



May 5, 2014

House of Representatives passes budget for 2015

On April 10, the House passed H.Con.Res. 96, a budget resolution for fiscal year (FY) 2015 by a vote of 219 to 205. The resolution, introduced by Budget Committee Chairman Paul Ryan (R-WI) cuts federal spending by \$5 trillion over 10 years, and includes cuts to higher education.

The resolution calls for significant changes for the Pell Grant program, including: eliminating eligibility for less-than-half-time students; instituting an income cap; lowering income thresholds to qualify for a zero expected family contribution; changing the current income protection allowance to require higher contributions from working students; and removing the income exclusion of the child tax credit, TANF, and EITC. Additionally, it freezes of the maximum Pell Grant award at its current level of \$5,730, and eliminates all \$84 billion in mandatory funding for the Pell Grant program. The House budget also calls for elimination of federal loan in-school loan interest subsidies for undergraduate students, as well as elimination of fees paid to institutions for administration of the Pell Grant or campus-based aid.

A few days after the House passed the budget, the Congressional Budget Office (CBO) released updated budget projections for the Pell Grant program that once again show lower estimated program costs over the next ten years (FY 2014 – 2024) and delaying the need for supplemental funding for at least one year. The CBO projects fewer students will receive awards over this time frame, driving part of the reduction in program costs. Already projected to have a surplus in the upcoming FY 2015, and the new Pell Grant estimates would mean a small surplus for FY 2016 as well. However, for FY 2017 and beyond the program will still experience funding shortfalls ranging from \$2.3 billion to \$7 billion annually. Assuming current discretionary funding, the cumulative shortfall between FY 2017 and 2024 is approximately \$38 billion – compared to more than \$54 billion as projected in May 2013.

The Senate will not pass a budget resolution this year, instead relying on the statutory limits set by last year's Bipartisan Budget Act (BBA). The House budget also abides by FY 2015 funding caps set by the BBA, hence the overall funding levels will be in line with Senate allocations. However, the two chambers will likely differ on subcommittee allocation levels. The House allocation for the Labor, Health and Human Services, Education and Related Agencies appropriations bill is expected to be announced the week of May 5th.

White House moves forward on campus safety

On April 29, the White House Task Force to Protect Students From Sexual Assault, established by President Obama in January, released a new report and website at <https://www.notalone.gov/> that provides colleges with guidelines on how to identify, prevent, and respond to sexual assault on campus, as well as resources and data for students and the public. The U.S. Department of Education's Office of Civil Rights also issued an accompanying 52-page policy guidance on institutional obligations under Title IX to address sexual harassment and assault. The coordinated recommendations and website were released amid recent moves by the Department of Education to more stringently enforce Title IX violations, and calls for comprehensive campus sexual misconduct policies, school climate surveys, and trainings for campus officials.

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.

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.