
JUNE 2019 REGION III PUBLIC POLICY UPDATES



1. FEDERAL UPDATES

- FY2020 Labor-HHS-Education bill passed out of subcommittee 4/30; now goes to full committee: <https://www.insidehighered.com/quicktakes/2019/05/01/house-subcommittee-approves-funding-bill-billions-new-student-aid>
 - Bill likely sets the high-water mark for negotiations with the Senate: 6% increase in ED funding, but the Senate hasn't set their working caps yet
 - Appropriators appear to have provided the Student Aid Alliance request levels
 - Pell (\$6,345 max, \$150 increase)
 - SEOG (\$1 billion, \$188 million increase)
 - FWS (\$1.4 billion; 27% increase)
 - TRIO (\$1.1 billion)
 - GEAR UP (\$395 million)

Substantive increases for Titles III and V: increased by more than 30%

 - \$93 million increase (to \$375 million) for HBCUs
 - \$26 million increase (to \$150 million) for HSIs
 - \$19 million increase (to \$51 million) for Tribal colleges and universities

- **HEA Reauthorization**
 - Senator Murphy (D-CT) is pushing a multiple measure accountability approach for all institutions, departing from party leadership's focus on the need for greater scrutiny for for-profit institutions: <https://www.insidehighered.com/news/2019/04/25/senate-democrat-adds-momentum-push-accountability-all-colleges>
 - Understanding the True Cost of College Act--introduced March 27, received support from TICAS and New America: <https://www.newamerica.org/education-policy/edcentral/understanding-true-cost-college-act/https://www.congress.gov/bill/116th-congress/senate-bill/888>
 - SENATE: Alexander and Murray staff are working to draft at least parts of full HEA bill - not sure if they'll get a full bill done this year - not including other Committee members' staff, though, which is causing some concerns
 - HOUSE: Rumors via UC rep at Friday group that a bill is likely to be introduced in September
 - Many hearings happening in both chambers, looking at for-profit oversight, financial aid
 - Representative Foxx objected to the criticisms of the for-profit industry raised by many Dem members of Ed & Labor during last week's hearing which may signal that any bill that comes from the House will be partisan (and therefore unlikely to make progress in the Senate)
 - So far, Senators Murray and Alexander seem to be making progress, but it's unclear if they're going to actually get to a comprehensive HEA bill or just get something through that tweaks in the areas where there's agreement
 - RPI blog post (3/14/19): <https://www.naspa.org/rpi/posts/catching-up-on-hea-an-update-for-sapros-saadvocates>

- The House Judiciary Committee [passed](#) the Dream Act ([H.R. 2820](#)) by a 19 to 10 vote, which would provide a pathway to citizenship for Deferred Action for Childhood Arrivals (DACA) recipients. The bill will likely be brought to the full House for a vote in the coming weeks. However, it is currently unlikely that the Dream Act in its current form will be taken up in the Senate, making it doubtful that this bill will eventually become law.

Additionally, the President is [releasing](#) a new immigration proposal, which would move the U.S. immigration system toward a "merit-based" system and increase border security. Reportedly, the proposal would not change the overall number of immigrants allowed into the U.S. and would not address concerns voiced over the number of undocumented immigrants in the U.S. Neither the DREAM Act nor the White House's immigration proposal are likely to ultimately become law.

- The House Education and Labor Subcommittee on Higher Education and Workforce Investment [held](#) a hearing on the role of community colleges, Historically Black Colleges and Universities (HBCUs) and Minority-Serving Institutions. The hearing focused on how to support students who attend these types of institutions of higher education (IHEs), how these IHEs develop programs that meet community and workforce needs, and different strategies to ensure college completion. The Education and Labor Committee is expected to hold at least one more hearing regarding a potential Higher Education Act (HEA) reauthorization, on innovation in higher education, in the coming weeks. A hearing on teacher preparation issues covered by HEA is also possible later in the summer.

Additionally, the House Oversight and Reform Subcommittee on Economic and Consumer Policy [held](#) a hearing on for-profit IHEs and student debt. Diane Jones, the Principal Deputy Under Secretary at the U.S. Department of Education (ED), testified and the hearing focused on for-profit IHE closures, ED's decision to reinstate the Accrediting Council for Independent Colleges and Schools (ACICS) and for-profit IHEs' impact on student debt. At the hearing, Jones said there is not a timeline on when ED would finalize existing borrower defense claims submitted by borrowers who have claimed fraud by the IHE they attended. Jones cited the injunction by the courts on the methodology ED had proposed to use to calculate the amount of loan that should be forgiven for each claimant as the barrier to moving forward on these claims. In the big picture, this hearing once again shows that there is broad interest among House Democrats to provide oversight of for-profit IHEs, as such oversight is not only happening under the Education and Labor Committee.

