House HEA Bill Slowed Down to Provide More Time for Review

The House Education and Workforce Committee has slowed down the mark-up process on its controversial Higher Education Act reauthorization bill (H.R. 4283), in order to give the committee more time to review the bill and make changes. Announcement of the delay came after a May 12 hearing on the bill which focused primarily on student loan issues and did not address the issues of primary concern to the higher education community. These areas of concern include: accreditation, accountability, new reporting requirements, transfer of credit, the academic bill of rights, the limited increases in authorization levels for the student aid programs, and the integrity provisions (single definition, the 90/10 rule, and the 50% rule).

The new schedule would push subcommittee consideration of the measure back to at least mid-June, about four weeks later than originally planned. The delay is welcome news to the Washington higher education community, which has been spending much of the time since the bill was introduced lobbying individual members of the committee on the problems with the proposed legislation. The Republican staff who drafted the bill spent two hours with about 20 representatives of the national associations, including NAICU, and took detailed notes on bill changes that were suggested.

The committee leadership staff has asked that specific replacement language be sent to them by May 26, and NAICU is working with the community and its membership to draft those alternatives. NAICU also is involving its State Executive network and its REAP (Reauthorization Action Presidents) to educate the committee about the bill’s problems on a constituent-by-constituent basis.

Maybe they will, maybe they won’t

One of the great debates within the Washington higher education community is whether there will be a serious effort to get the HEA reauthorization bill passed this year or not. Those who answer “yes” note that, although the process in the House has slowed down, it is still moving. Members and staff of the Education and the Workforce Committee have devoted a great deal of time to the reauthorization process and would like to see their labor bear fruit. And House rules make quick action possible – even on highly partisan issues.

Moreover, an exchange between Chairman John Boehner (R-Ohio) and the senior committee Democrat George Miller (Calif.) at the May 12 hearing seemed to leave the door ajar to moving away from the partisanship that has characterized House higher education discussions to date. Less visible work on the reauthorization has been underway in the Senate, and Sen. Judd Gregg (R-N.H.) – chairman of the
(Continued from page 1)

Senate Health, Education, Labor, and Pensions Committee – is expected to introduce its reauthorization bill within the next few weeks.

Those who answer “no” point to the limited number of legislative days remaining in the Congress, the high level of partisanship which is only likely to increase as Election Day draws nearer, and the reluctance of the House leadership to put members on record in opposing popular floor amendments. It is not yet clear if there is consensus among all Republican members of the committee with respect to elements of the bill. Such consensus is critical if the decision is made to continue going forward without Democratic support.

Why it is important to respond

Whether or not the House approves a higher education bill, the chances that the bill would become law are regarded as slim. The rules governing Senate debate make it impossible to move controversial bills forward without some bipartisan support. It is unlikely there would be sufficient time to pull together the needed support in the Senate, and then work out differences between the House and Senate versions of the bill.

Even if the conventional wisdom proves to be true, there is no cause for complacency. All the work being done this Congress will likely be carried over to serve as the starting point for deliberations in the 109th Congress. This is particularly likely if the higher education community is inactive. Such silence will be interpreted as our having no real concerns with the measure as written. In addition, to the extent that votes are on record – be it in subcommittee, full committee, or on the floor – positions will be further solidified.

On the other hand, we do not want to be so alarmist that the committee leadership refuses to work with us, or thinks that we did not give them a chance to review our concerns with the bill’s language. NAICU is balancing these two extremes carefully to ensure that committee members know the gravity of the independent sector’s concerns, but also that we are ready to help them legislate more effectively.

Diverse views at May 12 hearing

Witnesses at the May 12 hearing expressed varying support for the complex bill, often citing both its positive and negative aspects.

Michael Grayer, a recent graduate of Virginia College, a proprietary institution in Mississippi, advocated for the elimination of the requirement that for-profit institutions receive at least 10 percent of their revenues from non-Title IV federal student aid, supported a single definition of nonprofit and for-profit institutions, and felt that the proposal to allow two Pell Grants in one year should not be limited to four-year publics and privates.

Charles Reed, chancellor of the California State University System, also supported the two Pells per year provision, but felt the threshold of a default rate of 30 percent or lower was too strict. Reed also supported the bill’s proposal to eliminate the base guarantee in the formula for the campus-based programs, as did Dallas Martin of the National Association of Student Financial Aid Administrators.

Jim Boyle, president of College Parents of America, supported the Pell proposal, the decrease in the 3 percent origination fee deducted from student loans, and greater “transparency” of college costs. Rebecca Wasserman, president of the United States Student Association, applauded the retention of the current cumulative loan limits for undergraduate students and expressed disappointment at the freezing of the Pell Grant maximum. She also spoke in favor of keeping the “90/10” rule for for-profit institutions.

NAICU will continue to keep members informed of reauthorization developments – through e-mails and faxes, as well as through Week in Review articles – as the process moves forward over the summer.

For more information, contact Maureen Budetti at maureen@naicu.edu or Susan Hattan at susan@naicu.edu, or call either at (202) 785-8866.
Senate Committee Continues Diploma Mill Investigation

Continuing the investigation of unaccredited "diploma mills" it launched in 2001, the Senate Governmental Affairs Committee held hearings on May 11 and 12 which focused on federal expenditures for bogus degrees from unaccredited institutions.

