

BEYOND PANDEMIC RELIEF: COMMUNITY COLLEGE LEGISLATIVE PRIORITIES

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ANALYSIS

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WEBINAR TOPICS

- Biden Agenda – American Jobs Plan, American Families Plan
- Biden FY 2022 Budget
- Biden Agenda/Budget Reconciliation
- America's College Promise
- Community College Workforce Training Proposals
- Short-Term Pell Grant
- Community College Infrastructure

WEBINAR TOPICS

- FY 2022 Appropriations
- Tax Legislation
- Title IX Regulatory Review
- Title IV Rulemaking
- CARES, CRRSAA, and ARP (HEERF) Implementation
- Member Advocacy

BIDEN AGENDA

- President Biden Has Proposed Huge Domestic Investments in American Jobs Plan and American Families Plan
 - \$3.6 trillion overall
- Legislation Incorporates Classic Infrastructure Investments but Goes Well Beyond That
 - Debate over meaning of “infrastructure”
- Most of the Proposals Sketchy in Detail
 - Plans’ details on AACC website
- Efforts Being Made at Bi-Partisan Infrastructure Package; Parties Still Far Apart

BIDEN FY 2022 BUDGET

- Biden FY 2022 Budget Integrates Jobs and Families Plans
 - Some pieces are traditional line-item appropriations funding requests; others reflect large, “mandatory” expenditures
- Most Discretionary Increases Outside of “Plans” More Restrained Than Expected

BIDEN BUDGET: HIGHER EDUCATION

- Pell Grant Maximum Would Increase by \$1,875 as Part of Doubling Strategy
 - \$400 funded via discretionary stream, rest mandatory funding
- Institutional Aid (HSI, Title III-A, PBI, ANAPISI) Receive Boosts
- Federal Work-Study and Supplemental Educational Opportunity Grants (SEOG) Are Level-Funded
- Small Increases for Perkins Basic State Grants and Adult Education Act

BIDEN AGENDA/BUDGET RECONCILIATION

- Regardless of Outcome on Narrower Infrastructure Package, Democrats' Use of "Reconciliation" Later This Year Seems Likely
- Reconciliation (Process Used to Pass American Rescue Plan) Requires Only Majority – Controlled by Democrats
- Still, Not All Biden Priorities Seem Possible to Fit in Reconciliation Package
- Tax Revenues Proposed to Partially Cover Cost of Plan

AMERICA'S COLLEGE PROMISE

- Two Free Years of Community College Formally Proposed in American Families Plan – Few Details
- House and Senate Democrats (Rep. Levin [D-MI], Sen. Baldwin [D-WI]) Have Introduced Identical Bills, “America’s College Promise Act,” Drawing on Previous Legislation
- Program Cost of \$109 Billion Over Ten Years: ~1/3 of Current Cost of Pell Grant Program
- Proposals Include State Success Grants

AMERICA'S COLLEGE PROMISE

- Federal-State Partnership
 - Feds pay $\frac{3}{4}$ cost of average annual CC tuition
 - States pay $\frac{1}{4}$ of average in-state tuition
- State Match Can Include CC Student Aid
- States Ensure that CC Tuition and Fees Are Waived for Eligible Students (Generally, 3 years of CC)
- Dreamers Eligible
- State-Wide Articulation; K-12/CC Integration; Attainment Plans Required

COMMUNITY COLLEGE WORKFORCE TRAINING PROPOSALS

- Biden Budget Requests \$9 Billion for Community College Job Training Partnerships
 - Part of larger \$48 billion investment in training capacity
 - Current DOL Training and Employment Services funding is \$3.6 billion
 - Budget not explicit as to vehicle
- AACC Strongly Supports Investment
 - Open to TAACCCT or new program
 - SCCTG remains option
- Reconciliation Dynamics May Influence Specific Outcome
 - Process favors using existing authorizations, e.g. ,TAACCCT

COMMUNITY COLLEGE WORKFORCE TRAINING PROPOSALS

- AACC Supports DOL and ED Innovation Funds and New Apprenticeship Investments
- Infrastructure Investments May Envision CC Role
- WIOA Reauthorization and Apprenticeship Legislation Looming
 - One or more may be combined into larger legislation
 - House passed apprenticeship bill earlier this year
 - Unclear how comprehensive WIOA reauthorization might be

