



June 18, 2014

Bipartisan, Bicameral Workforce Investment Act (WIA) Reauthorization Bill Emerges

On May 21, 2014, after negotiations between the House and Senate, a compromise was reached on the Workforce Innovation and Opportunity Act (WIOA), which combines the House's SKILLS Act (HR 803) and the Senate's Workforce Investment Act of 2013 (S 1356). The final legislative package may be considered on the Senate floor in June.

The WIOA eliminates 15 programs that are currently unfunded. The bill also consolidates the existing structure of the state and local Workforce Investment Boards. The community college seat remains mandatory for the local board, but optional on the state board. Additionally, the bill places a greater emphasis on the transition to postsecondary education in the Adult Education and Family Literacy Act and includes numerous provisions calling for integrated delivery of basic skills and occupational instruction. The WIOA eliminates the current sequence of services and allows local areas increased flexibility to contract with institutions of higher education. Funding for employment and training activities for adults, dislocated workers, and youth are authorized at levels equal to current funding for fiscal year (FY) 2015 and increases on an annual basis until FY 2020.

President Obama announces plan to expand the "Pay as You Earn" (PAYE) loan repayment option

On June 9, 2014, President Obama announced by executive order new options for additional federal loan borrowers. Under the Pay as You Earn (PAYE) loan repayment option, federal Direct Loan borrowers may cap their monthly repayment at ten percent of their discretionary income. However, in order to qualify, students must be a new borrower on or after October 1, 2007 and have received a disbursement on or after October 1, 2011. The President's announcement would expand the PAYE plan to certain older Direct Loans that are currently ineligible. The U.S. Department of Education has indicated that it will need until December 2015 to enact regulations to facilitate this expansion. In conjunction with the executive order, it is expected that the Department will begin to renegotiate contracts with federal student loan servicers in order to provide financial incentives to help borrowers prevent loan delinquency or default.

CONGRESSIONAL COMMUNITY COLLEGES BILLS OF INTEREST

H.R. 357: GI Bill Tuition Fairness Act of 2013

This bipartisan legislation introduced by Representative Jeff Miller (R-FL), Chairman of the House Veterans Committee, and ranking member Representative Mike Michaud (D-ME), would require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-state tuition rate. This bill was approved by the House on a 390-0 vote and sent to the Senate where it was referred to the Senate Committee on Veterans. The Senate has an identical version of this bill, S. 257 by Senator John Boozman (R-AR) which is currently being heard in the Senate Committee on Veterans' Affairs.

H.R. 359: CAMPUS Safety Act of 2013

This bill, introduced by Representative Robert Scott (D-VA) would establish and operate a National Center for Campus Public Safety. The Center would: (1) provide quality education and training for public safety personnel of institutions of higher education and their collaborative partners, including campus mental health agencies; (2) foster quality research to strengthen the safety and security of institutions of higher education; and (3) serve as a clearinghouse for the identification and dissemination of information, policies, protocols,

procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures. This bill is in the House Judiciary Committee and was referred to Subcommittee on Crime, Terrorism, Homeland Security, and Investigation.

H.R. 803: The Support Knowledge and Investing in Lifelong Skills Act (SKILLS Act)

H.R. 803, also known as the SKILLS Act relates to statewide and local workforce investment systems and activities, identification of eligible training services providers, and use of funds for employment and training activities. As for community colleges, this bill would facilitate greater collaboration with community colleges by allowing states to determine the standards required for eligible training providers and allows local boards to contract with community colleges directly to provide training to large groups of participants instead of on an individual basis. H.R. 803 would also consolidate 35 existing streams of funding into a single Workforce Investment Fund. This Republican bill, introduced by Representative Virginia Foxx (R-NC), passed out of the House Education and Workforce Committee with a 23-0 vote. The Democrats left the hearing early in protest from not being included in the drafting of the bill, so none of the Democrats voted. This bill passed on the House floor with a 226-191 vote and is now in the Senate Committee on Health, Education, Labor and Pensions.

H.R. 1949: Improving Postsecondary Education Data for Students Act

This bill, sponsored by Representative Luke Messer (R-IN) passed out of the House and was referred to the Senate on May 23, 2013. It would direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency. Specifically, the task force will explore factors that students and families have, want, and need when researching their postsecondary education options. This bill is being considered in the Senate Committee on Health, Education, Labor and Pensions.

