTOR

The current configuration of Mexico's system of higher education is characterized by the complexity of its academic functions and by the diversity of institutions and the education offered. This arrangement originated in the economic, political, and social transformations that occurred after World War II. The massification[1] of higher education around the globe represented a transformation process that moved from the formation of national political and social elites, to the democratization and promotion of massive access to tertiary education; the purpose was to contribute to remedying the major problems of social and economic inequality among individuals and strengthen nations' economic and social growth.

The expansion of enrollment brought major transformations in the configuration and coordination of the national system of higher education.[2] A process of diversification accompanied the process of expansion. The situation in the 1990s was different not only because of the dimension of its components, but also because of its internal composition and its high degree of complexity, which translated into the coexistence of widely different institutions of higher education, both public and private. In addition, while the supply of education in the phase previous to expansion was relatively homogeneous, broad diversification occurred in terms of academic and professional fields, types of institution, levels, and duration of studies.

Although institutions dedicated to the education of the elites have existed since colonial times, the institutionalization of the system of higher education had its beginnings in the recognition of Universidad Nacional Autónoma de México (UNAM) as a university in 1910. At that time, the current system of higher education began to be constituted, with an historical evolution that can be summarized in the following stages: emergence (1910–1950), unregulated expansion (1950–1989), and modernization (1989–2000) (Gil, 1992, 1994; Ibarra, 2001).

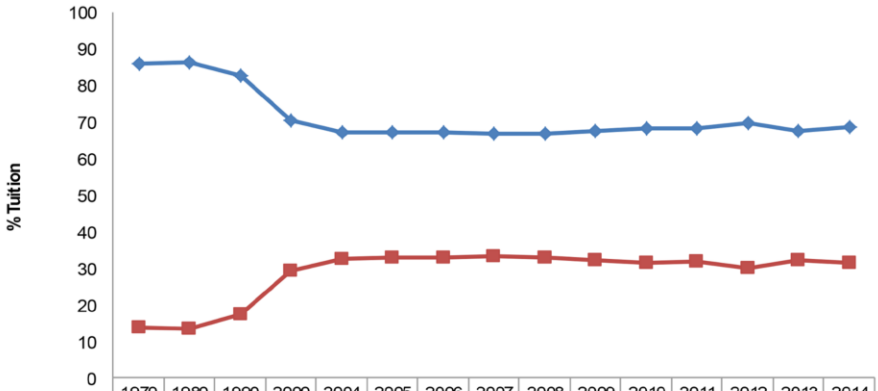
In the context of the nation's political transition of 2000, with the change in the ruling party from the Partido Revolucionario Institucional (PRI) [Institutional Revolutionary Party] to the Partido Action Nacional (PAN) [National Action Party], a fourth stage in the evolution of Mexico's higher education began. We could call this stage the *rationalization of the system and its institutions,* using a basis of policies

that since 1989 has operated along the lines of transversal evaluation/quality/financing/organizational change; but with different systems of intervention and effects for the public and private sectors. Only the private sector will be analyzed here.

In 1960, the number of students enrolled in Mexico's higher education totaled 76,269. The most intense period of growth was between 1970 and 1980. In 1970, total enrollment was 208,944 students, representing an increase of 273.9% over ten years; in 1980, the school population in higher education reached 731,147 students, equivalent to an increase of 349.9% in one decade. In contrast, during the decade from 1990 to 2000, enrollment increased by only 507,217 students, equivalent to 68%. During the first decade of the new century, the percentage of growth remained constant.

Although historically a large proportion of the enrollment in higher education has been in public institutions, during the so-called phase of expansion the private sector was much more dynamic. The five to ten private institutions of higher education that existed in Mexico in 1950 had increased to 1,253 by the 2000–2001 school year.[3] In 1980, the students served by that educational sector totaled 98,840—a number that practically doubled in ten years, since by 1990, the students served by private institutions of higher education totaled 187,819. One decade later, in 2003, the private system served 620,533 students, and 33.2% of the nation's undergraduate students were enrolled in a private institution (ANUIES, 2003); the trend persisted until 2014, when private institutions of higher education served 1,128,592 undergraduate students (Figure 1).

Although this sector can be explained as a function of the public sector's trajectory, its roots are different. Four stages can be identified in the chronology of the Mexican private sector: emergence (1935–1959); expansion and deregulation (1960–2000),



	1970	1980	1990	2000	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Public	86.2	86.5	82.6	70.5	67.3	67.21	67.18	66.86	66.89	67.73	68.33	68.28	69.85	67.71	68.55
Private	13.8	13.5	17.4	29.4	32.7	32.79	32.82	33.14	33.11	32.27	31.67	31.72	30.15	32.29	31.45

Figure 1. Undergraduate enrollment by sector (1970–2014). Source: Based on National Association of Universities and Institutions of Higher Education (ANUIES, 2014)

which in turn is divided into two periods (from 1960 to 1980 and from 1982 to 2000); a third stage of the market (2000–2006); and most recently, the uncontrolled stage of stabilization that started in 2007.

