Government Shutdown
On October 1, 2013 the 2014 fiscal year started without an enacted appropriations bill or continuing resolution to fund the United States government, thereby forcing the government to “shut down” for an indefinite period of time. This shutdown is largely due to the Administration and Congress unable to agree on funding levels and policy issues. The main policy issue being that the Republicans, having failed to repeal the Affordable Care Act (ACA, also known as “Obamacare”) through legislation, instead want to defund the ACA by killing it through the budget process. The Administration prefers and expects a continuing resolution without affecting the ACA. During the first week of the shutdown, the U.S. Department of Education was forced to furlough 90 percent of their approximately 4,225 full and part-time staff. Students receiving Pell Grants and Direct Student Loans are not affected because those programs are funded through multi-year and ongoing appropriations from Congress. Although without staff, students and institutions will not be provided with technical assistance if any issues arise; this also goes for other federal programs such as Supplemental Educational Opportunity Grants, TRIO, Title III, and Title IV. If the shutdown continues the department may phase-in more employees if it is critically necessary. The U.S. Department of Veterans Affairs has continued to process and distribute Veterans’ education benefits. Through the end of October those funds are available to ensure claims processing and payments in the compensation, pension, education, and vocational rehabilitation programs will continue; however, in the event of a prolonged shutdown those funds will be exhausted. Until the shutdown is resolved, the previously scheduled Congressional hearings have been postponed and the October 21st through 23rd negotiated rulemaking session on Gainful Employment may be delayed.

President Obama’s College Affordability Plan
President Obama has released his plan to make colleges more affordable, which will be done by measuring college performance through a new rating system being developed by the U.S. Department of Education (Department). This rating system is intended to provide students with information to compare similar colleges in order to get the best value for an excellent post-secondary education. It will also encourage colleges to perform better to receive a higher ranking. The ratings will be based on measures such as access, affordability, and outcomes as well as additional metrics to be determined. The additional metrics will be identified through a series of hearings organized by the Department to be held around the nation asking students, state leaders, and college presidents for their input. The Department’s goal is to have this rating system available and published to the College Scorecard before the 2015 school year.

Once the rating system is established, the Administration will seek legislation through Congress in order to tie federal student aid to college performance. Through the reauthorization of the Higher Education Act, President Obama will be pursing legislation to allocate financial aid based on the new college ranking system by 2018. Colleges and students
are intended to both reap the benefits of a high-ranked college. The President is proposing to grant students more Pell grant money and affordable student loan options to those students enrolled in a college performing high on the College Scorecard. As for the college, they will be given Pell bonuses based on the number graduates who had obtained Pell grants. The President will also seek legislation to strengthen the academic progress requirements of students receiving financial aid. One proposal is to only continue funding a student receiving financial aid who completes a certain percentage of classes. Colleges will have the opportunity to raise their ranking between the time the Scorecard is released and the 2018 implementation of the proposed legislation.

President Obama’s plan to promote innovation and competition in higher education is by asking colleges and higher education leaders to utilize new technologies and establish competency-based programs shown to increase graduation rates. He specified using MOOCs as an option to redesign coursework and to incorporate student services such as e-advising into online learning portals. The President has also proposed to create a $260 million “First in the World” fund used test and evaluate various innovative approaches colleges are using to improve student learning thereby increasing college outcomes. Also, the Department of Labor is planning to grant community colleges with an additional $500 million to promote accelerated degree pathways.

Finally, the President’s plan will attempt to help students afford their college debt by providing flexible repayment options on student loans. The Administration plans to work with Congress to establish the “Pay as You Earn” program where student borrowers can cap their federal student loan payments at 10 percent of their monthly income.

**Congressional Community Colleges Bills of Interest**

**H.R. 357: GI Bill Tuition Fairness Act of 2013**
This bipartisan legislation introduced by Representative Jeff Miller (R-FL), Chairman of the House Veterans Committee, and ranking member Representative Mike Michaud (D-ME), would require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-state tuition rate. This bill was amended in the House Veterans’ Affairs Committee and is now on the House Union Calendar. The Senate has an identical version of this bill, S. 257 by Senator John Boozman (R-AR) which is currently being heard in the Senate Committee on Veterans’ Affairs.

**H.R. 359: CAMPUS Safety Act of 2013**
This bill, introduced by Representative Robert Scott (D-VA) would establish and operate a National Center for Campus Public Safety. The Center would: (1) provide quality education and training for public safety personnel of institutions of higher education and their collaborative partners, including campus mental health agencies; (2) foster quality research to strengthen the safety and security of institutions of higher education; and (3) serve as a clearinghouse for the identification and dissemination of information, policies, protocols, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the
prevention of violence against persons and property, and emergency response and evacuation procedures. This bill is in the House Judiciary Committee and was referred to Subcommittee on Crime, Terrorism, Homeland Security, and Investigation.