H.R. 2637: the Supporting Academic Freedom Through Regulatory Relief Act

H.R. 2637 introduced by Representative Virginia Foxx (R-NC) was amended in the House Committee on Education and the Workforce. This bill repeals: 1) the gainful employment regulation; 2) the state authorization regulation, which forces states to follow federal requirements when deciding whether to grant an institution permission to operate within the state; and 3) the credit hour regulation, which establishes a federal definition of a credit hour and increases the government's control over institutions' academic affairs. In addition, the bill amends the incentive compensation regulation to ensure third-party service providers are allowed to enter into tuition sharing agreements with nonprofit colleges and universities to aid in the development of distance education platforms. It would also prohibit the Department of Education from issuing related regulations until after Congress reauthorizes the Higher Education Act. This bill was amended in the House Committee on Education and the Workforce on September 10, 2013, and was placed on the House Union Calendar.

S. 3: Strengthen our Schools and Students Act

Senate Bill 3 introduced by, by Senator Harry Reid (D-NV), S.1 3 would build on recent efforts to continue to make higher education more affordable and to improve access and success for all students. It would also provide all teachers with the support they need to ensure student success, including the creation of a new national Science, Technology, Engineering, and Mathematics (STEM) Master Teacher Corps to recognize and help retain STEM teachers and strengthen STEM education in public schools in the United States. This bill is in the Senate Health, Education, Labor and Pensions Committee.

S. 216: Tyler Clementi Higher Education Anti-Harassment Act of 2013

Senator Frank Lautenberg (D-NJ) introduced Senate Bill 216 on February 4, 2013, which would prevent harassment at institutions of higher education. It would authorize the Secretary of Education to award grants, on a competitive basis, to eligible entities to enable them to carry out authorized activities such as counseling or redress services to students who have suffered from harassment or students who have been accused of

subjecting other students to such harassment; or to educate or train students, faculty, or staff of institutions of higher education about ways to prevent harassment or ways to address such harassment if it occurs. This bill is waiting to be heard in the Senate Health, Education, Labor and Pensions Committee. The House version of this bill is H.R. 482 and is currently in the House Subcommittee on Higher Education and Workforce Training.

H.R. 3230/S. 2450: Veteran’s Health Care/ Access of Veterans to Medical Services

Legislation in the House and Senate, designed to provide resources to address the Veteran Administration’s healthcare crisis, also includes provisions supporting other veteran benefits, including a provision similar to **H.R. 357** that supports instate tuition for veterans using the Post-9/11 GI Bill, and the Montgomery GI Bill. As written, the section would require the Veteran’s Administration to disapprove courses provided by a public institution of higher learning for purposes of Post-9/11 GI Bill and Montgomery GI Bill (MGIB) education benefits, if the institution charges tuition and fees at a rate that is higher than residents.

S. 1356: The Workforce Investment Act of 2013

This bipartisan bill, introduced by Senator Patty Murray (D-WA) and Senator Johnny Isakson (R-GA) on July 31, 2013, is the Senate’s version of reauthorizing the Workforce Investment Act. The bill focuses on effective use of real-world data, performance indicators, and stringent assessments and evaluations to determine the impact of workforce investments. It also restructures state and local Workforce Investment Boards (WIB) by making state WIB seats optional and unlike the House’s SKILLS Act (H.R. 803) it would keep the community colleges seat on the boards. The Senate bill also closely aligns workforce systems with regional economic development and labor markets. In doing so, it would reauthorize the Community Based Job Training Grants program, which would provide competitive grants to support community college partnerships that train individuals in high-demand industry sectors and occupation. S. 1356 was approved by the Senate Committee on Health, Education, Labor and Pensions on November 10th and will next be up for a vote on the Senate floor.

S. 1990: Eligibility for Postsecondary Education Benefits

S. 1990 by Senator David Vitter (R-Louisiana). This bill would prohibit states from offering in state tuition to undocumented immigrants unless they offer in-state tuition to all Americans. The author contends that 15 states have exploited a loophole in federal immigration policy to extend in state tuition to undocumented immigrants. States are currently prohibited from granting postsecondary education benefits to undocumented immigrants on the basis of residency. However, through the use of a different criteria, such as graduation from an instate high school (similar to California’s AB 540), states have been granting in state tuition regardless of immigration status. If enacted, this bill would force states to either grant in state tuition to Americans from every U.S. state or deny in state tuition to undocumented immigrants that are currently considered residents.