

February 26, 2016

OVERVIEW

Earlier this month members of the Board of Governors and the Chancellor's Office attended the Association for Community College Trustees (ACCT) 2016 National Legislative Summit (NLS) in Washington, D.C. This annual event brings together community college leaders – including governing board members, district chancellors and college presidents – from across the nation to advocate on key higher education policy issues. In addition to numerous conference activities and event, NLS participants meet with federal policy makers in the White House, government agencies and on Capitol Hill. This year, the Board of Governors and the Chancellor's Office was represented by Board President Baum, Vice President Estolano, Board Member Malumed, Board President-emeritus Baca, Deputy Chancellor Skinner and Vice Chancellor Stewart. In addition, they were joined by leadership and staff from the Community College League of California (CCLC). Over the course of two days, the group met with eleven members of the California Congressional delegation, including Senators Feinstein and Boxer, staff to Minority Leader Pelosi and key members of the House Education & Workforce, Veterans Affairs and Armed Services committees. Their itinerary also included briefings for the House California Public Higher Education Caucus, as well as the NLS attendees from California and a breakfast forum with Congressman Mark Takano, who formerly served as a trustee on the Riverside Community College District governing board. This year's advocacy issues focused on reauthorization of the Higher Education Act, the Pell Grant program and support for community college student veterans. The NLS was also an opportunity to showcase our recently released State of the System report and highlight our many student success efforts, including improvements in transfer, institutional effectiveness and workforce and career technical education.

President Obama's FY 2016 Budget Proposal

On February 9, 2016, President Obama submitted his fiscal year (FY) 2017 budget request, the final budget proposal of his Presidency. The \$4.15 trillion package would increase spending by 4.9 percent, but would increase discretionary spending programs by less than one percent. Included in the budget are a number of policy proposals and funding recommendations that if enacted would impact community colleges. The proposal calls for \$1.3 billion in federal funding for America's College Promise, which would provide grants to states to make community college free to qualifying students. The budget request also includes \$2 billion for year-round Pell grants and an additional "On-Track Pell Bonus" of \$300 to students who take 15 credits per semester, which would increase the Pell Grant maximum award to \$6,235. The president's budget would create a new \$2.5-billion tax credit for employers that team up with community colleges to design curricula, provide instruction and equipment, and offer job-based learning. The President's budget requires Congressional approval. It is unlikely that Congress will approve the FY 2017 budget proposal without significant spending cuts. In December of last year, President Obama signed the Omnibus Appropriations Act, which will keep the government running until September 30, 2016. An ACCT Public Policy summary of the higher education proposals in the President's FY 2017 budget proposal can be found here:

<http://www.acct.org/files/Advocacy/Factsheets%20and%20Summaries/FY%202017%20budget%20request%20summary%20final.pdf>

Pell Grant Proposals from the Department of Education

On January 19, 2016, the Department of Education announced two new proposals for expanding the Pell Grant program. The first proposal would provide an additional \$300 in Pell Grant assistance for students who take 15 credit hours per academic semester; providing a bonus for students who are taking more than a full-time course load. The second proposal would restore the year-round Pell grant by allowing full-time students who have exhausted their Pell Grant benefits an additional disbursement for summer coursework. The Department estimates this proposal will provide nearly 700,000 students next year with an additional \$1,915 on average to help pay for college. These plans would require Congressional action to be implemented into law. More information can be found on the Department's website: <http://www.ed.gov/news/press-releases/fact-sheet-helping-more-americans-complete-college-new-proposals-success>.

These proposals follow the experimental program launched by the Department late last year, which would grant access to Federal Pell Grants to high school students enrolled in college courses for credit through dual enrollment. The Department's goal is to expand access to college coursework and promote academic success for low-income and first-generation college students. Research has shown that dual enrollment can lead to better grades in high school, increased enrollment in college following high school, higher rates of persistence in college, greater credit accumulation, and increased rates of credential attainment. Community colleges offer over 70 percent of the dual enrollment courses taken by high school students nationwide. The experiment is expected to benefit up to 10,000 students across the country with the Department investing up to \$20 million in the 2016-17 award year will. More information and a Fact Sheet can be found on the Department's website: <http://www.ed.gov/news/press-releases/fact-sheet-department-education-launches-experiment-provide-federal-pell-grant-funds-high-school-students-taking-college-courses-credit>.

Changes for FAFSA

Starting in October of 2016, students can use "Prior-Prior Year" tax information for the Free Application for Federal Student Aid (FAFSA). This means that students will be able to submit a FAFSA earlier, and more FAFSA filers will be able to use the IRS data retrieval tool. Presently, students and families are often unable import their tax information into the FAFSA because their prior year tax information is unavailable. This change will make it easier for students and families to file a FAFSA. A fact sheet on the FAFSA changes may be viewed here: <https://studentaid.ed.gov/sa/sites/default/files/fafsa-changes-17-18.pdf>.

COMMUNITY COLLEGES BILLS OF INTEREST

The congressional committee hearing process for policy legislation moves at a much slower pace than the legislative process at the state level. As a result, the status of bills may not change for months.

Campus Climate and Safety

H.R. 2680: HALT Campus Sexual Violence Act

The Hold Accountable and Lend Transparency on Campus Sexual Violence Act or the HALT Campus Sexual Violence Act amends the Department of Education Organization Act to require the Department of Education to make publicly available on its website:

- a list of the institutions of higher education (IHEs) under investigation, sanctions or investigation findings, and a copy of program reviews and resolution agreements
- the letter terminating the Department's monitoring of such agreements

The bill also amends the Clery Act to direct the Department to develop a biennial sexual violence climate survey and include statistics from the survey in the annual campus security report provided to current and prospective students and employees. It would allow an individual to allege a violation of the Clery Act in a judicial proceeding and increase the maximum penalty for substantially misrepresenting the number, location, or nature of the crimes required to be reported under the Clery Act. Lastly, the bill would make changes to the annual statement IHEs prepare regarding their policies on domestic violence, dating violence, sexual assault and stalking, and would direct the Departments of Education and Justice to create a joint interagency Campus Sexual Violence Task Force.

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.

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.

Tuition, Fees, Financial Aid

S. 1716 and H.R. 2962: America's College Promise Act of 2015

Senator Tammy Baldwin (D-WI) and Congressman Bobby Scott (D-VA) introduced legislation, S. 1716 and H.R. 2962, modeled after President Obama's America's College Promise proposal. These bills would make two years of community college free through a federal-state partnership. Federal grants would be awarded to states that agree to waive community college resident tuition and fees for all eligible students. The federal investment in the program would be \$79.7 billion over the next 10 years; however, no source of revenue has been identified to cover the cost. States would be required to commit to Maintenance of Effort equal to or exceeding their average spending per full-time equivalent student at institutions of public higher education for the three preceding years and contribute 25 percent of the average community college resident tuition and fees per student in all states in the 2016-2017 award year.

S. 60: Eligibility for Postsecondary Education Benefits

S. 60 by Senator David Vitter (R-LA). 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.

H.R. 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.

H.R. 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

H.R. 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.

H.R. 1958: Year-Round Pell Grant Restoration Act

Sponsored by Congressman Hinojosa, H.R. 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.

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 H.R. 2364 Protect Student Borrowers Act of 2015.

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.

Workforce Training

H.R. 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.

H.R. 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.

Miscellaneous

H.R. 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.

H.R. 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.

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.