H.R. 803: The Support Knowledge and Investing in Lifelong Skills Act (SKILLS Act)
H.R. 803, also known as the SKILLS Act relates to statewide and local workforce investment systems and activities, identification of eligible training services providers, and use of funds for employment and training activities. As for community colleges, this bill would facilitate greater collaboration with community colleges by allowing states to determine the standards required for eligible training providers and allows local boards to contract with community colleges directly to provide training to large groups of participants instead of on an individual basis. H.R. 803 would also consolidate 35 existing streams of funding into a single Workforce Investment Fund. This Republican bill, introduced by Representative Virginia Foxx (R-NC), passed out of the House Education and Workforce Committee with a 23-0 vote. The Democrats left the hearing early in protest from not being included in the drafting of the bill, so none of the Democrats voted. This bill passed on the House floor with a 226-191 vote and is now in the Senate Committee on Health, Education, Labor and Pensions.

H.R. 1949: Improving Postsecondary Education Data for Students Act
Representative Luke Messer (R-IN) passed this piece of legislation in the Senate on May 23, 2013. It would direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency. Specifically, the task force will explore factors that students and families have, want, and need when researching their postsecondary education options. This bill is being considered in the Senate Committee on Health, Education, Labor and Pensions.

H.R. 2637: the Supporting Academic Freedom Through Regulatory Relief Act
On July 24, 2013 H.R. 2637 by Representative Virginia Foxx (R-NC) was amended in the House Committee on Education and the Workforce. This bill repeals: 1) the gainful employment regulation; 2) the state authorization regulation, which forces states to follow federal requirements when deciding whether to grant an institution permission to operate within the state; and 3) the credit hour regulation, which establishes a federal definition of a credit hour and increases the government’s control over institutions’ academic affairs. In addition, the bill amends the incentive compensation regulation to ensure third-party service providers are allowed to enter into tuition sharing agreements with nonprofit colleges and universities to aid in the development of distance education platforms. It would also prohibit the Department of Education from issuing related regulations until after Congress reauthorizes the Higher Education Act. This bill was amended in the House Committee on Education and the Workforce on September 10, 2013 and was place on the House Union Calendar.

S. 3: Strengthen our Schools and Students Act
Introduced on January 22, 2013 by Senator Harry Reid (D-NV) Senate Bill 3, among other things, would build on recent efforts to continue to make higher education more affordable
and to improve access and success for all students. It would also provide all teachers with the support they need to ensure student success, including the creation of a new national Science, Technology, Engineering, and Mathematics (STEM) Master Teacher Corps to recognize and help retain STEM teachers and strengthen STEM education in public schools in the United States. This bill is in the Senate Health, Education, Labor and Pensions Committee.

**S. 216: Tyler Clementi Higher Education Anti-Harassment Act of 2013**

Senator Frank Lautenberg (D-NJ) introduced Senate Bill 216 on February 4, 2013 which would prevent harassment at institutions of higher education. It would authorize the United States Secretary of Education to award grants, on a competitive basis, to eligible entities to enable them to carry out authorized activities such as counseling or redress services to students who have suffered from harassment or students who have been accused of subjecting other students to such harassment; or to educate or train students, faculty, or staff of institutions of higher education about ways to prevent harassment or ways to address such harassment if it occurs. This bill is waiting to be heard in the Senate Health, Education, Labor and Pensions Committee. The House version of this bill is H.R. 482 and is currently in the House Subcommittee on Higher Education and Workforce Training.

**S. 1356: The Workforce Investment Act of 2013**

This bipartisan bill, introduced by Senator Patty Murray (D-WA) and Senator Johnny Isakson (R-GA) on July 31, 2013 is the Senate’s version of reauthorizing the Workforce Investment Act. The bill focuses on effective use of real-world data, performance indicators, and stringent assessments and evaluations to determine the impact of workforce investments. It also restructures state and local Workforce Investment Boards (WIB) by making state WIB seats optional and unlike the House’s SKILLS Act (H.R. 803) it would keep the community colleges seat on the boards. The Senate bill also closely aligns workforce systems with regional economic development and labor markets. In doing so, it would reauthorize the Community Based Job Training Grants program, which would provide competitive grants to support community college partnerships that train individuals in high-demand industry sectors and occupation. S. 1356 is being heard in the Senate Committee on Health, Education, Labor and Pensions.