Emergence (1935–1959)

In the 1930s and the 1940s, the first institutions of private education were established in Mexico. Three factors were key in their emergence: social class, religion, and economy. Social conservatism operated as a determining element in the development of Mexico's system of private education, to the degree that socioeconomic status and prestige declined in the rapidly growing public sector; a middle class capable of paying for private higher education was expanding thanks to the nation's steady economic progress. The conflicts between the Catholic Church and the government from 1926 to 1929, partially overcome in the 1940s, as well as the politicization of public universities, especially the UNAM, also influenced the creation of private universities with a religious nature (Levy, 1995).

In addition to social and political conservatism, the economic factor contributed to the creation of private universities. Industry required human resources with specific profiles, especially in administration, in response to company needs and independent from the political position of public universities.

During that period, the first seven private institutions were created in Mexico. The Universidad Autónoma de Guadalajara (UAG) was founded in 1935, in the context of intense political and ideological debate in the field of higher education, between a liberal conception of universities (characterized by freedom in the classroom and institutional autonomy) and the revolutionary conception that the followers of Cárdenas (1934–1940) promoted in Mexico, in which universities were required to be at the service of the aims of the Mexican Revolution (Levy, 1995; Acosta, 2000). UAG was the product of an internal conflict in the Universidad Estatal de Guadalajara: one sector of the institution was not in agreement with the revolutionary orientation and decided to institute a private autonomous university with a religious and conservative nature.

In January of 1940, the Universidad de las Américas was created in Mexico City, the first private institution of higher education in the nation's capital. It was "founded by a small group of students" as the Mexico City College (MCC), obtaining accreditation from the Southern Association of Colleges and Schools (SACS) (ANUIES, 2000, p. 74).

In 1943, the Instituo Tecnológico de Estudios Superiores de Monterrey (ITESM) was formed, with a clear tendency to train expert professionals in managing the economy and business, and the exclusion of a religious orientation in its model; its presence responded to the demands of one of the nation's most important industrial cities. ITESM adopted the models of the Massachusetts Institute of Technology (MIT) and the University of California, basing its development on the primary source of its financing: Grupo Monterrey.

That same year, the Jesuits founded the Universidad Iberoamericana (UIA), with a marked religious identity. Its creation should be analyzed against the background of the prolonged and occasionally violent conflict between the state and Church. Both UIA and UAG were conceived in part as educational options versus the politicization of UNAM. Since its appearance, UIA has been characterized as a university of Christian inspiration yet not a confessional university (Meneses, 1993); in other words, "although it assumes adhesion to a doctrine, it does not imply that the university depends on this confession" (Meneses, 1993:5). During the 1960s, UIA joined the progressive current which, along with numerous Latin American churches and Catholic universities, pushed disenchanted religious and financial groups toward the Universidad Anáhuac (Levy, 2005, p. 250).

In 1957, the Instituto Tecnológico y de Estudios Superiores de Occidente (ITESO) was constituted with support from the Company of Jesus; today it is part of the UIA-ITESO system and shares the same religious tendency.

The Instituto Tecnológico Autónomo de México (ITAM) was created in 1946, also with evident emphasis on economics and administrative areas of study. It was founded by Asociación Mexicana de Cultura, A.C., a group of bankers, industrial leaders, and businessmen.[4]

Table 1. Private institutions of higher education (1935–1959)

Year	*Institution*	*Location*
1935	Universidad Autónoma de Guadalajara	Guadalajara, Jalisco
1940	Universidad de las Américas	Mexico City
1943	Instituto Tecnológico de Estudios Superiores de Monterrey	Monterrey, Nuevo León
1946	Instituto Tecnológico Autónomo de México	Mexico City
1943	Universidad Iberoamericana	Mexico City
1947	Universidad de las Américas, Puebla	Cholula, Puebla
1957	Instituto Tecnológico de Estudios Superiores de Occidente	Guadalajara, Jalisco

Source: ANUIES, 2001

Phase of Expansion and Deregulation (1960–2000)

In the 1960s, Mexico's university system experienced profound change that translated into unregulated expansion. While the subsystem of public higher education was characterized by reactive government leadership, permeated by the political logic of an authoritarian and populist administration (Ibarra, 2001), the private sector remained outside of any regulated framework that would integrate it into the system. In general, the educational policy of the time revealed the absence of a normative

framework that would permit regulating the private sector, which began to be formed as an ever more disjointed set of different institutions.

The expansion of the private sector in this period occurred in two periods: first from 1960 to 1980, part of a series of events that occurred in public higher education—events that oriented the growth of the private sector, propelled by Mexican business leaders. In 1964, the Confederación de Cámaras Industriales (CONCAMIN) issued the "Carta Económica Mexicana", which in a brief reference to education sustained that education was "essential for economic development" and promoted a climate of freedom that would allow business leaders to exercise the right and the obligation to participate in education. With the political movement of 1968 and the politicization of public universities, business leaders' distrust of public education increased, the main cause for their support for the creation of private institutions to educate their children, as well as the technical and administrative teams for their companies (Tirado, 1999; Puga, 1999).

During this period, thirteen private institutions of higher education appeared in the nation's major cities: Mexico City, Monterrey, and Guadalajara, as well as in Puebla, Veracruz, and Hermosillo. The chronology is detailed in the following table.

