

October, 2014

UNITED STATES STUDENT ASSOCIATION [LEGISLATIVE UPDATE]



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[I - Department of Education Announces New Grants]

This month the Department of Education (ED) announced that it will be investing more money into grant programs for various different underrepresented communities. The total amount adds up to \$96 million dollars, and the breakdown is as follows:

<input type="checkbox"/> Developing Hispanic-Serving Institutions Program (\$20,141,221)
<input type="checkbox"/> Strengthening Institutions Program (\$22,998,921)
<input type="checkbox"/> The Alaska Native and Native Hawaiian Serving Institutions Program (\$16,360,038)
<input type="checkbox"/> Native Hawaiian Education Program (\$10,054,780)
<input type="checkbox"/> Alaska Native Education Equity Program (\$12,662,376)
<input type="checkbox"/> Promoting Post-baccalaureate Opportunities for Hispanic Americans Program (\$10,625,456)
<input type="checkbox"/> Minority Science and Engineering Improvement Program (\$3,039,006)

Both ED and the Department of Health and Human Services (HHS) have announced grant awards under several programs that are part of the President and Vice President’s Now Is the Time initiative. **HHS announced \$99 million in new grants to improve mental health services for young people:**

<input type="checkbox"/> More than \$34 million to train just over 4000 new mental health providers.
<input type="checkbox"/> More than \$48 million to help teachers, schools and communities promote the mental health of students in communities across the country through 120 new Project AWARE (Advancing Wellness and Resilience in Education) grants to state and local educational agencies.
<input type="checkbox"/> \$16.7 million to support 17 new Healthy Transitions grants, to improve access to treatment and support services for youth and young adults ages 16 to 25 that either have, or are at high risk of developing, a serious mental health condition.



[II - Higher Education Bills]

Senate

Bill#	Bill Title	Sponsor	Summary	Status
S.2432 / H.R. 4582	Bank on Students Emergency Loan Refinancing Act	Sen. Warren (D-MA) Rep. Tierney (D-MA)	Amends title IV (Student Assistance) of the Higher Education Act of 1965 to direct the Secretary of Education to establish a program to refinance the unpaid principal, accrued unpaid interest, and late charges on various student loan programs.	Introduced 6/4/14; failed Senate vote
S.2612	Dynamic Repayment Act of 2014	Sen. Warner (D-VA) Sen. Rubio (R-FL)	Amends title IV (Student Assistance) of the Higher Education Act of 1965 (HEA) to make students ineligible to receive William D. Ford Federal Direct Loans (DLs) on or after July 1, 2015. Makes certain exceptions for student borrowers who have an outstanding balance on their DLs or Federal Family Education Loans (FFELs) as of that date and who later apply for a Direct Unsubsidized, PLUS, or Consolidation Loan. Establishes an Income Dependent Education Assistance (IDEA) Loan program, effective July 1, 2015.	Introduced 7/16/14; in committee
S.2796	Working Students Act of 2014	Sen. Baldwin (D-WI)	A bill to amend the Higher Education Act of 1965 to increase the income protection allowances and to index income protection allowance to inflation.	Introduced 9/11/14; in committee

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S.2204	Proprietary Education Oversight Coordination Improvement Act	Sen. Durbin (D-IL)	Proprietary Education Oversight Coordination Improvement Act - Establishes the Proprietary Education Oversight Coordination Committee to: coordinate federal oversight of proprietary institutions of higher education (IHEs); coordinate federal activities to protect students from unfair, deceptive, abusive, unethical, fraudulent, or predatory practices, policies, or procedures of proprietary IHEs.	Introduced 4/3/14 (going to be re-introduced)
S.2692	Campus Accountability and Safety Act	Sen. McCaskill (D-MO)	Amends provisions of the Higher Education Act of 1965 to require: schools to disclose how that school will be coordinating with local law enforcement, prohibits statistics identifying survivors, establishes online sexual assault survey, implements an independent confidential advisors, creates amnesty for reporters of incidents, creates an uniform process for disciplinary proceedings, increases grant funding to combat campus sexual assault.	Introduced 7/30/14; in committee
S.2695	Survivor Outreach and Support Campus Act	Sen. Boxer (D-CA)	Amends provisions of the Higher Education Act of 1965 to require institutions of higher education to have an independent advocate for campus sexual assault prevention and response.	Introduced 7/30/14; in committee



