



Catching Up with Capitol Hill

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OVERVIEW

- **Higher Education Act Reauthorization**
- **Accreditation Negotiated Rulemaking**
- **Trump Administration Executive Order and Proposals**
- **FY 2020 Federal Funding**
- **Dream Act**

HIGHER EDUCATION ACT (HEA) REAUTHORIZATION

- **Much Activity, but Enacting Legislation Remains Challenging**
 - House and Senate holding numerous hearings
 - Active staff-level Senate negotiations
 - Late Spring seen as “deadline” for introducing Senate bill – floor time an issue
 - House activity less intense, new members have learning curve – some evidence of bi-partisanship
- **Committee Leaders Have Different Priorities**
 - Alexander: FAFSA simplification, streamlined loan repayment options, and provisions that would hold all college programs accountable for their students’ loan repayment rates (“gainful employment for all”)
 - Murray: improve college affordability through federal-state partnerships, redouble scrutiny of for-profit institutions, and address campus sexual assault
 - Scott: substantial investments in aid programs, increased accountability, incentivize state support

HEA REAUTHORIZATION: TOP AACC PRIORITIES

- **Strengthen the Pell Grant Program with Sustained Increases in the Maximum Grant**
 - Use mandatory funding to provide guaranteed, annual increases to maximum grant
 - Would revive system that ended in FY 2017
- **Create New Opportunities for Students Enrolled in Shorter-Term Programs**
 - Pell Grant eligibility for programs at least 150 clock hours in length, but shorter than current 600-hour minimum
 - AACC supports the JOBS Act (S. 839) introduced by Sens. Tim Kaine (D-VA) and Rob Portman (R-OH)
- **Provide Second Chance Opportunity Through the Pell Grant Program**
 - Reestablish Pell Grant eligibility for incarcerated individuals (eliminated in 1994)
 - Education reduces recidivism
 - Bipartisan support (including White House)

HEA REAUTHORIZATION: TOP AACC PRIORITIES

- **Reject Risk-Sharing**
 - Financially penalizing institutions will not positively affect student completion, loan defaults or repayment
 - Institutions, states and local governments already have “skin in the game”
- **Prevent Unnecessary Borrowing**
 - Authority to reduce maximum loan amounts in specified circumstances, when students are:
 - Enrolled less-than-full-time, in shorter-length programs or programs in which earnings are relatively low
 - Already carrying significant debt
 - In need of substantial academic preparation to enroll in credit-bearing programs

HEA REAUTHORIZATION: TOP AACC PRIORITIES

- **Establish a Unit Record Data System That Accurately Reflects Community College Student Outcomes**
 - Provides comprehensive information on the performance of higher education institutions that is currently unavailable
 - Reduces college administrative costs
 - Linked to earnings data
 - 300% of “regular time” completion rate for CC students
 - Support the College Transparency Act, bipartisan legislation introduced in both houses (HR. 1766, S. 800)
- **Facilitate FAFSA Filing for Low-Income Students**
 - Emphasize the financial and other circumstances of low-income students
 - Import IRS data directly to the FAFSA
 - AACC supports FAFSA Act from 115th Congress

ACCREDITATION NEGOTIATED RULEMAKING

- **Accreditation and Innovation “Negotiated Rulemaking” (Neg Reg) Just Completed**
- **All Title IV Regulations Must Undergo Process Outlined in Statute**
- **Accreditation Neg Reg Not Necessitated by Statutory Changes**
 - Administration initiative (esp. Diane Jones)
 - White House involvement in background
- **Community Colleges Had Seat at Table**
 - Christina Amato, Sinclair Community College, OH, and Dan Phelan, Jackson College, MI, negotiators
- **Representation and Process Controversial, Especially for Democrats and Allied Groups**
- **Consensus Reached April 3**
 - Formal “Notice of Proposed Rulemaking” based on agreement forthcoming
- **HEA Reauthorization Looms**

ACCREDITATION NEGOTIATED RULEMAKING ISSUES OF NOTE (REJECTED)

- **Scope of Accrediting Agencies (Regional verses National)**
- **Involvement of Non-Accredited Providers in Delivering Title IV-Eligible Programs (ED Priority)**
- **Accreditation Oversight of Transfer of Credit**
- **Accreditation and Dual Enrollment**
- **Accreditation's Role in Credential Creep**