Table 2. Private institutions of higher education (1960–1982)

Year	*Institution*	*Location*
1960	Universidad del Valle de México	Mexico City
1961	Universidad del Valle de Atemajac	Guadalajara, Jalisco
1962	Universidad La Salle	Mexico City
1966	Universidad Tecnológica de México	Mexico City
1967	Universidad Panamericana	Mexico City
1969	Universidad de Monterrey	Monterrey, Nuevo León.
1969	Universidad Regiomontana	Monterrey, Nuevo León
1969	Universidad Cristóbal Colón	Veracruz, Veracruz
1970	Centro de Estudios Universitarios	Monterrey, Nuevo León
1973	Universidad Popular Autónoma del Estado de Puebla	Puebla, Puebla
1976	Universidad Intercontinental	Mexico City
1976	Universidad Valle del Bravo	Reynosa, Tamaulipas
1979	Universidad del Noroeste	Hermosillo, Sonora

Source: ANUIES (2001)

The second period of expansion encompasses the period from 1982 to 2000, when educational policies attempted to reorient the educational system's growth through exercises of planning and evaluating higher education.

The 1980s were characterized, especially in the early years, by extensive managerial mobilization motivated by the economic crisis and the nationalization of the nation's banks. The antigovernment and anti-presidential reaction that polarized business leaders and the government had a large impact on the population. In education, the critical positions of business with regard to public education became harsher. The discourse of business organizations like the Consejo Coordinador Empresarial (CCE) and the Confederación Patronal de la República Mexicana (COPARMEX), criticized public education severely, emphasizing its doctrinaire and ideological nature in opposition to the values and traditions that business expected education to promote (Tirado, 1999).

In the late 1980s and early 1990s, business organizations believed that the topic of education was the most important, "the item of greatest need and priority", as well as Mexico's main obstacle to competing in the international setting. Education, according to business leaders, required modernization. This was reiterated with greater force as President Salinas' modernizing project became a reality, along with the possibility of signing the North American Free Trade Agreement (NAFTA). In this context, FIMPES was formed in 1988, on the initiative of business leaders involved in education, and with the perspective of becoming a line of defense against government impositions, which restricted the freedom of action of individuals in education (Olmos, 2001).

Business leaders' proposals were projected in two directions. On one hand, they addressed educational reforms, primarily Constitutional Article 3, in order to allow religious education and strengthen private education, ending the so-called "defenseless state" of individuals who offered educational services and providing them with legal security. Another proposal was to eliminate official discretion regarding the validity and recognition of studies completed in private institutions, as well as to suppress the regulation of education for rural and urban laborers. On the other hand, education was to move toward international productivity and competitiveness, skills and entrepreneurship in the context of globalization, the objective of the state of wellbeing and modernization. In *Modernización educativa. Propuestas del sector empresarial,* the definition of education alluded to "abilities" and "skills" rather than values (Comisión de Educación del Sector Empresarial (CESE)) [Educational modernization: Proposals from the Business Sector], 1989; quoted by Tirado, 1999).

The educational modernization proposed by the administration of President Salinas de Gortari emerged as the way to make progress in constructing a productive and competitive nation on the international scale. In the setting of higher education, the discourse of modernization took the form of actions directed at improving quality based on evaluation, which permeated the design and implementation of public policy. According to Ibarra (2001), modernization consisted of the definitive re-composition of relations between the government and universities. On the other hand, the modernizing process assumed new rules of the game to favor certain behaviors and discourage others, and to respond to the pressures and demands of the market and politics, according to the strategies or programs negotiated or imposed by the agents of greatest influence (Ibarra, 2001).

Modernization translated into the configuration of various programs and instruments of public policy. The most important included: Sistema Nacional de Planeación Permanente de la Educación Superior (SINAPPES), Coordinación Nacional para la Planeación de la Educación Superior (CONPES), Programa Nacional de Educación Superior (PRONAES), Programa Integral para el Desarrollo de la Educación Superior (PROIDES), Comision Nacional de la Evaluación de la Educación Superior (CONAEVA) y Programa de Modernización Educativa (PME). Such groups were aimed at better coordination and regulation of the system, based on "improving the quality of higher education and forming a system of higher education consisting of institutions of excellence" (Mendoza, 2002). The incorporation of the private sector into these instruments became evident upon the emergence of PROIDES, in 1986.[5]

Subsequently, the Programa para la Modernización de la Educación 1989–1994 (PME) mentioned that private institutions formed part of the system of higher education and that their functioning depended on the legal system of their incorporation into the federation, states, or autonomous public universities (SEP, 1989). In addition, PME established that public and private institutions should support each other in modernizing higher education through evaluation, in order to improve quality.

During this era, the private sector registered surprising expansion, growing from 133 to 1,253 institutions. The heterogeneity of these institutions increased and was reflected in the size of their enrollment, and in their missions, objectives, forms of organization, and position within the educational system. In general, two types of institutions emerged: those with regional or local settings of important growth, with populations of more than three thousand students, an attractive option for the middle sectors of the population able to pay their fees; and very small institutions (numbered in dozens of students) of doubtful academic quality (Mendoza, 2002, p. 335), later called "ugly duckling universities".

This period was also known for the formation of institutional networks with a regional or national impact, like ITESM, UVM, Universidad Tecnológica de México (UNITEC), Universidad La Salle (ULSA), and UIA, among others.

