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# FEBRUARY 2019

## REGION III

### PUBLIC POLICY UPDATES

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#### 1. FEDERAL UPDATES

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- HEA Reauthorization:
  - Toward the end of July, House Democrats introduced their version of HEA reauthorization in the form of the Aim Higher Act. The bill would better support those issues pertaining to student access and success that NASPA took issue with in PROSPER, but as we aren't expecting it to really move forward, it more so acts as a "marker" bill, which signals what Democrats are likely to propose next Congress if they regain control of the House.
  - Rep. Bobby Scott, incoming Chair of the House Committee on Education and the Workforce has indicated intent on reintroducing the Aim Higher Act in the 116th Congress, though after the release of Title IX draft rules, speculation has risen over whether HEA will be stalled from advancing due to an attempt to codify Title IX guidance within the legislation (11/29).
  - Aim Higher Act is unlikely to pass a Republican majority Senate.
  - (12/18) Sen. Alexander announced his decision to not seek re-election in 2020. Sen. Alexander has made it clear for several years he would like to pass a new comprehensive higher education law, so we might see a compromise in 2020.
  
- Department of Education (ED) on Rulemaking:
  - (Dec.) Secretary DeVos laid out ED priorities for the upcoming rulemaking session, stating it was time to "rethink" higher education
  - (1/6) ED releases [draft regulation](#) on accreditation that loosens oversight for accreditors and religious institutions. Negotiated rulemaking sessions on accreditors will run from 1/14 through March:  
<https://www.federalregister.gov/documents/2018/12/26/2018-27761/negotiated-rulemaking-committee-location-of-negotiations-and-subcommittee-meetings-accreditation-and>
  - (1/10) The Department of Labor has sent a new federal overtime rule to the White House Office of Information and Regulatory Affairs (OIRA) where it is expected to be under review for up to 90 days, with a possible additional 30 day extension.
  
- ED [published](#) new information on institutions of higher education (IHEs) appeals of Gainful Employment (GE) program debt-to-earnings rates that occurred under the previous Administration. ED so far has approved 109 appeals, denied 7 and 225 remain pending. As a reminder, ED is not in a position to sanction individual programs at IHEs under the GE rule because its information sharing agreement with the Social Security Administration (SSA) has ended and ED is expected to soon release its final rule rescinding GE.

- The U.S. Supreme Court will not be [taking](#) up any of the court cases involving the DACA program during the Spring session, meaning likely the earliest the Court would do so is in the Fall. This means that DACA will remain in place for the time being.

## 2. TITLE IX UPDATES

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- - The public comment period for the U.S. Department of Education's (ED) proposed Title IX regulations has come to an end. ED received more than 100,000 comments on the proposal. While we do not expect a final rule to be published in the near future, these regulations remain a priority for the Administration and could be out as early as the Fall.
  - NASPA has released Title IX NPRM resource guides, register for them here: <https://olc.naspa.org/catalog/notice-of-proposed-rule-making-on-title-ix-information-sessions>
  - Access a recording of NASPA's Policy Briefing Series on the release of the guides (youtube video on the page): <https://olc.naspa.org/catalog/naspa-policy-briefing-series>
  - Due to government shutdown, Therefore the Violence Against Women Act expired on 12/21: <https://www.npr.org/2018/12/24/679838115/violence-against-women-act-expires-because-of-government-shutdown>
  - Access a recording of NASPA's Policy Briefing Series on the release of the Title IX NPRM Resource Guides from 1/10 (YouTube video on the page): <https://olc.naspa.org/catalog/naspa-policy-briefing-series>
  - A Federal judge delayed proceedings on a court case over ED's interim Title IX guidance, at the request of the U.S. Department of Justice (DOJ), because DOJ is one of the agencies closed under the government shutdown. Women and sexual assault survivor advocate groups, led by SurvJustice, sued ED over the guidance because they say it violates the equal protection guarantee of the Fifth Amendment. ED has proposed regulations on Title IX that are currently subject to public comment until January 28. Currently, the online regulatory comment portal [regulations.gov](https://www.regulations.gov) is not operating due to technical issues, and it is unclear when the system will be back up and running. Comments can also be submitted via mail.