[II - Recent Higher Education Bills]

House

Bill #	Bill Title	Sponsors	Summary	Status
H.R. 3136/ S. 2513	Advancing Competency-Based Education Demonstration Project Act	Rep. Salmon (R-AZ) Sen. Bennet (D-CO)	Amends title IV (Student Assistance) of the Higher Education Act of 1965 (HEA) to direct the Secretary of Education to select up to 30 institutions of higher education (IHEs) or systems or consortia of IHEs to: (1) carry out, on a voluntary basis, competency-based education demonstration projects; and (2) receive waivers of certain statutory and regulatory requirements that would otherwise prevent such an entity from participating in federal student aid programs or inhibit the operation of competency-based education.	Passed the House 7/23/14 I Introduced into the Senate 6/23/14
H.R. 3393	Student & Family Tax Simplification Act	Rep. Black (R-TN)	To amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, to amend the Internal Revenue Code of 1986 to make improvements to the child tax credit, and for other purposes.	Passed the House 7/24/14
H.R. 4893	Strengthening Transparency in Higher Education Act	Rep. Foxx (R-NC)	Amends the Higher Education Act of 1965 (HEA) to eliminate the restriction of college cost calculations to those costs incurred by first-time students. Eliminates the requirement that the Secretary of Education make publicly available on the College Navigator website: (1) college affordability and transparency lists, (2) state higher education spending charts, and (3) the multi-year tuition calculator.	Passed the House 7/23/14

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H.R. 4984	Empowering Students Through Enhanced Financial Counseling Act	Rep. Guthrie (R-KY)	Amends title IV (Student Assistance) of the Higher Education Act of 1965 to require institutions of higher education (IHEs) to ensure that individuals who receive a Federal Pell Grant or a William D. Ford Federal Direct Loan (other than a Federal Direct consolidation Loan) receive comprehensive counseling regarding the terms and conditions of the Pell Grant or Direct Loan for each year they receive it.	Passed the House 7/24/14
H.R. 5509	College Tuition and Debt Relief Act	Rep. Braley (D-IA)	To amend the Internal Revenue Code of 1986 to increase and extend the American Opportunity Tax Credit and to increase the student loan interest deduction.	Introduced 9/17/14; in committee
H.R. 5567	Education and Workforce Innovation Act	Rep. Carney (D-DE)	To carry out pilot programs to improve skills and job training, and for other purposes.	Introduced 9/18/14; in committee
H.R. 5269	Hold Accountable and Lend Transparency on Campus Sexual Violence Act	Rep. Speier (D-CA)	Amends the Department of Education Organization Act to require the Department to make public a list of all institutions under investigation, amends the Clery Act to direct the Secretary of Ed. to create an annual sexual violence climate survey for students, raise maximum fine for schools that do not fully report assault on their campus, creates an interagency task force that gives recommendations for schools to combat sexual violence, as well as creating a plan for recruiting and training a workforce in the Dept. of Ed. to investigate violations of Title IX and the Clery Act.	Introduced 7/30/14; in committee



[III - Violence Against Women Act Reauthorization]

The Obama Administration announced the publication of the final rule implementing changes made to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) through the Violence Against Women Reauthorization Act of 2013. Ultimately, this law and new rule strengthen the Clery Act to more effectively address and reduce sexual violence on college campuses, including domestic violence, dating violence and stalking.