2000–2006 Beyond the Market

Although NAFTA did not include the educational sector in the approved text that came into effect on January 1, 1994, it dedicated two sections to professional services: Chapter 12, "Cross-Border Trade in Services" and Chapter 16, "Temporary Entry for Business Persons". These sections stated the principles, reserves, and commitment to conduct professional activities in the setting of 63 professions (general, scientific, and medical), for which minimum requirements and alternative degrees were established. These initial actions indicated the competition that would be generated among institutions of higher education, which intensified with the General Agreement on

Tariffs and Trade (GATT), signed by 144 countries in the framework of the World Trade Organization (WTO), which included higher education.[6]

The reactions to the effects of GATT on higher education arose in greatest part from the academic media; in principle they disagreed because they were not included from the beginning in the agreement's negotiations, which were directed by individuals responsible for the economy in each nation.[7] In Latin America, the rejection of GATT began in Brazil in the Social Forum of Porto Alegre in February, 2002. The participants proposed a global pact with the purpose of ensuring the consolidation of the principles of action approved at the World Conference on Higher Education, promoted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris in 1998. As a conclusion of the Third Ibero-American Summit of Rectors of Public Universities, the Letter of Porto Alegre was signed, to inform the university academic community and society in general about the negative consequences of GATT and to request the governments of their respective countries not to sign any commitment in higher education.[8]

Mexico's position toward GATT in regard to education, even since the signing of NAFTA, has been to keep the educational sector open to foreign investment in items stipulated in the agreement: supplying across borders, commercial presence and individuals, as well as consumption abroad. In Mexico, foreign direct investment in educational services from 1994 to 2003 reached a maximum with the sale of UVM in 2000, when direct investment was 16.4487 billion dollars and only 0.2% corresponded to educational services (Rodríguez, 2004).

This means that the sector still has a majority state presence, a very concentrated rate of privatization in higher education, and a limited potential market served by multiple local suppliers. Nonetheless, it is possible to affirm that the case of UVM has been profitable, and that favorable signals have been sent to other investors seeking presence in the Mexican market. Such is the case of Apollo Group Inc., a company dedicated to adult education and the closest competitor of Silvan/Laureate Inc., the entity that made manifest its intent to participate through an alliance with UNITEC, the institution that it acquired in 2007.[9]

Unregulated Stabilization (2007...)

A constant in Mexico has been the absence of government policies to contribute to the orientation of Mexico's private sector, to promote the integration of a system of higher education. In spite of full recognition of the proliferation of private institutions, some of which are referred to as "ugly ducklings", the limited modifications made to the institutional and regulatory framework have had little impact on the sector's expansion.

According to Fielden and Varghese (2009), regulation begins with the decision to allow a private supplier to plan or develop an academic unit, continues with the

approval and recognition of its programs, the establishment of fiscal incentives or mechanisms, and ends with the regular monitoring of its forms of operation, based on access to information about its academic and financial performance. Therefore, an unregulated private sector causes the appearance of suppliers of all types, some interested only in using education as a part of business, and with little protection for the student-consumer. The case of Mexico is quite close to this model. Levy (1995; 2006) affirmed that in Mexico, the state has not developed an active role in the governance of private universities. The sole aspect that this relation shows in the constitutional authority of the state is the concession of the official license to private institutions and their programs, reaffirmed by the General Law of Education of 1973 and the modifications of 1993. "Opening a university is as easy as opening a tortilla shop, some observers have affirmed" (Levy, 1995, p. 278).

Nonetheless, since 2007, sector growth has shown clear stabilization that began in 2000 but was accented in the later period. According to Álvarez (2011), this phenomenon is due, on one hand, to the opening of new spaces in the public sector through financing policies for increasing enrollment in existing institutions; and on the other hand, to the creation of new institutions in the framework of a policy of institutional differentiation, diversification of the educational supply, and mechanisms of quality assurance. The new public institutions have been created with federal and state funds and are operated by state governments, constituting a decentralizing policy that has contributed to modifying the local configurations of higher education (Álvarez, 2011, p. 13).

The stabilization of the sector does not translate into a reduction. As Álvarez (2011) indicates, not only because there will be more high school graduates, but also because the public sector, in spite of its efforts, will not be able to reverse the market dynamics that have become fixed in Mexico. Over the short term, the private sector is not expected to contract. According to the projections of the Under Secretariat of Higher Education, undergraduates in private institutions will increase from 813,000 students in 2010 to 1,600,000 students in 2016, accumulated growth of 23.75%: almost the same as the projected growth for the public sector (Table 3).

*Table 3. Projections for undergraduate enrollment until 2016**

	2009–2010	*2010–2011*	*2011–2012*	*2012–2013*	*2013–2014*	*2014–2015*	*2015–2016*	*Growth 2010–2016*
Public	1690,033	1,754,287	1,820,362	1,887,445	1,954,756	2,021,423	2,086,919	23.48
Private	813,105	844,966	877,207	909,991	942,486	974,822	1,006,182	23.75
Total	2,503,138	2,599,253	2,697,569	2,797,436	2,897,242	2,996,245	3,093,101	23.57

Source: Álvarez (2011), based on SEP-UPEPE/DGPyP, at http://www.snie.sep.gob.mx/estadisticas_educativas.html

** Figures estimated by SEP*

MARKETS OR NON-MARKETS OF PRIVATE HIGHER EDUCATION IN MEXICO?