The hearings highlighted a General Accounting Office report requested by the committee's chair, Sen. Susan M. Collins (R-Maine). GAO investigators found that 463 students enrolled in three unaccredited schools are employed by the federal government, and that two of those schools had received almost $170,000 from federal agencies that have paid tuition on behalf of their employees. The investigators indicated that these figures likely understate both the number of federal employees enrolled in diploma mills and the amount of federal tuition reimbursement to such institutions, given that the investigation dealt with a sample of only four schools and employees at eight federal agencies. The GAO selected the four unaccredited schools through an Internet search for "nontraditional, unaccredited, postsecondary schools that offer degrees for a relatively low flat fee, promote the award of academic credits based on life experience, and do not require any classroom instruction."

In addition, undercover investigators posing as potential students employed by the federal government contacted three other institutions to ask if they could modify their billing practices so that the student could obtain federal reimbursement. The three institutions do not require any classroom instruction and charge a flat fee per degree. All were willing, however, to divide the degree fee into several parts to create the appearance that charges were made for individual courses, increasing the chances the fees would be paid by a federal agency.

In discussing the diploma-mill problem, Department of Education Assistant Secretary for Postsecondary Education Sally Stroup indicated that the department is currently compiling a list of accredited postsecondary institutions, and will post the information in an easily accessible database by the end of this year. The department also will compile historical information about institutions that were accredited in the past but are not today (e.g., those that have closed, merged, or changed names).

Sen. Collins also suggested that the Office of Personnel Management offer training to help federal agencies identify diploma mills, and advocated closing a loophole in the law that permits federal agencies to pay for individual classes at diploma mills.

For more information, please contact Susan Hattan at NAICU, (202) 785-8866 or susan@naicu.edu.

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House Appropriators Prep for FY 2005 Cycle

As the FY 2005 budget negotiations drag on, House Appropriations Committee Chairman Bill Young (R-Fla.) met with his subcommittee chairmen the week of May 10, and decided on preliminary allocations for the 13 spending bills. Allocations will be formally approved after the Memorial Day recess.

While not all subcommittee allocations have been made public, the amounts for the Defense, Labor-HHS-Education, and VA-HUD bills have made the headlines. All will be at the president's request levels, which leaves the other 10 bills a little starved.

The education subcommittee will have $142.5 billion, to divide up between popular education, health, and job training programs. This is $2.7 billion more than last year. Subcommittee staff have indicated that they will focus on funding Title I for K-12 schools, special education, and the Pell Grant shortfall.

Young has vowed to keep total spending to $821 billion without gimmicks. The plan is to pass all 13 bills through the committee before the August recess, but that could be difficult because there are only seven weeks when Congress is in session before the summer break. Young has also floated the idea of wrapping any unfinished bills into an omnibus bill before adjourning in the fall, to avoid dragging the appropriations process into the 109th Congress. Others predict the process will wrap up in January, as has happened the last two years.

For more information, please contact Stephanie Giesecke at NAICU (202) 785-8866 or stephanie@naicu.edu.
Higher Ed, Science, Engineering Groups Urge Improved Visa Processing

On May 13, NAICU joined more than 20 higher education, science, and engineering groups in urging the federal government to adopt specific practices for solving the current visa-processing crisis. While the statement strongly supported the federal government’s efforts to establish new visa policies and procedures to bolster security, it stressed that the current state of affairs has made the visa issuance process lengthy and inefficient. It also expressed deep concern about resulting unintended consequences that are proving detrimental to higher education and other important sectors.

The coalition has been working closely with the Department of Homeland Security (DHS) to try to make the visa process less cumbersome. While DHS has responded to some of the group’s concerns, serious problems remain. The coalition has developed specific recommendations with the hope of solving these issues collaboratively. They include:
• Extending the Visa Mantis security clearances for international students, scholars, and scientists from the current one-year time period to the duration of their course of study or academic appointment.
• Establishing a timely process for exchange visitors holding F and J visas to revalidate their visas, or at least to begin the renewal process before they leave the U.S. to attend academic and scientific conferences, visit family, or attend to personal business.
• Creating a mechanism by which visa applicants and their sponsors could inquire about the status of pending visa applications, and establishing a process by which applications pending for more than 30 days are given priority processing.
• Providing updated training of consular staff, establishing clear protocols for initiating a Visa Mantis review, and ensuring that screening tools are being used in the most appropriate manner.
• Revising visa reciprocity agreements between the U.S. and key sending countries, such as China and Russia, to extend the duration of visas each country grants citizens of the other, thereby reducing the number of times that visiting students must renew their visas.
• Implementing a fee collection system for the Student and Exchange Visitor Information System (SEVIS) that allows for a variety of simple fee payment methods that are quick, safe and secure, including payment after the individual arrives in the U.S.

