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Congress Passes Trillion Dollar Budget

Congress has passed a trillion dollar spending blueprint on mostly party line votes, and has laid out plans to write the FY 2009 appropriations bills this summer. The budget plan allows Congress to spend $24.5 billion more than the president requested on the 12 annual appropriations bills, including $8.4 billion more than the president's budget for the education category.

The Senate made the first move on June 4, with quick closing remarks and a vote of 48 to 45. On June 5, with very little debate, the House passed S. Con. Res. 70 by a vote of 214 to 210.

How the administration reacts to the subcommittee bills will determine how much further into the process Congress ventures this year. House Appropriations Chairman David Obey (D-Wis.) has already stated that if the president lobbs veto threats and does not offer to negotiate, then Obey will hold off further action until a new president is elected. While no one expects any bills to be sent to the president, writing the subcommittee bills is an important step for the Democratic Congress in laying out its funding priorities in an election year.

The House Appropriations Committee has released its schedule of hearings, which includes ratifying the subcommittee allocations on June 18, writing the Labor-HHS-Education subcommittee bill on June 19, and taking that bill – which includes student aid – to the full committee on June 25. Our understanding is that the Senate subcommittee plans to write its education spending bill on June 24.

For more information, contact Stephanie Giesecke, stephanie@naicu.edu

Revised Disabilities Act in the Works

Congress is likely to consider a rewrite of the Americans with Disabilities Act (ADA) this summer. Legislators see a need for clarification in a number of areas because of conflicting court opinions regarding congressional intent and an excessively narrow Supreme Court interpretation of who is protected by the ADA. The ADA applies to colleges both as employers and as providers of educational services.

The greatest change being considered is the definition of disability. In response to court cases narrowing the definition and raising the standard for qualifying as disabled, the new law would create a class of protected individuals aligned with the approach of other civil rights statutes. Disability advocates have felt that, because the ADA has a different construction than other civil rights laws, the courts have overly focused on whether individuals have a severe enough disability, rather than whether they experienced discrimination because of their disability.
Last July, Rep. Steny Hoyer (D-Md.) and Sen. Tom Harkin (D-Iowa), introduced companion bills, H. R. 3195 (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_bills &docid=f:h3195ih.txt.pdf) and S. 1881 (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_bills&docid=f:s1881is.txt.pdf) to restore the intent and protections of the Americans with Disabilities Act of 1990. While employers expressed multiple concerns about that legislation, recent negotiations between the disability community and business has lead to a compromise agreement that both sides believe is fair. This gives the legislation new impetus for consideration this summer. Both sides are working together for swift enactment of the agreement.

The draft legislation broadens the definition of who is covered. In a major concession to the business community, the agreed-upon language maintains the term "substantially limits a major life activity," and further defines that to mean "materially restricts." However, it also includes an illustrative, non-exhaustive list of these activities that includes cognitive activities (learning, reading, concentrating), as well as physical activities and major bodily functions. At the most fundamental level for colleges, though, experts believe it should not change college curriculum or academic standards.

Most college disability offices seem to believe that there will be changes because of this law, but they don’t see the changes as dramatic for most colleges. They say that most colleges and universities have been generous in providing accommodations for their students and their employees, and have seldom limited their services to some of the courts narrower interpretations of the law.

They do caution that the revised bill could increase the number of students approaching the disability office for assistance. Under the proposed legislation, instead of proving their disabilities, students would need to prove sufficient need for a reasonable accommodation.

One area where institutions could face increased accommodation requests is from students with learning or concentration issues. If granted, these might include a quiet testing environment, longer test time, or note takers. Some of the most expensive accommodations – wheel chair access, deaf interpreters, and Braille books, for example – are already in place at most colleges and universities.

We encourage presidents to have their legal counsel review the legislation as it moves through the process to determine how it would affect their institutions, both as employers and as providers of a learning environment.

We will keep you apprised as the bill moves through the legislative process. There has been no major public action recently, but we know committee staff are working on the draft. The House bill has 245 co-sponsors (http://thomas.loc.gov/cgi-bin/bdquery/z?d110:HR03195:@@@P), and the Senate bill has three – Sens. Arlen Specter (R-Pa.), Ted Kennedy (D-Mass.) and Ted Stevens (R-Alaska).

For more information, contact Stephanie Giesecke, stephanie@naicu.edu

Homeland Security to Overhaul SEVIS

The U.S. Department of Homeland Security (DHS) has announced plans to overhaul the Student and Exchange Visitor Information System. SEVIS, which was created after the September 11 terrorist attacks to better track international students, has been controversial and burdensome throughout its development.

