

July 3, 2015

Fiscal Year 2016 Funding Bill: Labor, Health and Human Services, and Education

Last month, the Subcommittees on Labor, Health and Human Services, and Education (LHHS-ED) of the U.S. Senate and the House of Representatives approved and passed their respective draft funding bills for Fiscal Year (FY) 2016 for full committee review. Both bills include significant cuts to higher education programs, including cuts to the Pell Grant program. Each measure was subsequently approved by their Appropriations Committee.

Senate Bill

On June 23, the Senate Appropriations Committee approved the LHHS-ED bill. The bill's discretionary funding level is \$3.6 billion below the FY 2015 level and \$14.5 billion below the President's requested level. It reduces funding by \$331 million for training programs under the Workforce Innovation and Opportunity Act (WIOA), which will result in 1.4 million youth, dislocated workers and veterans losing access to employment and training services. The bill will also reduce funding for the Federal Supplemental Educational Opportunity Grant (SEOG), Federal Work Study, Adult Basic Education, and Minority Serving Institutions. The Association of Community College Trustees (ACCT) notes that while the maximum Pell Grant award will increase for the 2016-2017 school year, the bill rescinds over \$300 million to support Pell Grants next year and will lead to a shortfall for the program in FY 2017. The ACCT opposes the bill and has called on members of the public to send letters of opposition to their Senators:

<http://action.acct.org/18080/oppose-senates-labor-hhs-education-funding-bill/>

House Bill

On June 24, the House Appropriations Committee also approved its FY 2016 LHHS-ED funding bill. The bill provides \$3.7 billion less in discretionary funding than FY 2015 and \$14.6 billion below the President's budget request, cutting 19 educational programs. However, unlike the Senate bill, funding for a number of higher education programs remains level to FY 2015 funding. Although funding for the Employment Training Administration (ETA) will decrease by 2 percent from last year's level, the WIOA adult, dislocated worker, and youth program is funded at the same level as FY 2015. The bill also increases funding for TRIO—outreach and student services programs for individuals from disadvantaged backgrounds—and GEAR UP—a grant program to prepare low-income students for post-secondary education. The House bill also increases funding for programs that support Minority Serving Institutions. The ACCT also opposes the House bill:

<http://action.acct.org/18079/oppose-houses-labor-hhs-education-funding-bill/>

Reauthorization of the Higher Education Act

On June 17, the Senate Committee on Health, Education, Labor, and Pensions (HELP) continued its series of hearings regarding the reauthorization of the Higher Education Act (HEA) with a hearing entitled "Evaluating Accreditation's Role in Ensuring Quality." Four witnesses provided testimony on potential improvements to the system of accreditation, including suggestions on how to make accreditation more efficient and effective. Previous hearings included "Exploring Institutional Risk-sharing" and "Ensuring College Affordability." Although the HELP Committee has continued to hold HEA hearings, it is unlikely that the HEA will be reauthorized this year.

Corinthian Colleges Closure

On June 8, the Obama administration announced a new debt relief plan for the former students of Corinthian Colleges. The Department of Education released a fact sheet, “Protecting Students from Abusive Career Colleges,” detailing a new streamlined process for Corinthian College students. The plan distinguishes between students whose schools have closed and students who believe they were victims of fraud, regardless of whether their school closed. This distinction means that the plan is available for all federal borrowers who can prove that they were defrauded by their college and that students who choose to transfer their credits to another institution may still pursue debt relief. For students whose schools were closed, the Department has extended debt relief eligibility to students who withdrew from a Corinthian College after June 20, 2014. Former Corinthian College students seeking forgiveness of their federal debt will also have the option of placing their federal loans into forbearance. The Department’s Federal Student Aid office is providing impacted student borrowers information on their website:

<https://studentaid.ed.gov/sa/about/announcements/corinthian>

CONGRESSIONAL COMMUNITY COLLEGES BILLS OF INTEREST

Federal legislation moves at a much slower pace than at the state level. Congress has a different calendar and committee hearing process, bills can be referred to committees or subcommittees and sit for months. It is common for multiple bills to be absorbed into one larger bill. That being said, the status of some the federal legislation has not changed since we reported on these bills in the May 2015 Federal Legislative Update.

Campus Climate and Safety

HR 2680 HALT Campus Sexual Violence Act

A bill to amend the Higher Education Act of 1965 to increase transparency and reporting on campus sexual violence.

- **Last Major Action:** Referred to House Education and Workforce

S. 590 Campus Accountability and Safety Act

This bill by Senator Claire McCaskill (D-Missouri) and co-sponsored by a bi-partisan group of 12 Senators will establish new campus resources and support services for student survivors, ensure minimum training standards for on-campus personnel, create new transparency requirements, require a uniform discipline process and coordination with law enforcement, and establish enforceable Title IX penalties and stiffer penalties for Clery Act violations. This bill was referred to the Senate Committee on Health, Education, Labor and Pensions.

- **Last Major Action:** Referred to the Committee on Health, Education, Labor, and Pensions

S. 706 Survivor Outreach and Support Campus Act

Senator Barbara Boxer (D-CA) introduced the Survivor Outreach and Support on Campus Act (S.O.S. Campus Act). The legislation would require every institution of higher education that receives federal funding to designate an independent advocate for campus sexual assault prevention and response. This advocate would be responsible for ensuring that survivors of sexual assault – regardless of whether they decide to report the crime – have access to: emergency and follow-up medical care, guidance on reporting assaults to law enforcement, medical forensic or evidentiary exams, crisis intervention, and ongoing counseling and assistance throughout the process. Congresswoman Susan Davis (D-San Diego) introduced H.R.1490, a version of this bill in the House.