Brown (2011a) proposes a set of categories to study the existence of markets or non-markets of higher education. The discussion behind this international phenomenon calls for referring to the marketization of higher education, according to Furedi (2011), as a political/ideological process and an economic phenomenon, in which paradoxically there is no evidence of the triumph of the free market economy; on the contrary, greater state intervention is observed, through the implementation of policies that promote less regulation, as in the case of Mexico.

From the perspective of the economic theory of markets, it is a form of social coordination in which the supply and demand of a certain good or service find their equilibrium through price. It is assumed that consumers select among alternatives that are offered, based on what they consider the ideal option, due to characteristics of price, quality, and availability (Brown, 2011b). Also important is the assumption that since the market provides the best use of society's resources, less state participation means greater efficiency. This is true only if consumers are presumed to have complete information about the various options. Apparently the problem of the market is reduced to rational individual selection and the supremacy of freedom as the main value of society.

In 1962, Friedman proposed the hypothesis that allowing the market to regulate education would result in higher levels of quality and greater "client" satisfaction, so that only schools able to offer good services would remain in the market. In only exceptional cases (education in rural areas), would compensatory mechanisms have to operate to give underprivileged citizens access to equity. The role of the government, according to Friedman (1962), is essential only to determine the "rules of the game" and as a referee in interpreting and implementing the agreed upon rules. The market reduces the possibility of the politicization of agreements and increases the diversity of options, so that individuals have the freedom to select the institution they prefer to attend. The proposal is based on the voucher system and on the privatization of schools to make them more efficient.

Friedman's proposal revolved around elementary education, but what does that freedom mean for higher education? According to Brown (2011a), a market of higher education is presumed to include the concept of freedom for at least two actors: suppliers and consumers. For suppliers, freedom has four aspects: entry in the market, supply of products, available resources, and established prices. Entry in the market of higher education generally responds to two conditions. The first is related to the regulations of the system in question, which in the case of Mexico has functioned not as a "barrier to entry" (Porter, 1985) for new suppliers of educational services, but as a true incentive to carry out a quite lucrative activity. The second condition is related to financial investment, and possibly to the required policy.

In terms of suppliers, the regulatory framework in Mexico allows private suppliers to make their initial investment in higher education in low-cost products. As a result,

it is not unusual for academic programs like administration, law, accounting, finance, and some areas of computer science to be found in most private institutions of higher education. Only 1.89% of the enrollment served by the private sector in Mexico is in natural and exact science, while 40.5% corresponds to social and administrative science (Table 4).

This is proof of the freedom to offer certain products at the price most convenient for the supplier, to cover the cost of investment. As a consequence, what we could call "re-investment" or opening new academic programs will depend solely on the owners' decisions, and apparently on the state's supervision and possible legal sanctions consisting of the withdrawal of Official Recognition of Validity of Studies, if necessary. The problem of greatest relevance in this respect is that the regulatory framework is extremely restricted and does not foresee the possibility of orienting the educational supply (Buendía, 2011).[10]

Table 4. Enrolment by area of knowledge (2010–2011)

Area of knowledge	*Enrollment*	*%*
Agricultural Science	62,893	2.28%
Health Science	272,730	9.87%
Natural and Exact Science	52,658	1.91%
Social and Administrative Science	1,119,126	40.49%
Education and Humanities	287,993	10.42%
Engineering and Technology	968,392	35.04%
Total	*2,763,792*	*100.00%*

Source: Anuario estadístico 2010–2011, ANUIES, 2012

For consumers, the topic of freedom rests on the possibility of selecting the supplier, and at the same time, the product-program. It is assumed that this selection depends on students' access to information about the market characteristics of higher education and the cost of investing in education, with gains that could be measured only over the long term, primarily upon entry in the labor market. Theoretically, the necessary information for students to decide what, where, and how to study takes into account the price, quality, and the availability of programs and institutions (Brown, 2011a). At least in the case of Mexico, such information is lacking, a demonstration that the market does not comply with Brown's proposal. In spite of the efforts made, a solid system of information is not yet available to facilitate and sustain the decisions of students and other actors related to the organization of private higher education.

By following this reality closely, Álvarez (2011) analyzes the systemic differentiation that characterizes the private sector and the consequences for price. The author indicates the wide variability of prices, as well as their polarization, and

proposes an interesting exercise involving undergraduate majors in administration, a program that practically all private institutions of higher education offer; he defines three major segments of consumption—elite, intermediate, and low. In 2011, the total cost of the program majors for elite consumption varied between approximately 464,000 pesos and 1,200,000 pesos. For the intermediate group, the cost ranged between 86,000 and 420,000 pesos, and for the low segment, from 1,000 to 96,000 pesos per year (Álvarez, 2011).