- ED [published](#) an updated version of the College Scorecard, which includes the addition of many certificate awarding schools, provides some program level loan repayment data and uses more current Integrated Postsecondary Education Data System (IPEDS) data to include some transfer and part-time students in the calculation of institutional graduation rates. The inclusion of this new IPEDS data will likely increase the College Scorecard reported graduation rates of many institutions, especially for open access colleges and universities with many part-time students. ED said it plans to calculate earnings and debt by field of study using data reported by institutions as of July 10 and will subsequently issue an update to the College Scorecard in the fall.
- The Institute of Education Sciences (IES) [released](#) its annual report summarizing the latest data on education in the U.S. The report found that there is a 50 percent gap in IHE enrollment based on family income, with 78 percent of students from the wealthiest families enrolled at an IHE and only 28 percent of students from the lowest income bracket enrolled.
- The U.S. Department of Homeland Security (DHS) [published](#) a final rule that raises the visa fees for international students. The rule raises F and M visa fees from \$200 to \$350, J visa fees from \$180 to \$220 and raises the certification fee for schools receiving international students from \$1,700 to \$3,000, along with establishing a recertification fee of \$1,250.
- The National Student Clearinghouse [reported](#) that college enrollment overall has decreased for the eighth straight year, with enrollment declining 1.7 percent, or by 300,000 students, compared to last year. Four-year public IHEs saw a decline in enrollment of nearly 1 percent, while four-year private IHEs saw an increase of 3.2 percent. The report asserts that the increase in enrollment at four-year private IHEs is largely due to the conversion of several large for-profit IHEs to nonprofit status.

2. TITLE IX UPDATES

- States continue to introduce sexual assault prevention and response legislation; RPI blog post (4/11): <https://www.naspa.org/rpi/posts/whats-shaping-state-policy-sexual-assault-prevention-response-in-2019>
- H.R. 5—Equality Act: This measure would ban discrimination based on sexual orientation and gender identity on a number of counts as well as extend protections under Title IX to gender identity. Judiciary Committee Hearing: <https://judiciary.house.gov/legislation/hearings/hr-5-equality-act>

3. FINANCIAL AID

- ED has [hired](#) consultants to review the costs of ED's \$1.5 trillion student loan portfolio and is reportedly considering selling some of the Federal student loan debt to private investors. ED has the authority, under the Higher Education Act (HEA), to sell Federal student loan debt if the transaction would not cost taxpayer money and after consulting with the U.S. Department of Treasury. It is currently unclear whether ED will eventually sell off a portion of the Federal student loan debt.

- The Consumer Financial Protection Bureau (CFPB) [reached](#) a settlement with student loan servicer Conduent Education Services (previously ACS Education Services) that requires the company to pay a \$3.9 million fine after the company failed to properly adjust the balances of Federal student loan borrowers after borrowers had applied for deferment, forbearance or income-based repayment.
- The White House [submitted](#) a revised budget request to Congress that would cut an additional almost \$1.9 billion from the Pell Grant surplus, for a total \$3.9 billion cut, largely to be directed toward the National Aeronautics and Space Administration (NASA) in an effort to return U.S. astronauts to the moon by 2024. However, the House Labor, Health and Human Services, and Education (LHHS) appropriations bill, which recently was passed through committee, does not propose a cut to the Pell Grant surplus, and the Senate LHHS bill is unlikely to precisely follow the Administration's budget request.
- Politico reported that ED [extended](#) the contracts of the Title IV Additional Servicers (TIVAS) for six months. TIVAS currently service the majority of Federal student loans. The extension of TIVAS was necessary because ED has not yet issued contracts to servicers under its NextGen student loan servicing plan. On a related note, in a letter, Consumer Financial Protection Bureau (CFPB) Director Kathy Kraninger said that student loan servicers have declined to produce information requested by CFPB for supervisory examinations related to federal student loans, based on guidance from ED published in December 2017.
- The U.S. Department of Education (ED) [announced](#) that it would launch a pilot program that would allow some institutions of higher education (IHEs) that already participate in the Federal Work-Study program to use Federal Work-Study benefits for off-campus employment opportunities for students, such as apprenticeships, internships, clinical rotations and student teaching. In the same notice, ED also announced that it would be expanding the Second Chance Pell pilot program, which allows eligible incarcerated individuals to receive Pell Grants to pursue postsecondary education, to additional IHEs. Both of these efforts are under [ED's experimental sites authority](#), which is designed to test, at a limited number of IHEs, the effectiveness of statutory and regulatory flexibility in disbursing Title IV student aid.

