

Monday, June 30, 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
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Re: Federal Update on Higher Education Act Reauthorization, State Authorization, Appropriations, and Proposed Sexual Assault Regulations

Date: 6/26/2014

Higher Education Reauthorization Update

The Senate HELP Committee **discussion draft bill** was unveiled today, and contains a number of important AASCU priorities as a result of the Association's efforts during the past year. These include the creation of a new Federal-State Matching Grant Program, the authorization of a federal unit-record data system with very strong privacy and security safeguards proposed by AASCU but delayed due to technical conflicts, the authorization of a new competency-based education demonstration program, and improvements to existing financial aid programs such as restoration of year-round Pell grants and Ability-to-Benefit. A two-page summary of Senator Harkin's bill can be found **here**.

The bill's author, Chairman Tom Harkin (D-IA), has indicated a great willingness to accept feedback and suggestions from his colleagues as well as from the broader community, and plans to incorporate these into a formal bill by early fall 2014. AASCU sent a **letter** to Senator Harkin thanking him for his decades-long leadership on higher education policy, and to offer our support for his blueprint for reauthorization of the Higher Education Act. If you have feedback on specific sections or areas of the draft bill please contact us so we can take your feedback into account.

In other HEA related activity, Senator Alexander (R-TN) and Bennet (D-CO) released a proposal for the HEA bill to simplify the process of applying for and receiving financial aid to attend college. House Republicans have also released a white paper outlining their priorities for HEA which can be found **here**.

State Authorization

The U.S. Department of Education has once more pushed back the deadline for compliance with a requirement that colleges be properly authorized by state governments. Tuesday's **notice** in the federal registrar announces a further delay, pushing the effective date of the rules back another year, to July 1, 2015. In 2010 the department **issued rules** containing a provision requiring colleges to seek approval from each state where they enroll students online. A court **overturned** that portion (the Distance Education part) of the rules in 2011 but state laws were unaffected by the court decision. The regulations also contained state standards that were set to take effect in July 2014, after the department **delayed the effective date** by a year.

Appropriations

The Senate Labor HHS Subcommittee reported out a draft spending bill that is awaiting a vote in the full Senate appropriations committee. The bill provides much needed, though modest, targeted investments in key education programs for early learning, K12 and higher education. Overall, it would increase discretionary spending for the Department of Education by \$229 million (+0.3%), which would still leave aggregate funding below the pre-sequester FY 2012 level. Overall funding for programs exclusive of Pell grants would increase by \$532 million (+1.2%), once again setting funding below the pre-sequester level.

Among the key increases provided in the bill for education programs are:

- \$50 million for Title I aid to high-poverty school districts
- \$100 million for Preschool Development grants
- \$10 million for Striving Readers literacy programs
- \$5 million for Magnet Schools Assistance
- \$40 million for IDEA grants to States
- \$5.4 million for Career and Technical Education State grants
- \$12.9 million for Adult Education State grants
- \$15 million for Federal Supplemental Educational Opportunity Grants
- \$35 million for Federal Work-Study
- \$9.2 million for HBCUs, HSIs and other minority-serving institutions of higher education
- \$8.4 million for TRIO
- \$3 million for GEAR UP
- \$5 million for education research, development, and dissemination

The bill also provides the Pell Grant program discretionary funding sufficient to result in an estimated increase of \$100 in the maximum award. Senator Barbara Mikulski has not announced if or when the full Senate appropriations committee will vote on the Labor-HHS budget. The House schedule is currently in flux due to Majority Leader Eric Cantor's resignation from Republican leadership.

Department of Education Proposed Regulations to Update the Violence Against Women Act (VAWA)

In April the Whitehouse Task Force on Sexual Assault led by Vice President Joe Biden released a series of recommendations aimed at reducing the number of sexual assaults on college campuses. **The report** is the conclusion of an initial 90 day period of study during which the task force met with stakeholders from inside and outside higher education. A group of AASCU presidents led by Dr. Muriel Howard attended the unveiling ceremony and provided feedback to the task force. In addition, the Department of Education released regulations that will update the Violence Against Women Act (VAWA). The proposed regulations will allow both accusers and the accused to bring an "advisor of their choice" to campus disciplinary proceedings. Colleges also would have to provide more information, including a list of possible sanctions, about how disciplinary cases involving sexual violence are handled. In addition, the following recommendations will be included in the regulations, which can be found [here](#).

- Adding gender identity and national origin as categories of bias under existing campus crime laws.
- Adopting the FBI's definition of rape.
- Requiring institutions to ensure that disciplinary proceedings in response to alleged incidents of dating violence, domestic violence, sexual assault and stalking are prompt, fair and impartial.
- Strengthening protections for victim confidentiality while helping victims to access support, services and disciplinary and legal options.
- Specifying requirements for programs to prevent dating violence, domestic violence, sexual assault and stalking, including prevention and awareness programs and campaigns.

Your comments are due on or before July 21, 2014.

Contact Us

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SUMMARY

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