In addition to variable prices, the issue of institutional prestige and reputation must be considered. The price will depend on those factors, and not necessarily on the quality of the product offered. As mentioned above, the range of tuition costs in the market of private higher education is very broad, and can even vary for a single product within an institution. The price of the same program, with an identical plan and program of study, offered by a university that has campuses in various states, will be different in the northern, central and/or southern regions. This phenomenon is common in private institutions of higher education that function as networks with multiple campuses, such as Universidad Insurgentes, Instituto Tecnológico de Monterrey, Universidad la Salle, and Universidad del Valle de México (Buendía, 2013). The specifics regarding the programs derive from local conditions related to working conditions, teacher availability and academic background, infrastructure, organization, academic management and the administration of academic units, in addition to other relevant aspects.

In light of this discussion, the characteristics of the market of higher education in Mexico are summarized below (Table 5).

Table 5. Market model of private higher education in Mexico

Market conditions	*Definition*	*Mexico*
Institutional Status	Self-government of institutions, independent organizations with a high degree of autonomy to determine prices, programs, number of students to enroll, admissions processes, and scholarships.	Mexican regulations establish minimum requirements for academic programs (Agreement 279 and state agreements). Private institutions of higher education enjoy full freedom to determine the programs they offer, the number of students to enroll, and their admissions processes. Support for students is determined by institutions, except for the percentage of scholarships that the government has established as obligatory (5% of enrollment).

(*Continued*)

Table 5. (*Continued*)

Market conditions	*Definition*	*Mexico*
Competition	Low barriers to entry. High number of suppliers for profit. Financing linked to enrollment. Low degree of innovation in process or product.	Regulation does not limit the entry of new competitors, but only establishes the minimum requirements for new suppliers. The financing of private institutions of higher education is directly related to enrollment and tuition. The academic programs offered tend toward homogenization, since the state does not have the ability to orient the supply of education based on criteria of pertinence. Homogenization leads to standardization and the lack of innovation in academic programs.
Price	Competition in tuition. The costs of programs as well as associated expenses (room and board) are the student's responsibility. Variations in the price of the same program cannot be explained as a function of local factors.	The cost of programs is competition solely for suppliers. Students absorb costs of room and board. Variability in prices is a generalized characteristic and is associated with the prestige and reputation of the institution and program. Quality is an attribute associated with the institution's prestige and reputation.
Information	Students make a rational selection based on information regarding the price, quality, and availability of programs and suppliers.	The system of information behind student decisions is imperfect. "Rational selection" is limited to the selection criteria for most incoming students; predominantly price and geographic location. The criteria of quality are surpassed by price and geographic location.

(*Continued*)

Table 5. (*Continued*)

Market conditions	*Definition*	*Mexico*
Regulation	Facilitates competition and provides basic protection to consumers. Plays an important role in the supply of information and responds to consumer complaints.	Academic regulation facilitates competition and promotes low barriers to entry. Commercial regulation does not provide basic protection to consumers. Lack of evidence.
Quality	Determined by what the market can offer in terms of price. The evaluation and guarantee of quality are in the hands of the state and the academic sector.	Price and quality are generally associated criteria. The establishment of quality assurance processes through external organizations, in addition to the minimum requirements established by the state. Institutional accreditation of FIMPES. Accreditation of programs of organizations recognized by COPAES. Institutional accreditation and or programs with international agencies.

Source: Based on Brown (2011a)

THE PENDING MATTER: QUALITY

In the design and implementation of policies that orient the private sector of higher education, and given the limitations that characterize current regulation, the state has attempted to reorient the sector by establishing certain mechanisms that seek to incorporate private institutions of higher education into policies of quality assurance. The initial actions in this sense were not a product of the state, but a consequence of the initiative of a group from the private sector, the Federación de Instituciones Mexicanas Particulares de Educación Superior (FIMPES).

The process of institutional accreditation that appeared in 1992 had the main objective of differentiating among the private institutions in the educational market, based on the improvement of their quality (Buendía, 2011; FIMPES, 2005). Subsequently, in 2000, debate between the government and FIMPES [Federation of Mexican Higher Education Institutions] led to Agreement 279 (SEP, 2016), in which the state apparently promised to supervise private institutions of higher education more closely, mainly those of "doubtful academic quality". The state's acceptance of

the system of institutional accreditation with results in the category of "lisa y llana" ("absolute") as an instrument of guaranteed quality, through the so-called Administrative Simplification, has been one of the primary measures to protect students; however, the number of institutions participating in this program is extremely limited. Recent data show that of the 106 institutions associated with FIMPES, 80 (75.5%) are accredited and 26 (24.5%) are not. Of those, 46 institutions, equivalent to 57.7%, are evaluated in the category of "lisa y llana" ("absolute"), 31.2% in "sin observaciones" ("without remarks"), 10% "con recomendaciones" ("with recommendations") and 1.2% "con condiciones" ("with conditions") (FIMPES, 2014). Of the total of private institutions of higher education that are members of FIMPES, 34 have received the "Registry of Academic Excellence" granted by SEP (SEP, 2010).