- **Last Major Action:** Referred to the Committee on Health, Education, Labor, and Pensions

Tuition, Fees, Financial Aid

S. 60: Eligibility for Postsecondary Education Benefits

S. 60 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, using different criteria, such as graduation from an in-state 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.

- **Last Major Action:** Referred to the Committee on the Judiciary

HR 1507 Investing in States to Achieve Tuition Equality for Dreamers Act of 2015 or the IN STATE Act of 2015

The IN STATE Act of 2015, sponsored by Congressman Polis (D-CO), would amend title IV (Student Assistance) of the Higher Education Act of 1965 (HEA) to direct the Secretary of Education to allot grants to states to offer Dreamer students in-state tuition and expand their access to in-state financial aid. This bill is similar to its Senate version: S.796 IN-STATE for Dreamers Act of 2015.

- **Last Major Action:** Referred to the Subcommittee on Immigration and Border Security

HR 1959 College Options for DREAMers Act

This bill sponsored by Congressman Hinojosa (D-TX) would amend the HEA to provide Dreamer students with access to student financial aid. This bill is identical to the Senate measure S. 1059 College Options for DREAMers Act

- **Last Major Action:** Referred to the Subcommittee on Immigration and Border Security

HR 1956 Pell Grant Protection Act

This bill would amend the HEA to ensure funding for the Federal Pell Grant program by removing the program from the congressional discretionary appropriations process. This measure is identical to the Senate bill: S 1060 Pell Grant Protection Act.

- **Last Major Action:** Referred to the House Committee on Education and the Workforce

HR 1958 Year-Round Pell Grant Restoration Act

Sponsored by Congressman Hinojosa, HR 1958 would amend the HEA allow eligible students to receive additional Federal Pell Grants for payment periods that are not otherwise covered by their Federal Pell Grant award for that academic year. This bill is identical to the Senate measure S1062 Year-Round Pell Grant Restoration Act.

- **Last Major Action:** Referred to the House Committee on Education and the Workforce

S. 1102 Protect Student Borrowers Act of 2015

Sponsored by Senator Reed (D-RI) this bill would amend title IV of the HEA to require institutions participating in the Federal Direct Loan program to accept risk sharing requirements. The House version of this measure is HR 2364 Protect Student Borrowers Act of 2015.

- **Last Major Action:** Referred to the Committee on Health, Education, Labor, and Pensions

S. 1373 College for All Act

Sponsored by Senator Sanders (I-VT), the College for All Act would amend the HEA to eliminate tuition and required fees at public institutions of higher education by creating a grant program funded by a federal-state partnership.

- **Last Major Action:** Referred to the Committee on Finance

Workforce Training

HR 1503 Community College Energy Training Act of 2015

This bill would require the Secretary of Labor to carry out a joint sustainable energy workforce training and education program. It also appropriates \$100,000,000 for each of the fiscal years 2016 through 2020. Not less than one-half of these funds shall be awarded to community colleges with existing sustainability programs that lead to certificates, credentials, or degrees in one or more of the industries and practices.

- **Last Major Action:** Referred to the House Committee on Education and the Workforce

HR 2224: Youth Access to American Jobs Act of 2015

This bill, sponsored by Congressman Rick Larsen (D-WA), would direct the Secretary of Education to award grants to 10 partnerships between a local educational agency (LEA), a community college, and a state apprentice program to carry out a program for students to:

- 1) take science, technology, engineering, and mathematics (STEM) courses and STEM-focused Career and Technical Education courses during grades 11 and 12 at a secondary school that prepare them for community college;
 - 2) enroll in a course of study related to the manufacturing field at the community college upon graduating from the secondary school; and
 - 3) enroll, for a two-year period, in the state apprenticeship program or the joint-labor management training program upon receiving an associate's degree from the community college.
- **Last Major Action:** Referred to the House Committee on Education and the Workforce

Miscellaneous

HR 182: Centralized Report of Veteran Enrollment

H.R. 182 by Congressman Ken Calvert (CA-42) would streamline the Department of Veterans Affairs (VA) processes for community colleges that have multiple campuses. Currently, the VA requires community colleges to certify that their veteran students are enrolled for a specific number of classes before the VA will disperse student benefits. These rules must be updated to account for multi-college Community College Districts, such as Riverside Community College District (RCCD). Without such an update, veterans that take classes at a multi-college District see their benefits delayed while colleges and the VA complete and shuffle unnecessary paperwork. H.R. 182 would direct the Secretary of Veterans Affairs to permit the centralized reporting of veteran enrollment by certain groups, districts, and consortiums of educational institutions.

- **Last Major Action:** Referred to the Subcommittee on Economic Opportunity.

HR 937: Dual Enrollment Grants

Congressman Ruben Hinojosa (D-TX 15) introduced The Fast Track to College Act of 2015. The bill authorizes the Secretary of Education to award matching six-year grants to local educational agencies (LEAs) that partner with institutions of higher education (IHEs) to establish or support dual enrollment programs, such as early college high schools, that allow secondary school students to earn credit simultaneously toward a secondary school diploma and a postsecondary degree or certificate.

- **Last Major Action:** Referred to the Subcommittee on Higher Education and Workforce Training.

S. 649 Higher Education Reform and Opportunity Act of 2015

The Higher Education Reform and Opportunity (HERO) Act would allow all 50 states and the District of Columbia to develop their own systems of accrediting educational institutions, curricula, apprenticeships, job-training programs, and individual courses, all of which would be eligible to receive federal student loan money.

- **Last Major Action:** Referred to the Committee on Health, Education, Labor, and Pensions.