KEY ACCREDITATION NEG REG OUTCOMES

- **Direct Assessment Programs Need Only Be Approved by ED Once; Others Can Proceed with Accreditor Approval**
- **DE Required “Regular and Substantive” Interaction Between Faculty and Students Placed Into Regulation**
- **Modular Courses Accommodated to Reduce Need for R2T4 Calculations**
- **Institutions Will Have Longer Time to Come Into Compliance With Standards**
- **Slightly Easier for New Agencies to Gain Approval**

TRUMP HIGHER EDUCATION EXECUTIVE ORDER

- **Agencies Must Take Steps to Ensure That Federally-Funded Institutions “Promote Free Inquiry”**
 - Covered agencies include Depts. of Labor and Education
 - Student aid programs not included in funding that triggers requirement
- **Improving Transparency and Accountability**
 - ED to provide website and mobile app with information for loan borrowers
 - Expand the College Scorecard with program-level data
 - For former students who received federal financial aid:
 - Estimated median earnings
 - Median Stafford loan debt
 - Median Graduate PLUS loan debt
 - Median Parent PLUS loan debt
 - Student loan default and repayment rates
- **ED Reports On Risk Sharing Options and Reforms to Student Loan Collections Process By Jan. 1 2020**
- **ED To Compile and Disseminate Research on Institutional Efforts To Promote Students’ Timely and Affordable Completion**

TRUMP ADMINISTRATION HEA PROPOSALS

- **Pell Grants for Short-Term Training**
- **Innovative Workforce Development Programs**
 - Pilot program to increase access to market-driven workforce development programs
 - Appears to allow student financial aid funds to be used by entities other than Title IV-eligible institutions
- **Financial Aid for Incarcerated Individuals**
 - “Targeted financial aid” to prisoners scheduled for release
- **Risk Sharing**
 - Little detail provided – will “work with Congress”
- **Authority to Limit Student Borrowing**
- **Consolidated MSI Programs**

FY 2020 FEDERAL FUNDING

- **Deal to Raise Budget Caps Not Yet in Place**
 - Non-defense discretionary (NDD) spending cap currently slated to drop by \$55 billion (more than 9% reduction)
 - House bill would increase NDD spending by \$34 billion over FY 2019 level
 - Additional \$15 billion in FY 2021
 - Deal likely, but final numbers and timing unclear
- **Trump Administration Budget Geared to Current Caps for NDD Programs**
 - Deep cuts to many NDD programs, including education and workforce training
 - Congress likely to reject many of these cuts, but must pass budget deal
- **Markups May Start Relatively Early in House**
- **Labor-HHS-ED May be Coupled With Defense**

AACC FY 2020 FUNDING PRIORITIES

- **Pell Grants**
 - Increase maximum award by \$200
 - Reject proposed \$2 billion rescission
- **Other Higher Ed Programs**
 - At least inflation-level increases for:
 - SEOG, Federal Work Study, TRIO, GEAR-UP, CCAMPIS
 - Title III-A Strengthening Institutions, other Title III programs, Title V Hispanic-Serving Institutions
- **Workforce and CTE**
 - New, dedicated funding for community college job training capacity, a la TAACCCT or CBJTG
 - Funding at authorized levels for:
 - Perkins CTE, WIOA programs, Adult Basic Education
 - \$5 million increase for NSF ATE Program



DREAM ACT

- **Bills Introduced in Both Chambers**
 - House: American Dream and Promise Act (H.R. 6)
 - Senate: Dream Act of 2019 (S. 874)
- **Bipartisan Support for Both Bills**
- **Challenging Road Ahead**
 - 60-vote Senate threshold out of reach
 - Administration becoming increasingly hawkish on immigration
- **DACA Renewals Still Available Due to Court Orders**
 - No new applications accepted
 - May wind up in Supreme Court, but not this term

DREAM ACT

American Dream and Promise Act (H.R. 6)	Dream Act of 2019 (S. 874)
2.3 million Dreamers and DACA recipients potentially eligible	At least 2.1 million Dreamers and DACA recipients eligible
Dreamer entered country before age 18, here at least 4 years	Dreamer entered country before age 17, here at least 4 years
CPR status up to 10 years	CPR status up to 8 years
Higher education, military and work paths to LPR status	Same
Section 505 in-state tuition ban repealed	Same
Dreamers eligible for student loans, work study	Dreamers eligible for all student aid
Similar path to legal status for TPS, DED holders	No corresponding provisions



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