On the other hand, some private institutions of higher education, in a desire to become legitimate, have attempted to gain inclusion in processes of evaluation and accreditation of academic programs carried out by inter-institutional committees for the evaluation of higher education and by organizations recognized by the Consejo para la Acreditación de la Educación Superior (COPAES) [Council of Accreditation of Higher Education]. According to SEP data, in 2010, Mexico had 27,017 academic programs with Recognition of Official Validity (RVOE), including those of a federal, state, and incorporated nature. Of those programs, only 35% had been subject to a process of evaluation and/or accreditation. In addition, it would be necessary to include schools that are lacking RVOE and still offer their academic programs. Little or nothing is known of these institutions.

Another initiative that has been relevant in the area of quality is the Programa de Fomento a la Calidad para las Instituciones Particulares, proposed in 2010 by SEP and the Consejo Nacional de Autoridades Educativas [Program for Promotion of Quality in Private Institutions]. Through this program, the government attempted to develop quality processes in the services of private institutions, offer information to society about these processes, and encourage coordination with local educational authorities through the traditional model of quality assurance that various national and international agencies have followed (SEP CONAEDU, 2010).

It was not until 2012 that SEP launched the program and issued the guidelines that regulate the Programa de Fomento a la Calidad en Instituciones Particulares del Tipo Superior, with federal RVOE. The program included two processes: an obligatory diagnostic evaluation to evaluate the rendering of educational services by institutions that have federal RVOE. The results would allow private institutions to obtain a classification at one of the levels and sub-levels of the criteria designed for this effect; and in second place, the process relative to the formulation of an improvement plan to be implemented within a year's time, based on the results obtained from the evaluation.

The formalization of the process would occur through the signing of a letter of intent; once the corresponding goals were reached, the institutions could reclassify the program (SES, 2012). As evident, like the process of institutional accreditation, the program is related more to institutional legitimacy, recognition, and prestige.

It is also probable that, similar to institutional accreditation and the evaluation and accreditation of academic programs, the program benefits only a few institutions since the mechanisms are not obligatory; at the same time, quality problems remain in another broad sector of institutions. As long as the involved actors do not promote a profound, integral revision of the institutional framework for the private sectors, these programs only legitimize what has already been legitimized, without truly reflecting on the coordination of the sector.

FINAL COMMENTS

The first study of private higher education that I carried out approximately eight years ago allowed me to conclude that the topic was not yet of interest on Mexico's agenda of educational research. And although increasingly more colleagues have become interested in the topic since then, I believe that the work completed to date is not sufficiently vast; and that very probably we are quite far from understanding the sector's complexity and diversity. Setting aside my pessimism in this matter, I hope that this chapter will contribute to an approach that will help us to reevaluate the importance of the object of study.

Another conclusion derived from my analyses from several years ago has remained over the passage of time. The institutional design of the private sector in Mexico continues to be the same: practically nothing has changed. The organization of government agencies and the regulatory framework are still in place, anchored without doubt in routine, rejecting some RVOE, but approving the majority. The law has been of little help in encouraging the contrary. It is also clear in this respect that the differentiation of "for profit" or "nonprofit" institutions, in countries like the United States, is not applicable in Mexico.

The system of private higher education operates as a market model, but it is a market with many problems. Noticeable aspects are the asymmetry of information for consumers and in general for other actors in the organizational field; the low barriers to entry and the constant problem of the quality of programs and institutions. The measures the government has implemented in this sense have generated only a reproductive effect of apparently good or bad quality; the description of "quality suppliers" is reaffirmed for some—those who can adhere to old and new indicators that assume better performance; and the generalized idea persists that other, smaller entities are necessarily bad—simply because they are small.

Regarding the issue of quality, the system of evaluation and accreditation promoted by the state and by the private institutions themselves, is added to attempts to regulate the market of institutions of higher education. However, evident in both cases is a process of reproduction of the behavior that the private sector has shown. The participants in these processes are the private institutions of higher education that have the academic, economic, and managerial capacity to do so, while the large set of dispersed institutions of higher education is still relegated to nonparticipation. It is possible to refer to the typical Matthew effect or the notion that the rich get righer and the poor, poorer.

On the other hand, it is necessary to advance in a regulatory framework with a system of control and rendering of accounts that includes both the academic and economic dimensions. It must surpass the vision of an administrative process and follow an integrated institutional design, and it must reevaluate the deficiencies of the current model and the radical positions generated for some by the so-called privatization of higher education. In this sense, it is necessary to consider that although the state is responsible for the nation's higher education, through educational policies, the participation of individuals is necessary in a scenario where government investment has not and will not be sufficient to satisfy the demand for higher education. The central relevance is that such participation must be mediated by a model of coordination and regulation that cannot be the market model since this model, at least in Mexico, has revealed its shortcomings.

NOTES

[1] The phenomenon of massification has been addressed by other authors, by Trow (1987), Clark (1983) and Neave (2001) in the comparative analysis of the configuration of the system of higher education in various countries. Becher and Kogan (1992) propose that two main dimensions characterize the systems of higher education. The first dimension refers to the access that can configure a system according to an elitist model in contrast to a universal model (Trow, 1974, quoted by Becher & Kogan, 1992). Trow (1974) describes the intermediate situation as higher education of the masses. To define the transition between elite systems and massified systems, these authors used in their research the criteria of a rate of schooling of 15% in the post-secondary age group. This limit, however, should be taken with flexibility, especially in the case of developing nations, since it has been employed to study the phenomenon of massification in countries like the United States and Great Britain. The indicator acquires a different meaning where, for example, literacy rates can be relatively high and extended university enrollment is a completely new and different phenomenon when compared with the previous universalizing of elementary education and the massification of secondary education (Brunner, 1990).