4. STATE HEADLINES AND UPDATES

Alabama:

[AL: Higher ed budget tries to fix 'egregious inequities' in funding](#)

Alabama Daily News (Date posted: May 5, 2019)

[AL: Alabama House passes campus free speech bill on party line vote](#)

Yellowhammer (Date posted: May 23, 2019)

Florida:

[FL: Lawmakers revamp college construction funding](#)

FlaPol (Date posted: May 4, 2019)

[FL: Raising Bright Futures requirements more likely to affect black students, data shows](#)

Orlando Sentinel (Date posted: May 2, 2019)

Georgia:

[GA: State Senate bill seeks to give Historic Black Colleges their own board](#)

WTOC (Date posted: May 4, 2019)

[GA: Ga. board approves HOPE increases, dual enrollment budget gap fix](#)

AJC (Date posted: May 4, 2019)

Louisiana:

[LA: Senate committee advanced bills addressing sexual assaults in public colleges and universities](#)

The Advocate (Date posted: May 23, 2019)

North Carolina:

South Carolina:

[SC: Tuition freeze at South Carolina public institutions](#)

WTOC (Date posted: May 28, 2019)

Tennessee:

Texas:

[TX: Texas Professors Could Be Criminally Charged if They Don't Report Sexual Violence](#)

The Chronicle of Higher Education (Date posted: May 23, 2019)

[TX: College Transfer Bill Headed to Governor's Desk](#)

Dallas Observer (Date posted: May 27, 2019)

Virginia:

[VA: Virginia public colleges agree to freeze tuition next year](#)

The Associated Press (Date posted: May 29, 2019)

5. ANNOUNCEMENTS

- **Concern Gathering: Free Speech and the Inclusive Campus:** Ever find yourself holding back from engaging in conversation regarding a controversial issue on your campus, or even amongst those closest to you? With research data indicating a nation evermore divided by political differences, it's no wonder why. To assist higher education stakeholders in having conversations across difference, NASPA is partnering with the Kettering Foundation to develop campus-based resources for dialogue and deliberation within and outside of the curriculum. In the months of April through June, NASPA is offering an opportunity for you to tell us what you really think are the concerns and solutions for campuses to consider regarding controversial issues in higher education today. The first resource that we are seeking ideas in developing is related to the topic of Free Speech and the Inclusive Campus. You are invited to take part in one of the four two-hour Digital Concern Gathering sessions occurring on the follow dates:

- Wednesday, June 12th 2:00 PM - 4:00 PM ET / 1:00 PM – 3:00 PM CT

[Learn more and participate](#) in this session.

- **NASPA Hill Days: Empowering #SApros for Congressional Advocacy**
Policymakers around the country, from local school boards to the halls of Congress, rely on the expertise and experiences of residents to craft policies that will make our society stronger and allow our governing bodies to work efficiently for everyone. Every day, student affairs professionals advocate for student success on campus; through the [2019 NASPA Hill Days](#) experience, NASPA staff can help you carry that advocacy to the next level. More than a simple fly-in advocacy day, the 2019 NASPA Hill Days experience offers training and practice in civic engagement for student affairs professionals at all levels from new professionals to Vice Presidents. [Learn more and apply to participate](#) before June 30, 2019.

Policy Posts on the Blogs:

- [H.R. 6: What You Need to Know About the Dream and Promise Act](#) by Diana Ali, Assistant Director of Policy Research and Advocacy (5/2/19)
- [Reflections on the 2019 Textbook Affordability Conference](#) by Alexa Wesley, Research and Policy Associate (4/30/19)
- [SA Weekly](#) (4/29/19)
- [Taking Inventory of Your Institution's Efforts To Prevent And Respond To Sexual Violence](#) by Sarice Greenstein, Assistant Director, Culture of Respect (4/25/19)

- [SA Weekly](#) (4/22/19)
- [Is In-State Tuition Enough? 2019 State Legislation for Undocumented Students](#) by Diana Ali, Assistant Director of Policy Research and Advocacy (4/18/19)

If you want to get more involved in public policy at the state level, the following states have State Public Policy Directors that you can contact. Here is the listing of State Public Policy Directors in Region III:

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This monthly newsletter is compiled by the NASPA Region III Public Policy Representative, Dr. Heidi Leming. If you would like to send suggestions for the next newsletter, please email heidi.leming@tbr.edu.