

# State and Federal Political and Policy Update

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# Agenda

- **Intro's & Political Landscape**
- **Top Higher Ed Issues**
  - **Budget & Appropriations**
  - **Financial Aid & College Access**
  - **Free Speech & Safe and Inclusive Campuses**
  - **Campus Sexual Assault & Prevention (Title IX)**
  - **Guns on Campus**
  - **Immigration & Undocumented Students**
  - **Economic & Workforce Development**
- **Questions & Answers**



# Federal & State Political Landscape



- **Public Higher Ed operates in a political ecosystem. It is constitutionally a state function.**
- **Republican power in states near 100-year highs. Full control of Washington**
- **The 2018 elections will be very, very important**
- **Federal**
  - **House 241-194 GOP Majority**
  - **Senate 52-46-2 GOP Majority**
  - **2018 Senate Races (23 Dem, 9 GOP, 2 Ind)**
- **State—Conservative Power at a Peak**
  - **25 states w/total GOP control vs 6 for Dems**
  - **2018 elections are pivotal for redistricting**
  - **36 governors up in 2018**

# **APLU Congressional & Governmental Affairs**

- **How APLU is Engaging the New Administration**
- **APLU Council on Governmental Affairs**
- **Partnerships w/ Councils and Commissions and Other Organizations**



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# Top Policy Issues

## Status of White House and Department of Education

### White House

- **Staffing (OMB and DPC)**
- **Higher Ed as a Priority Among Many Competing Domestic Issues?**

### Department of Education

- **Staffing and Leadership (Undersecretary, FSA Head, Policy Staff)**
- **Regulatory Reform**

# Top Policy Issues

## Budget & Appropriations

- Federal

- Recent Omnibus funding goes through September.
- Deal on defense and nondefense sequestration relief may be over.
- FY18 Trump “skinny budget” is indeed skinny on higher education community’s priorities.
- Student aid in FY18.
- Budget proposal DOA but challenges are not.

- State

- Many state budgets=lagging revenue numbers
- State-specific issues, but oil/gas revenues are down
- Little political support for enhancing revenue=budget cuts
- Public higher education expecting sizable cuts in many states

## The “Business” of Higher Education

### Federal

- **FLSA in the New Administration**
- **Tax Reform is Next Up on the Hill**

## Financial Aid & College Access

- Federal
  - **Year-Round Pell Guidance for 2017-18 award year (just released).**
  - **Status of HEA reauthorization (Not This Year).**
  - **There continues to be increased scrutiny around financial aid's role in affordability. (Rising tuition and Bennett Hypothesis)**
  - **Major divide between parties on access and affordability policy**
- State
  - **Press by governors & legislators to hold down tuition increases. Debt concerns. But what now w/ budget cuts?**
  - **Tuition increases in recent years=mild by historical standards**
  - **Free college movement. Big legislation in NY.**
  - **Quality?**

# Top Policy Issues

## Free Speech & Safe and Inclusive Campuses

- Federal

- Congressional hearings on the topic of Free Speech on Campus.
- Constant balancing act for institutions and specifically for Public Colleges and Universities.

- State

- Lots of discussions today re: free speech (Milo, Coulter, etc.)
- State bills to eliminate “free speech zones”
- Codify academic freedom
- Civil Rights: “Bathroom bills” in 16 states, 6 states that would override local anti-discriminatory measures, 14 states would limit transgender rights (h/t NCSL)

## Institutional Accountability

- **Federal**

- **Who is to blame?**
- **Role of Accreditors vs. Department of Education**
- **Threat of Risk Sharing**
- **How to measure success and failure?**
- **Department of Education rulemaking to come (Gainful Employment and Borrower Defense to Repayment)**

- **State**

- **States have aggressive goals for higher education**
- **Performance-based funding**
  - **Does it work? What effect on equity?**

# Top Policy Issues

## Campus Sexual Assault & Prevention (Title IX)

- Federal

- **Campus sexual assault & prevention must remain of chief importance for the safety of our campuses. Signals of major OCR changes**
  - **Instructions to field offices to remove backlog of cases.**
  - **Indications of increased collaboration and assistance.**
  - **Potential adherence to rulemaking procedures for the Dept.**

- State

- **Movement to crack down on campus sexual assault at the state level**
- **Solutions=affirmative consent standards, transcript notation, confidential advisors.**
- **Pushback=Due Process legislation**

## Guns on Campus

- State

- **Around 14 states considering guns on campus bills (h/t NASPA). AR and GA approved bills this year. MD gun control.**
- **17 states ban outright, 23 punt to campuses, 9 allow guns. TN allows guns for faculty/staff. (h/t NCSL)**

# Top Policy Issues

## Immigration & Undocumented Students

- Federal

- **DACA & DREAMERS to stay for now...**
- **Travel Ban, Extreme Vetting, and H-1B Premium Processing suspension limit the ability for institutions of higher education to attract and obtain the world's most talented students & faculty for research and study.**
- **Scrutiny of high-skilled visas and optional practical training (OPT)**

- State

- **Crackdown on the “sanctuary campuses” proposals**
- **In-state tuition and access to financial aid for undocumented students remains an issue**

# Top Policy Issues

## Economic & Workforce Development

- **Federal**

- **Responsiveness to careers and the workforce continue to be essential.**
- **False dichotomy between jobs & holistic development in higher education.**

- **State**

- **New, stark divide in post-Recession economy**
- **Governors and legislators seeking to link available jobs to education/training in the state**
- **Higher education is mostly discussed in economic terms**

# Conclusions

- **Conservative power is at a peak, look for opportunities for advancement while also playing defense.**
- **The nation and some states are in for very challenging budget cycles.**
- **Affordability and outcomes will continue to be important issues.**
- **Campus sexual assault, free speech, & guns on campus will be flashpoints.**

# Questions?

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