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Wednesday, September 3, 2014

AASCU Update

Edlines Banner

To: AASCU Presidents, Chancellors and Government Relations staff

From: Ed Elmendorf, Senior Vice President of Government Relations and Policy Analysis
Barmak Nassirian, Director of Federal Policy Analysis
Makese Motley, Assistant Director of Federal Relations and Policy Analysis

Date: September 2, 2014

Re: AASCU Federal Update: HEA Reauthorization, Teacher Education & Rulemaking

1- Reauthorization Update

Earlier this summer, the Senate Committee on Health, Education, Labor, and Pensions (HELP) released a "discussion draft" of its bill to reauthorize the Higher Education Act. The Committee indicated that it plans to formally mark up a bill this fall, and requested comments from the higher education community by Friday, August 29, 2014.

AASCU worked with other higher education groups on a set of **detailed comments** that were submitted on behalf of a coalition of associations. Separately, AASCU also worked with other members of the Higher Education Task Force for Teacher Preparation on **comments regarding teacher preparation provisions** of the draft. In addition, AASCU submitted a **separate letter** on the provision of the discussion draft that we view as its most consequential feature for the future of public higher education and for affordability, i.e., the State-Federal Affordability Partnership.

As you are aware, this provision of the draft is modeled after a **proposal that AASCU published earlier this year**, and it is designed to create a strong, voluntary economic incentive for states to increase funding of operating subsidies for public institutions. We view the alignment of state funding practices with federal efforts at increasing student aid as the most credible path toward restoring affordability and broad access. The restoration of proper state funding of the public sector and the reversal of the privatization trend of the last three decades are the only remedy to the escalating educational debt crisis.

This proposal, while strongly supported by the three associations representing public institutions and by a majority of the HELP Committee has predictably drawn opposition from various quarters ranging from private institutions to advocates for various state grant programs.

We encourage you to review the two joint submissions and the AASCU letter on the State-Federal Affordability Partnership proposal and share your views with your delegation and with us. As always, we welcome your comments and counsel on the entire range of pending issues, and would use them to inform the redrafting of the 2015 AASCU *Public Policy Agenda*.

2- New Round of Rulemaking to Be Announced

This **notice** will be in tomorrow's Federal Register. It announces the intent to create a negotiating committee to develop regulations to expand eligibility for Pay As You Earn (PAYE) to millions more federal student loans borrowers. Written comments suggesting issues other than PAYE to be considered by the negotiating committee must be submitted on or before **November 4, 2014.** Two public hearings will be held for interested parties to suggest additional issues to be considered by the committee (**in DC on Oct 23 and in Anaheim, CA on Nov 4**). **Everyone who submitted comments urging the Department to address default rate and 90/10 manipulation in 2013 should do so again, both in writing and at one of the hearings.**

Excerpt from the notice: "We intend to convene a committee to develop proposed regulations to allow more student borrowers of Federal Direct Loans to use the "Pay as You Earn Repayment Plan", in accordance with the **Presidential Memorandum** issued on June 9, 2014. Section 1 of the memorandum directs the Secretary to issue, within one year, proposed regulations that expand the President's Pay as You Earn Repayment Plan to more Federal Direct Loan borrowers by allowing additional Federal Direct Loan borrowers to cap their Federal student loan payments at 10 percent of their income. **The memorandum directs the Secretary to seek to target this option to those borrowers who would otherwise struggle to repay their loans**, and to issue final regulations in a timely fashion after considering all public comments, as appropriate, with the goal of making the repayment option available to borrowers **by December 31, 2015**. After a complete review of the public comments presented at the public hearings and in the written submissions, we will publish a document (or documents) in the Federal Register announcing the specific subject areas for which we intend to establish a negotiated rulemaking committee, and a request for nominations for individual negotiators for the committee who represent the communities of interest that would be significantly affected by the proposed regulations." [emphasis added]

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SUMMARY

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