
APRIL 2019 REGION III PUBLIC POLICY UPDATES



1. FEDERAL UPDATES

- ☐ The President [announced](#) that he will issue an executive order that reportedly will deny federal funds to IHEs that do not support free speech. The details of the order, or when it will be issued, are presently unclear, but Inside Higher Ed has [reported](#) that it is possible that it addresses other higher education related matters such as risk sharing and program level outcomes reporting.
- ☐ **White House releases HEA reauthorization principles**
The White House [released](#) its principles that it would like to see in a Higher Education Act (HEA) reauthorization. Many of the proposals have been expressed by the Administration previously, such as in budget proposals or the current negotiated rulemaking, and include: calling for the practical elimination of regional accreditation; developing a student financial aid risk-sharing system between the federal government and institutions of higher education (IHEs); expanding the Pell Grant program to short-term credentials; creating a single income-driven federal student loan repayment (IDR) plan; allowing Federal Work-Study to support career-oriented opportunities; and making permanent the President's Board of Advisors on Historically Black Colleges and Universities (HBCUs) and the Interagency Working Group responsible for improving the capacity of HBCUs. The Administration also put forth two stances it had previously not taken: loan limits for the Direct PLUS and Graduate PLUS loan programs and financial aid to incarcerated individuals eligible for release.
- ☐ The President signed executive "free speech" order on March 21. The [order](#) directs Federal agencies, including the U.S. Department of Education (ED), to certify that IHEs receiving federal funds comply with existing federal laws and regulations touching on free academic inquiry and that they comply with their "stated institutional policies" on freedom of speech. It also directs ED to publish program-level data in the College Scorecard on measures of student outcomes, conduct a report on state and local best practices on transfer of credit and submit policy recommendations for developing a student financial aid risk-sharing system between the federal government and IHEs.
- ☐ The National Student Clearinghouse [issued](#) a report providing a state-by-state look at the six-year outcomes for students who began postsecondary education in fall 2012. This report includes state by state information that could be used by those to compare outcomes from one state to another.
- ☐ [Report: A Budget for a Better America – President's Budget FY 2020](#)
The White House (Date posted: March 11, 2019)

[Report: Powerpoint Presentation-FY2020 President's Budget](#)
U.S. Department of Education (Date posted: March 11, 2019)
- ☐ **DOL to propose raising the mandatory overtime threshold**
The U.S. Department of Labor (DOL) [announced](#) a Notice of Proposed Rulemaking that would increase the mandatory overtime salary threshold from \$455 per week to \$679 per week. Under the rule, employees at IHEs who make less than \$35,308 a year would be [eligible](#) for overtime pay, including postdoctoral researchers, librarians, administrators and others.
- ☐ **House Democrats release higher education white paper**
The House Education and Labor Committee Democrats [released](#) a white paper on the value of higher education and their principles for a Higher Education Act (HEA) reauthorization. The report found that college degrees yield a large economic return for individuals, that graduates are major contributors to the U.S. economy, that higher education is a worthwhile investment for state governments and that barriers prevent low-income students and students of color from accessing and completing a higher education. The report also lays out some of the ideas for how Democrats would like to expand access to, improve affordability in, and promote completion of higher education for all students.

☐ **House passes voting reform bill**

- ☐ The House passed the For the People Act ([H.R. 1](#)) by a 234 to 193 vote. As a reminder, the bill would, in part, require IHEs to appoint "campus vote coordinators" responsible for helping students register to vote and create a competitive grant program that would encourage IHEs to sponsor large on-campus voter mobilization efforts and invite candidates to speak on campus, among other things. Senate Majority Leader Mitch McConnell (R-KY) has already expressed his opposition to the bill, so it is unlikely to be taken up in the Senate.
- ☐ ED has [launched](#) an investigation into eight universities involved in the recent admissions bribery scheme to determine whether those universities violated any law or rules "governing the Federal student financial aid programs" or "any other applicable laws." Additionally, Rep. Donna Shalala (D-FL) of the House Education and Labor Committee hosted a briefing on the scandal. These actions show ongoing attention by the Administration and Congress on college admission processes, although it is unclear currently whether any action will ultimately be taken to reform those processes at the Federal level.

2. TITLE IX UPDATES

- ☐ On April 2, U.S. Senator Mark Warner reintroduced legislation, The Campus Accountability and Safety Act. The legislation would create new resources and support services for survivors, and set new notification requirements for both survivors and accused students involved in the campus disciplinary process.