## 3. FINANCIAL AID

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- The U.S. Federal Reserve [released](#) a paper finding that high student debt is preventing college graduates from buying homes. The paper argued that "while investing in postsecondary education continues to yield, on average, positive and substantial returns, burdensome student loan debt levels may be lessening these benefits." The paper also found that high student debt is leading to fewer graduates choosing to live in rural areas.
- Proposals focused on eliminating tuition and fees for students matriculating directly from high school are currently in play in the District of Columbia (B. 23-

0050), Mississippi (H.B. 72), South Carolina (H. 3214, S. 25) and Texas (H.B. 630, S.B. 32, S.B. 33)

#### 4. STATE HEADLINES AND UPDATES

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##### Florida:

[FL: Florida governor outlines plan for increasing college grads](#)

(Date posted: January 31, 2019)

##### Georgia:

[GA: What Will the Georgia Legislature Talk About During This Year's Session?](#)

(Date posted: January 16, 2019)

[GA: Georgia Lawmakers Propose Higher Ed Tuition Program for Public Safety Workers](#)

(Date posted: January 17, 2019)

[GA: On Campus: Budget hikes for colleges, help for veterans and HBCUs?](#)

(Date posted: January 29, 2019)

[GA: Georgia students' struggle to pay tuition puts pressure on legislators](#)

(Date posted: February 1, 2019)

##### South Carolina:

[SC: New proposal from Gov. Henry McMaster could freeze South Carolina college tuition](#)

(Date posted: January 15, 2019)

[SC: Should colleges have less say over student free speech? SC lawmakers think so](#)

(Date posted: January 24, 2019)

##### Tennessee:

[TN: Top Higher Education Official Calls For More Vocational Education In Tennessee](#)

(Date posted: January 30, 2019)

[TN: Bill would allow Tennessee inmates to use college grant program](#)

(Date posted: January 31, 2019)

##### Texas:

[TX: Rep. Mary González files state affordable higher education bill](#)

(Date posted: January 15, 2019)

##### Virginia:

[VA: Virginia House Speaker introduces higher education partnership bill](#)

(Date posted: January 14, 2019)

[VA: 'DACA' tuition bill voted in by Senate Committee](#)

(Date posted: January 19, 2019)

[VA: Bill to allow UVa-Wise to offer reduced tuition rate to Appalachian students passes House](#)

(Date posted: January 22, 2019)

[VA: Bill instituting public comment on college tuition increases advances](#)

(Date posted: January 25, 2019)

[VA: Lawmakers kill legislation to protect student journalists](#)

(Date posted: January 28, 2019)

## 5. ANNOUNCEMENTS

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### NASPA Public Policy Blogs:

- [A Community College's "Policy Whisperer" Keeps the College in the Political Conversation](#), Holly Swart, Senior Dean for Registration and Records and Curriculum Registrar at Wake Technical Community College (1/9/18)
- [NASPA Research and Policy Institute Wish List for Higher Education](#), by Alexa Wesley, Research and Policy Associate (12/20/2018)
- [NASPA's Initial Analysis of the Proposed Rule on Title IX, Part IV](#), (12/20/18)
- [NASPA's Initial Analysis of the Proposed Rule on Title IX, Part III](#), by Dr. Jill Dunlap, Director of Research and Practice (12/17/18)
- [December 17th NASPA Policy Update](#), (12/17/18)
- [NASPA's Initial Analysis of the Proposed Rule on Title IX, Part II](#), (12/13/18)
- [NASPA's Initial Analysis of the Proposed Rule on Title IX, Part I](#), (12/6/18)

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:

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