These regulations would:

1. Require institutions to maintain data and statistics in regards to the number of incidents of dating violence, domestic violence, and sexual assault.
2. Revise the definition of rape utilized by institutions of higher education to reflect the FBI's recently updated information.
3. Reform the categories for hate crimes by adding gender identity, as well as separating ethnicity and national origin into independent categories.
4. Mandate that schools must provide and explicate their annual security reports primary prevention and awareness programs to income students and employees.
5. Define terminology such as "awareness programs", "bystander intervention", ongoing prevention and awareness campaigns", & "risk reduction".
6. Enforce institutions describing each type of disciplinary proceeding used by the institution; including the steps, timelines, decision-making processes, and how the institution determines which type of proceeding to utilize.
7. Requires schools to list the range of protective services they offer following an allegation of dating violence, domestic violence, sexual assault, or stalking
8. Mandate institutions to facilitate an impartial disciplinary proceeding in which: <ol style="list-style-type: none"> officials are appropriately trained and have no bias against neither the accuser nor the accused the accuser and the accused have equal opportunity to present their case the accuser and the accused receive notification of proceeding results, and possible appeals to those results the accuser, the accused, and appropriate officials are given timely access to information that will be used after the fact-finding investigation, and during the information & formal disciplinary meetings/hearings



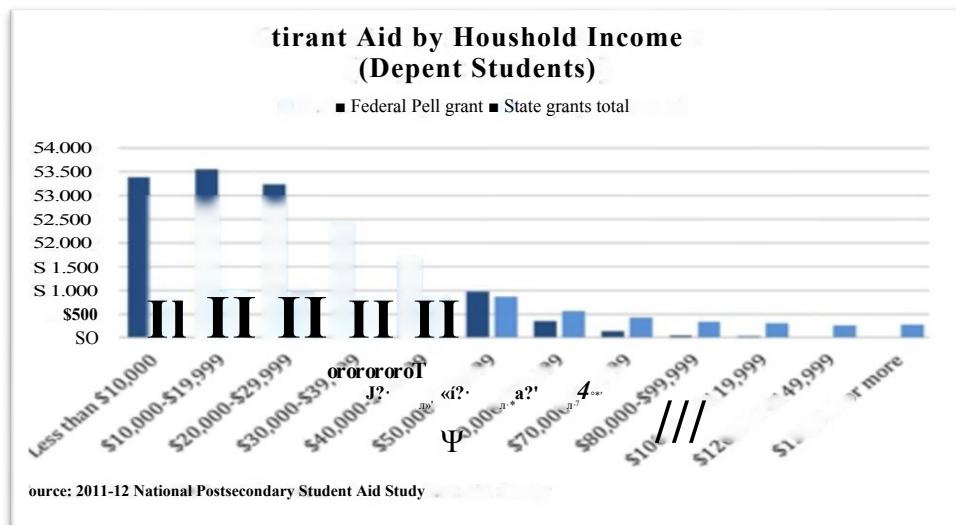
IV - Higher Education Act Reauthorization

The Higher Education Act (HEA) is the leviathan of legislation that encompasses the vast majority of statutes pertinent to higher education in America.

- This piece of legislation gets reauthorized on average every 6 years, meaning it is open to amendments.
- *The Higher Education Act entails all federal student assistance programs such as:*

1) The Pell Grant
2) Federal Work Study
3) Federal loan programs (Stafford loans, PLUS loans, Perkins loans, FFEL loans)
4) Federal Supplemental Educational Opportunity Grant
5) Teacher Education Assistance for College and Higher Education Grant (TEACH)
6) TRIO Programs

70% of all financial aid received by American students of higher education comes from the Higher Education Act





[IV - Higher Education Act Reauthorization]

Higher Education Affordability Act

As previously mentioned, the HEA is up for reauthorization this upcoming year. As the chair of the Senate Health Education Labor and Pension (HELP) committee, Senator Harkin (D - IA) released an 800-page long reauthorization draft of the HEA, calling it the Higher Education Affordability Act (HEAA). This 800-page long bill is comprised of a multitude of different provisions, ranging from implementing year-round Pell Grants to limiting the amount of money private institutions of higher education can receive from the government. For an in-depth summary, a presentation, or a one-pager of that presentation of the HEAA please contact the USSA's Legislative Director using the contact information at the bottom of the page.