COMMUNITY COLLEGE INFRASTRUCTURE

- Biden American Jobs Plan Proposes \$12 Billion for CC Infrastructure; Few Details Provided
- AACCC Strongly Supports Proposal
- Sector's Aggregate Need for Renovation and Upgrade Estimated at \$60 Billion
- Direct Grants Envisioned, Possibly through States
- Diversity in Awards Desired, Including Smaller Colleges

FY 2022 APPROPRIATIONS PROCESS

- No “Caps” – Funding Levels for 12 Appropriations Subcommittees Will be Set by Political Process
 - McConnell has sway over Democrats’ spending ambitions
- House Likely to Move Bills in June or July – “Regular Order”
- House Appropriations Committee Chair DeLauro (D-CT) Is Big CC Supporter
- Reinstatement of Earmarks May Grease Process

FY 2022 APPROPRIATIONS – AACC PRIORITIES

- Doubling Pell Grant Maximum
 - \$400 proposed by Biden through regular appropriations process
- Carl D. Perkins Act and Adult Education Act
- Title III-A of the HEA and Other Institutional Aid Programs
 - Biden budget would nearly double Title III-A SIP program
- Strengthening Community College Training Grants
 - AACC seeks \$125 million (up from \$45 million)



SHORT-TERM PELL GRANT

- JOBS Act (S. 864) in Modified Form Included in Blocked Managers Amendment to S. 1260 “Endless Frontier Act”
- Legislation to be Acted on June 8, Hopefully Will Pass Senate and Then Move to House
 - House has no counterpart
- Bill Negotiated with Senate HELP Committee; Further Eligibility Criteria Added
- House Will Likely Want to Make Further Changes

SHORT-TERM PELL GRANT

- Senate Amendment – Changes to JOBS Act
 - 100% online courses generally not eligible
 - Program must yield 20% wage gain for program completers
 - Additional disclosures (paralleling “Second Chance Pell” requirements)
 - Program must be in existence one year
 - Formalization of “stackable” requirement

TAX LEGISLATION

- Increased Revenues Integral to Biden Proposals
 - Tax writers are charged with raising significant revenue
- Bipartisanship Sought
- AACC Is Pursuing Focused Agenda:
 - Make Pell Grants tax-free
 - Increase American Opportunity Tax Credit (AOTC) eligibility
 - Add computer, dependent care to AOTC and Lifetime Learning Credit (LLC) eligibility
 - Expanding LLC to better serve community college students

TITLE IX REGULATORY REVIEW

- ED Formally Announced Intention to Review Title IX Regulations
- 8/14/20 Trump Administration Regulations Apply Currently
- AACCC to Provide Formal Input to ED at Public Hearing June 10
- AACCC Themes:
 - Creating a harassment- and discrimination-free community for all is top priority; all must feel comfortable participating in all activities
 - Potential victims of violations must feel safe to report incidents

TITLE IX REGULATORY REVIEW

- Community Colleges Have Unique Features:
 - Few residence halls
 - Older students
 - Deep community ties
- Title IX Administrative Expenses Have Been Substantial and Each Change Requires Significant New Expenditures – Stability Is Essential
- Campus Disciplinary Procedures Would Ideally Mesh with Federal Policy

TITLE IV RULEMAKING

- ED Announced Public Hearings for June 21, 23 and 24
- Soliciting Feedback on Expansive List of Potential Issues
- Announcement Highlights Issues Related To:
 - Protecting students and taxpayers, such as gainful employment, borrower defense, and targeted loan cancellation
 - Addressing gaps in postsecondary outcomes, such as retention, completion, student loan repayment and default
- Gainful Employment High on AACC Concerns – ED Extremely Likely to Move Forward in This Area
- List of Potential Topics Includes Second Chance Pell and Ability-to-Benefit

TITLE IV IMPLEMENTATION

- FAFSA Act and FAFSA Simplification Legislation Due to Be Implemented July 2023
- Revised Application Form Due by October 2022

CARES, CRRSAA, AND ARP (HEERF) IMPLEMENTATION

- Colleges' Implementation Proceeds
- Colleges Continue to Have Questions About Permissible Uses of Funds
- Colleges Have 90 Days After Notification to Spend Some Student AND Institutional Funds
- One Year No-Cost Extension Is Looming Option for Many Institutions, While Speedily Spending \$ Is ED/Congressional Priority

CARES, CRRSAA, AND ARP (HEERF) IMPLEMENTATION

- More Money Unlikely
- Please Contact AACC with Questions

QUESTIONS



AACC INFORMATION

- AACC: <https://www.aacc.nche.edu/>
- AACC Advocacy: <https://www.aacc.nche.edu/advocacy/>
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