Speaking at the annual meeting of NAFSA: Association of International Educators late last month, DHS officials said the overhaul of SEVIS – to be called SEVIS II – will increase the accuracy and reliability of the data, improve the security of the system, and enhance the ability to share information with other federal agencies that monitor foreign visitors.
The most significant change will be the creation of a single record for each international student. Under the current system, students who apply to multiple colleges are issued separate documents for each institution. SEVIS must then track numerous duplicate forms. SEVIS II will establish an account for each student, rather than just track paperwork.

NAFSA annual meeting participants voiced concerns about technological glitches, such as those which have plagued the current SEVIS system, as well as potential fee increases. (In April, the agency proposed doubling the student visa fee to $200; see WIR#4, April 28.) DHS officials said they don't anticipate additional fees, and have already incorporated SEVIS II fees into the last proposed hike.

The target date for the start of SEVIS II is September 2009. However, international educators and SEVIS administrators feel the timeline is overly optimistic.

For more information, contact Karin Johns, karin@naicu.edu

Peace Corps Looks to Expand Higher Ed Partnerships

Peace Corps officials are encouraging campus leaders to explore partnership opportunities that allow students to integrate corps service with their studies. Officials are interested in expanding the four programs described below.

- The **Master's International (MI) program** allows students to incorporate Peace Corps service into a master's degree program at participating universities. Begun in 1987, it provides potential Peace Corps volunteers with academic preparation in scarce skill areas. Currently these areas include education, agriculture, environment/natural resources, business development, and public health.

  The corps recently issued a Request for Proposals to add up to eight new universities to the program. While the current solicitation period has closed, the agency is accepting names of individuals and colleges interested in applying in the next RFP round (no date has yet been established, however). For more information: www.peacecorps.gov/masters. Program contact: Eric Goldman, (202) 692-1896, egoldman@peacecorps.gov.

- Through the **Fellows/USA program**, returned Peace Corps volunteers use the skills and experience gained overseas to work with underserved U.S. communities while pursuing graduate studies at a reduced cost. Fellows/USA is a collaboration of university programs, communities, community agencies, and the corps. Fellows/USA proposals are accepted on a rolling basis. For more information: www.peacecorps.gov/fellows. Program contact: Julie Driver, (202) 692-1432, jdriver@peacecorps.gov.

- Peace Corps Prep is currently in the pilot stage at Knox College in Illinois. It prepares participating undergraduate students to be better equipped for Peace Corps service through appropriate academic course work and curricular enhancements, including experiential learning based on community service. (While completing the program should increase students' competitiveness for Peace Corps service, it does not guarantee acceptance.) The corps hopes to replicate the program on other campuses soon, and is seeking new university partners. For details or to express interest in participating, call (202) 692-1442.

- Peace Corps Baccalaureate is a pilot program geared toward community college graduates, and allows students to pursue their bachelor's degrees at Metropolitan State University in St. Paul, Minn., while serving in the Peace Corps. The corps is currently evaluating the success of this program and may be looking for new partners in the future.
U-CAN Announces First Major Data Overhaul

Since it was launched last September, the University & College Accountability Network (U-CAN, www.ucan-network.org) has met with remarkable success. To date, nearly 300,000 visitors have viewed more than 800,000 U-CAN profile pages. Recent focus groups of parents of college-age students have found U-CAN a valuable source of vital information in making college choices. Some individual profiles have received over 20,000 views, and an increasing number of high school college counselors are using U-CAN in advising students.

A key factor in U-CAN’s success is that the data displayed is consistent across all institutions, making it possible for students and their parents to compare profiles. To keep the data as current as possible, we’ve established a regular update schedule. **The spring update period began on Tuesday, June 10 and will last until July 23.** During this time, all participating institutions are asked to bring their U-CAN profile information up to date. (Detailed instructions have already been sent to the campus contacts for U-CAN.)

If your institution is not yet participating in U-CAN, this may be an especially appropriate time to join with the 682 private colleges and universities that are already part of this highly visible consumer information effort. NAICU staff are available to talk with you about any questions or hesitancy you may have about participating.

We look forward to continued success as we move toward U-CAN's first anniversary in September. At that time, we plan to unveil several enhancements that will improve the user experience. We encourage campuses to update information, so that your institution's profile will be available for students and their families during the fall semester. And thanks for your help in making U-CAN a resounding success.

For more information, contact Tony Wagner, tonyw@naicu.edu

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The Week in Review is published by the National Association of Independent Colleges and Universities.

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