[2] The cycle of expansion and reform of higher education, which intensified in the 1970s, corresponds to the policy of educational change promoted during the administration of President Echeverría, and oriented in higher education through the Sistema de Institutos Tecnológicos Regionales throughout Mexico, as well as in the reform of the plans of study of these institutions and the creation of new majors, new institutions, and the institutional modification of existing universities through agreements among universities, primarily through the Asociación Nacional de Universidades e Instituciones de Educación Superior (ANUIES) as an intermediary between the government and universities. This period marked the creation of the Consejo Nacional de Ciencia y Tecnología, Universidad Autónoma Metropolitana, and UNAM's Escuelas Nacionales de Estudios Profesionales. There was also an attempt to broaden educational services beyond major cities and state capitals, although geographical concentration is still a characteristic of the system. Growth was seen in the educational supply, the distribution by area of knowledge and disciplines, the structure by level, and the distribution by type of financing; in other words, an ongoing process of institutional and academic diversification and differentiation (Ibarra, 2001; Luengo, 2003).

[3] Statistics of higher education published by SEP in 2000–2001, consulted in www.sep.gob.mx.

[4] The main shareholder, Raúl Bailléres, consolidated his business leadership in the 1940s by promoting the purchase of various companies and serving as the president of the Asociación de Banqueros de México (1941–1942). In 1941, he presided over the group of Mexican investors that acquired the majority shares of Cervecería Moctezuma, S.A., which had belonged to foreigners. He also directed the financial group that bought the majority shares of El Palacio de Hierro, S.A. and Manantiales Peñafiel, S.A., and participated in the nationalization of Metalúrgica Mexicana Peñoles, S.A. and Compañía Fresnillo, S.A. (www.itam.mx, consulted in 2007).

[5] PRONAES appeared in 1984 under the government discourse of educational revolution and with the central purpose of attaining the institutional reorganization of universities, with the assumptions of rationality in the use of resources and improvement of educational quality. PRONAES was not the product of consensus among the main involved actors (universities and state); rather it appeared as an imposition on the universities, and thus lost legitimacy. Neither was it constituted as a program to include the overall development of higher education, since in reality it involved only state universities, while the autonomous universities continued political negotiations for the assignment of resources, and private universities did not even appear. In 1986, PROIDES appeared as part of a change in state strategy toward universities, which considered the importance of the expansion of the private sector. The program, as a planning instrument, attempted to integrate, coordinate, and regulate the various subsystems that formed part of the system of higher education, but through the participation of the involved actors to avoid losing legitimacy, as had occurred with PRONAES. The program's objectives centered on the reorientation of the supply of education, the linking of higher education to national development, and innovation in the functions developed by institutions.

[6] The agreement is the result of negotiations carried out within the Uruguay Round of 1986 to 1994. This became the WTO, concerned with the trade of goods (GATT) as well as services (AGCS). The agreements of the OMC and its predecessor, the General Agreement on Trade in Services (GATS), provide the framework for the international trade of goods and services. Theoretically, the objective of both institutions is to strengthen the world economy through greater stability in trade. The basic principle of the current system of international trade is that exported goods and services should be totally free, except for tariffs (Malo, 2003).

[7] Some international organizations have voiced their criticism in various declarations. These include the joint statement signed in September of 2001 by several associations, both American and European: *Association of Universities and Colleges of Canada*, *American Council on Education*, *European University Association* y *Council for Higher Education Accreditation* (Garcia Guadilla, 2001, 2003).

[8] This letter states that the agreement "seriously injures the policies of equity that are indispensable for social balance, especially for developing nations, necessary for correcting social inequalities, and that they have serious consequences for our cultural identity […] Contributions are made to all of these aspects by higher education, whose specific mission is defined as a conception of public social good, destined to improve the quality of life of our people. A function that in no case can be complied with if it is transformed into simple merchandise or the object of market speculation, through international marketing […] The serious problems we must mention include the uniformity of education and the grave injury that it represents for national and community sovereignty", in www.grupomontevideo.edu.uy/documentos/carta dePOA.htm, consulted May, 2011.

[9] In general, the forms of transnationalization of higher education in Mexico have been the following: a) foreign universities, b) distance education and e-learning, c) franchises, and d) university alliances of domestic and foreign institutions of higher education (Didou, 2002).

[10] In 2006, an interview was conducted with a SEP official, who argued that "in the setting of (private) institutions, it happens like that […]. We cannot say, 'You know what, it turns out that there are already a lot of doctors, a lot of medical schools.' So what should we do? Well, prohibit the private institutions, 'You know you cannot open medical school or law schools, or accounting schools!' 'Why not?' 'Because the state requires schools of agronomy, of marine biology.' So there would be no democracy. (…) What is required is an integral reform of the regulation of higher education in Mexico to homogenize standards and procedures to grant RVOE at the national level, since these mechanisms are different at the federal and state levels. If we tell them no at the federal level, then they go to the state SEP or to another university …and in many cases they give them to them …" (Buendía, 2011).

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