An essential element of the coalition recommendations for an effective visa system is additional funding and staffing across the agencies involved in visa adjudications. The group strongly urged Congress and the Administration to provide adequate resources. The coalition also expressed its commitment to working with lawmakers to shape a federal visa system that both effectively protects the nation from terrorists, and enables the brightest and most qualified international students, scholars, and scientists to participate fully in U.S. higher education and research.

The full text of the recommendations are available at www.naicu.edu/JtVisaStatement.pdf.

Did you know that...
Students who work full time, have a high school equivalency diploma, or face other challenges are far more likely to graduate from a private college or university than a state institution.

That’s just one of the facts documented with graphs and data in NAICU’s publication, Twelve Facts That May Surprise You About America’s Private Colleges and Universities. To request a copy, e-mail NAICU at 12facts@naicu.edu, or fax your request to (202) 785-8866.
NAICU has again spearheaded The National Campus Voter Project, a nonpartisan effort sponsored by 48 higher education associations to encourage college and university students to register, cast a ballot on Election Day, and engage in participatory democracy.

The centerpiece of the project is “Your Vote, Your Voice,” an extensive handbook to guide campuses in their creation and implementation of voter registration and education efforts. Edited and produced by NAICU, “Your Vote, Your Voice” has recently been mailed to the CEO of every college and university in America, and additional copies are available free of charge (visit www.naicu.edu/VoteVoice2004 for ordering information, or to view and print it as a PDF file).

Postsecondary institutions are now required by law to make a good-faith effort to distribute voter registration forms to all of their on-campus degree- or certificate-seeking students for all federal and gubernatorial elections. Institutions must request the required number of voter registration forms from their state election office at least 120 days before the state deadline for registering to vote. This means that, with only a few exceptions, colleges and universities must request voter registration forms during the month of June.

Your Vote, Your Voice provides details on the law, and a state-by-state list of deadlines and exceptions.

One of the most overlooked facts in American politics is that college students are more likely to register and vote than their non-college peers or the general population. According to the U.S. Department of Education, 87 percent of college students registered to vote in 2000, and 78 percent voted in the last presidential election.

A more recent study by the Harvard Institute of Politics also found that 86 percent of traditional aged college students say they definitely or probably will vote. The Harvard study also notes that, with 9.5 million 18- to 24-year olds attending college, this group represents a potentially influential voting bloc.

The National Campus Voter Registration Project is co-chaired by NAICU President David Warren and Constantine Curris, president of the American Association of State Colleges and Universities. Working with other national youth voter efforts such as Rock the Vote, the Commission on Presidential Debates, Youth Vote Coalition, and World Wrestling Entertainment’s Smackdown, the National Campus Voter Registration Project has helped to register more than an estimated three million college and university students since its inception in 1996.

For more information, contact Robert “Bo” Newsome at bo@naicu.edu or call (202) 785-8866.
NAICU Testifies Before SHEEO Accountability Commission

On May 10 the National Commission on Accountability in Higher Education, sponsored by the State Higher Education Executive Officers (SHEEO), held a full-day meeting in Washington, D.C., to explore a range of accountability topics. The principal issues addressed at the meeting focused on:

1. What approaches to accountability (along with other actions) will help American higher education achieve the national goals of greater educational attainment, and world-class research and service to the public?
2. What approaches will build and sustain confidence in the systems and institutions that provide higher education in the United States?

The commission heard from the 26 organizations and individuals who responded to the commission’s call for written testimony last month. Although the commission does not include private higher education representation, final recommendations may not necessarily be confined to the public sector. For that reason, NAICU believed it was important that the commissioners be aware of our views on “appropriate accountability” and of our institutions’ commitment to it as illustrated by the many examples included on the NAICU “Accountability” Web site (www.naicu.edu/Accountability).

NAICU’s testimony emphasized that the diversity of private higher education is reflected in the diversity of ways our institutions hold themselves accountable. We urged that the commission not move in a direction of imposing a common template on all institutions of higher education in the name of accountability. The full NAICU testimony, as well as other information about the commission, may be found at: www.sheeo.org/account/comm-home.htm (Note: include hyphen). SHEEO staff, in consultation with a panel of advisors, will develop the first draft of the commission’s report this summer for review at the SHEEO annual meeting in July, and at the SHEEO professional development conference in August. The full commission will meet again in the fall to discuss a preliminary report, and expects to issue a final report by the end of this year.

The commission is co-chaired by former Education Secretary Richard Riley and former Oklahoma Governor Frank Keating, and is supported by the Ford Foundation and the Fund for the Improvement of Postsecondary Education (FIPSE). For more information, please contact Susan Hattan at NAICU, (202) 785-8866 or susan@naicu.edu.

Guide to Congress Available Free to Members

NAICU has a limited number of copies remaining of the Guide to Congress for the 108th Congress, and is making them available free of charge to NAICU members as long as supply lasts. The pocket-sized book lists all members of the House and Senate with photo, brief bio information, and contact information for each. It also includes all House and Senate committee assignments, executive and judicial branch listings, congressional district maps for each state, as well as information on congressional terminology, procedures, and calendars.

To request a copy, e-mail Roland King, NAICU vice president for public affairs at roland@naicu.edu. Be sure to include the full mailing address to which the guide should be sent.