3. FINANCIAL AID

- ☐ The House Labor, Health and Human Services, Education and Related Agencies (LHHS) Appropriations Subcommittee [held](#) a hearing on student loan servicers the week of March 7. The hearing largely focused on the recent U.S. Department of Education (ED) Inspector General (IG) [report](#) that we covered two weeks ago. This hearing, coupled with another hearing scheduled for this coming week on for-profit IHEs, show that the Subcommittee, under the leadership of Chair Rosa DeLauro (D-CT), will also be looking to conduct oversight and elevate certain higher education issues. With this additional focus, we would expect that Chair DeLauro will seek to include provisions impacting these issues in the 2020 appropriations bill governing ED.
- ☐ ED [announced](#) the appointment of Mark Brown to be the new head of Federal Student Aid (FSA) with the departure of former acting FSA head Jim Manning. Brown is a retired major general in the U.S. Air Force. While in the Air Force, Brown oversaw the Air Education and Training Command, which includes Air Force education and training, but doesn't have significant experience with federal student loans.
- ☐ The U.S. Department of Education (ED) [released](#) guidance on how it will begin to implement some provisions in the Obama-era Borrower Defense to Repayment (BDR) regulations, including the provision that prevents IHEs from requiring students to settle complaints about federal student loans through arbitration. Eligibility for claims under this rule will apply to loans made after July 1, 2017. While this shows that ED is moving forward with the implementation of the rule, there is no updated timeline for when ED will adjudicate the large backlog of present claims, and there continues to be no timeline for when ED will release an expected new BDR rule.
- ☐ The Administration [released](#) its fiscal year (FY) 2020 budget, including the U.S. Department of Education's (ED) proposed FY2020 [budget](#). Under the proposal, ED would receive a 12 percent decrease in spending. Major proposals related to higher education in the FY2020 budget are:
- Maintaining the maximum award amount for Pell Grants in the 2020-2021 award year at \$6,195. The budget also proposes the rescinding of the \$2 billion Pell surplus, and expanding the program to short-term credentials.
 - Working with Congress to develop a student financial aid risk-sharing system between the federal government and institutions of higher education (IHEs).
 - Consolidating the federal TRIO program into a single, state formula grant program and eliminating the GEAR UP program.
 - Eliminating the Public Service Loan Forgiveness (PSLF) program, while maintaining loan forgiveness for K-12 teachers.
 - Consolidating the five, existing income-driven loan repayment (IDR) authorizations into a single IDR plan, capping monthly payments at 12.5 percent of a borrower's discretionary income.
 - Eliminating the subsidized student loan program.

4. STATE HEADLINES AND UPDATES

Alabama:

Florida:

[FL: Dollars for universities, colleges emerge as battleground between House and Senate](#)

GateHouse (Date posted: March 29, 2019)

[FL: Budget plans clear House and Senate panels — with big dollar differences](#)

Herald-Tribune (Date posted: March 27, 2019)

[FL: Fearing 'indoctrination,' Florida lawmakers want universities to survey personal views of students, faculty](#)

Orlando Weekly (Date posted: March 13, 2019)

Georgia:

[GA: Higher Education: Legislative and Budget Updates](#)

GBPI (Date posted: March 27, 2019)

[GA: Atlanta court upholds University System ban on unauthorized immigrants](#)

Atlanta Journal-Constitution (Date posted: March 6, 2019)

[GA: Georgia House tries to limit dual enrollment](#)

Atlanta Journal-Constitution (Date posted: March 7, 2019)

Kentucky:

[KY: 'Best of the worst options.' Pension relief bill for universities, state agencies progresses](#)

Insider Louisville (Date posted: March 14, 2019)

[KY: Kentucky legislature passes college free speech bill opposed by ACLU](#)

The Courier-Journal (Date posted: March 14, 2019)

[KY: Bill Insures Freedom Of Speech On Campus](#)

WEKU (Date posted: March 18, 2019)

[KY: Gov. Bevin On Higher Ed Funding, Competing With Tennessee](#)

WKMS (Date posted: March 21, 2019)

Louisiana:

[LA: Louisiana education leaders aim high in master plan rewrite](#)

The Associated Press (Date posted: April 1, 2019)

[LA: Bill filed to merge Louisiana Tech and LSU-Shreveport](#)

MyArkMiss.com (Date posted: March 30, 2019)

[LA: Gov. Edwards proposing \\$19 million more for Louisiana higher education](#)

The Associated Press (Date posted: March 20, 2019)

North Carolina:

[NC: NC senators introduce bill to help in-state students with tuition](#)

ABC11 (Date posted: March 26, 2019)

[NC: After East Carolina chancellor's ouster, a UNC Board of Governors on the brink](#)

NC Policy Watch (Date posted: March 20, 2019)

South Carolina:

[SC: \\$9B budget up for debate in SC House boosts salaries, freezes tuition](#)

The Post & Courier (Date posted: March 10, 2019)

Tennessee:

[TN: Bill designates liaison, housing priority for Tennessee's homeless college students](#)

Tennessean (Date posted: March 31, 2019)

Texas:

[TX: State bills would expand campus free speech beyond UT policy](#)

Statesman (Date posted: March 29, 2019)

[TX: Texas House Considers Free College For Students Experiencing Homelessness](#)

Texas Observer (Date posted: March 28, 2019)

[TX: Texas Sen. Royce West pushing to for college credit transfer solution](#)

North Dallas Gazette (Date posted: March 27, 2019)

[TX: Texas Senate Approves New Sexual Assault Reporting Standards For Colleges And Universities](#)

Texas Public Radio (Date posted: March 26, 2019)

Virginia:

[VA: Northam signs off on lower UVa-Wise tuition](#)

The Daily Progress (Date posted: March 7, 2019)

5. ANNOUNCEMENTS

NASPA Public Policy Blogs:

Public Policy Briefings & Upcoming Events:

If you want to get more involved in public policy at the state level, the following states have State Public Policy Directors that you can contact. Here is the listing of State Public Policy Directors in Region III:

Dr. Jody Conway	Florida - University of South Florida	jodyconway@usf.edu
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This monthly newsletter is compiled by the NASPA Region III Public Policy Representative, Dr. Heidi Leming. If you would like to send suggestions for the next newsletter, please email heidi.leming@tbr.edu.