Noteworthy Comments:

- 1) It is now confirmed that Senator Harkin will be introducing the HEAA during the lame duck session (period of time between old legislative session and new legislative session)
- 2) The trajectory of this bill is hard to predict, considering that much is up in the air with regards to the midterm elections.
 - If the Senate flips to the Republicans, we shall see a very different sort of HEA reauthorization.
- 3) The strong likelihood is that there will be a huge bill (the HEAA) and a myriad of smaller amendments (like the ones described in the recent higher ed. bills)
- 4) HEA reauthorization is a very elongated process that could take up to a year before there are any concrete policies passed, and even longer for them to be implemented by the Department of Education

For the discussion draft language of the HEAA:

<http://www.help.senate.gov/imo/media/doc/HEAA%20Discussion%20Draft%20Language%206.25.14.pdf>

**[V - Elections Update]**

Midterm elections are upon us, where the entirety of the House of Representatives and 1/3 of Senate gets re-elected this November 4th. This midterm election in particular is going to have potentially drastic implications on education policy, primarily in virtue of the fact that the Senate is “up for grabs”. For months now, the Republican Party have been setting themselves up in key states such as Louisiana, Iowa, South Dakota, North Carolina, Arkansas, West Virginia, and Alaska that are possible swing states for Senate seats. Currently, the United States Senate is dominated by the Democrats, 53 Democrats to 45 Republicans, and 2 Independent Senators who tend to caucus with the Democrats. However, if the Democrats lose 6 or more elections in those aforementioned swing states or other contentious races, then the entirety of the United States Congress will be dominated by the Republican Party.

*Implications of Republican Turnover:***1. Committee Chairs**

- a. Committee chairs of each committee in the Senate will be turned over to the ranking Republican on that committee
 - Seeing as how committee chairs are the members that decide the agenda, and have the most amount of political capital in that committee, if all committees are chaired by Republicans, Republican-favored legislation will be predominantly introduced and passed in committees.

2. Floor Votes

- a. In virtue of the Republican Party gaining the majority in the Senate, and already maintaining the majority in the House, this means that they will have the numbers to easily pass votes on legislation,
 - i. However, in order to bypass a filibuster (talking about a bill so much that time to debate expires) in the Senate, the Republicans will need to pick up at least 15 seats; as opposed to the 6 it'll take them to achieve majority status.

**[V - Elections Update]**

3. Education Policy

Republican leadership has already been moving on education policy in virtue of the Higher Education Act reauthorization coming up this year. Here are some policies we are likely to see coming from this political party:

- 1) **Austerity**: Substantial cutting of all educational programs, all in order to reduce this country's amount of debt. Combined with sequester cuts (\$1.2 trillion dollars over 10 years), there will be mass cuts to the education budget.
- 2) **One grant, one loan**: Republican members want to streamline all grants into one single grant, and reallocate all of that funding into reducing the federal debt (austerity). They also want to streamline all loan programs into one loan program, with a few repayment options.
- 3) **Over-simplification of the FAFSA**: This would entail making the FAFSA (Free Application for Student Financial Aid) a postcard with only two questions on it.
- 4) **Competency based education**: These types of policies reform the standard requirements utilized for progression of graduation. Currently, the standard is credit hours, while essentially means a student attended class for [x] amount of hours and passed all of their exams, hence they will be able to move on to the next level of their class. Instead, competency based education policies would entail having students have to score a high enough on exams (not just receive above a 64) in order to move on.

**[VI - USSA Campaigns]****Federal Access & Affordability**

It's nothing new that there is a severe lack of access to higher education in America; it has been the case since the very inception of post-secondary education. There is extreme higher education disinvestment from state governments, federal aid has not been able to keep up with skyrocketing tuition and fees, as well as for-profit universities and colleges recruiting more and more marginalized communities while charging them higher tuition and leaving them with higher student debt. This is exactly why the United States Student Association is once again tackling the issue of federal access and affordability. There are millions of people who *could* be benefiting from the plethora of opportunities that a higher education provides, but simply cannot because it is too expensive. This year, our campaign is going to be cardinally focused on HEA reauthorization considering it is the ideal medium where there will be an intense focus on higher education that students can take advantage of and concretely impact national education policy. This campaign will predominantly be centered around the cornerstone of college affordability: the Pell Grant. Here are some of our main policy solutions to the current affordability crisis:

- 1) Increase the Pell Grant maximum award by 150% (making it \$8595)**
- 2) Reinststitute year-round Pell Grants (for Summer & Winter classes)**
- 3) Extend the inflation adjustments for the Pell Grant (make sure it keeps increasing every year)**
- 4) Raise the income requirement for the maximum award to \$32,000 (ensure everyone who needs Pell gets it)**
- 5) Enact the 85/15 Rule to reallocate Pell Grant dollars that go to private institutions of higher education, to go to public ones**

To get involved contact:

- **Justin Habler, Legislative Director - leg@usstudents.org**
- **John Aspray, National Field Director - od@usstudents.org**



Recruitment & Retention of Students of Color

The population of the United States is becoming more and more ethnically diverse, yet the demographics of college campuses have not kept up with America's changing demographics. These problems stem from a history of racism in the United States that has not been fully addressed or rectified, and from policies that continue to perpetuate a racially disparate impact in American society. This campaign will be calling for nationwide action to improve the recruitment and retention of students of color on college campuses. Desegregated learning environments correlate to improved academic achievement for minority students with no corresponding detrimental impact for white students, improved critical thinking skills, loftier educational and career expectations, reduction in students' willingness to accept stereotypes, heightened ability to communicate and make friends across racial lines, and high levels of civic and communal responsibility. Here are some concrete solutions to the issue of disparities in racial diversity in higher education:

- 1) The Association for the Study of Higher Education (ASHE), in a 2003 Report called "Retaining Minority Students in Higher Education" highly recommends the **promotion of need based scholarships in place of merit based programs**. According to the study "the shift from need-based to merit-based programs adversely affects both enrollment and persistence of minority students."
- 2) **Increased funding for school-to-college feeder and retention programs** is also recommended, specifically funding programs to get high school seniors on campus and creating departments catered to doing this and connecting students with professors once they are on campus in mentorship programs.
- 3) **Increasing the number of professors, staff, and administrators that are people of color** is another strategy. According to a research from Cornell University there is "significant evidence suggesting that black instructors increase the persistence of black students in STEM fields...These results suggest that policies to increase the minority representation among faculty members might be an effective means of increasing the representation of minorities who persist and ultimately graduate within STEM fields."
- 4) **The use of affirmative action policies in college admissions** will help create a more diverse campus climate by allowing race and gender to be taken into consideration during the application process.

To get involved contact:

- Aja Campbell, West Coast Field Associate - aja@usstudents.org
- Akin Olla, Empire Gardens Field Associate - akin@usstudents.org

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Eli **di it eg** Campus Sexual Violence

Any instance of sexual assault is impermissible, yet there is such a high prevalence of sexual violence on our college campuses. For the purposes of this campaign, we are defining sexual violence as any sexual contact or activity, including but not limited to rape, stalking or intimate partner violence, with someone who has not given their continuous, informed, and enthusiastic consent. So many different kinds of college students are at risk: 1 in 5 women are sexually assaulted in college. Women of color, young people, people with disabilities, the LGBTQ community, and undocumented immigrants are at higher risks of being sexually assaulted. Men are also at risk with 1 in 33 men being sexual assaulted in their lifetime. However, the vast majority (nearly 98%) of sexual perpetrators are men. In addition, most sexual assault survivors know their assailant, 73% of sexual assaults were perpetrated by a non-stranger, so common campus strategies of adding more lighting and increasing safety shuttle services may not be the most effective route in preventing sexual assault. Unfortunately, there is no singular solution to prevent sexual violence on our college campuses while also helping support survivors of sexual assault. Our solution must be multi-faceted and include:

Clearly defined sexual assault policies

Widely available comprehensive sexual assault education programs

A resource shift from risk-reduction strategies to preventive strategies

Consistent and clear reporting of all instances

Survivor-centered, empowerment-based response to sexual assault

Adequate support resources for survivors of sexual assault

To get involved contact your regional associate:

- **John Aspray, National Field Director - od@usstudents.org**
- **Aja Campbell, West Coast Field Associate - aja@usstudents.org**
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