

## Federal Policy and Advocacy Update

*(Provided by the California Community Colleges Chancellor's Office. Information current as of July 31, 2024).*

### FEDERAL REGULATIONS

#### Distance Education

On July 24, 2024, the United States Department of Education (ED) published a [notice of proposed rulemaking](https://www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov) (www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm\_campaign=subscription+mailing+list&utm\_medium=email&utm\_source=federalregister.gov) on five proposed regulations that seek to better account for programs offered entirely online by higher education institutions and the students enrolled in these programs.

#### Return of Title IV Funds

On July 24, 2024, ED published a [notice of proposed rulemaking](https://www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov) (www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm\_campaign=subscription+mailing+list&utm\_medium=email&utm\_source=federalregister.gov) on seven proposed regulations that seek to clarify when institutions should produce return to Title IV (R2T4) calculations.

#### Undocumented Student Access to TRIO Programs

On July 24, 2024, ED published a [notice of proposed rulemaking](https://www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov) (www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm\_campaign=subscription+mailing+list&utm\_medium=email&utm\_source=federalregister.gov) on a proposed regulation to expand eligibility for the federal high school TRIO programs (Talent Search, Educational Opportunity Centers, Upward Bound) to students who are enrolled in or seeking to enroll in a U.S high school, or a high school in the U.S. territories, or Freely Associated States (if a student does not satisfy any of the other eligibility categories for these programs).

#### Department of Education Title IX Final Rule

In July 2024, a federal district court in Kansas issued a preliminary injunction on ED's final Title IX rule. The injunction prevents ED from enforcing its Title IX regulations against any school or college located in the plaintiff states, attended by individual plaintiffs, or attended by members of the plaintiff organizations. According to the plaintiffs, they collectively attend thirty California Community Colleges. However, because the schools and colleges were not defendants in the case, they are not themselves subject to the preliminary injunction. Therefore, California community colleges may continue to take any actions they deem necessary to implement the final Title IX rule as well as any actions necessary to comply with California law.

- Overview of [key provisions of the Department of Education’s 2024 Title IX Final Rule](https://www2.ed.gov/about/offices/list/ocr/docs/t9-final-rule-summary.pdf) (www2.ed.gov/about/offices/list/ocr/docs/t9-final-rule-summary.pdf)
- [2024 Title IX Regulations: Pointers for Implementation](https://www2.ed.gov/about/offices/list/ocr/docs/pointers-for-implementation-2024-title-ix-regulations.pdf) (www2.ed.gov/about/offices/list/ocr/docs/pointers-for-implementation-2024-title-ix-regulations.pdf)

## **FEDERAL LEGISLATION SUPPORTED BY CHANCELLOR’S OFFICE**

*(S.4595) Pell Grant Preservation and Expansion Act of 2024 (Sen. Hirono, Mazie K. (D-HI))*

Strengthens the purchasing power of the Pell Grant by doubling the maximum award amount and adjusting it for inflation. The bill also transitions the Pell Grant program to mandatory funding, restores student eligibility for 18 semesters, and provides automatic/additional aid above the maximum Pell Grant for students receiving federal public benefits. In addition, the bill broadens Pell Grant eligibility to DACA recipients.

*(H.R.7488) Degrees Not Debt Act of 2024 [Rep. Carbajal, Salud O. (D-CA)]*

Under the Degrees Not Debt Act of 2024, the maximum Pell Grant award for the 2024–2025 and 2025–2026 award years would be \$14,800. This measure would mandate that the maximum Pell Grant be raised in accordance with inflation adjustments starting in the 2026–2027 award year and continuing for each subsequent award year.

## **FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) UPDATE**

As of July 19, 2024, 47.7% of the high school class of 2024 has completed a FAFSA. There have been 1.9 million FAFSA forms completed nationally, which is 10 percent below last year’s completion rate at this time. As of July 30, 2024, ED announced that financial aid officers at colleges will not be able to submit batch institutional FAFSA corrections, reversing course on earlier announcements. ED had previously shared that batch institutional corrections via the Electronic Data Exchange (EDE) would be available by mid-August. Batch corrections will now be deferred until the 2025-26 FAFSA cycle.

Additionally, ED announced that they will begin to process paper FAFSA applications as of the week of July 29, 2024. Lastly, ED shared that students with parents or spouses without a Social Security Number (SSN) will continue to not be required to undergo the FSA ID verification process.

## **ADMINISTRATION UPDATE**

On July 17, 2024, President Biden signed an Executive Order (E.O.) expanding support to the nation’s Hispanic-Serving Institutions (HSIs) and provided the following announcements: an update to Biden’s June 18<sup>th</sup> affirmative relief executive action, a proposed rule that will be announced by the US Department of Education expanding federal high school TRIO programs to undocumented students, and expansion of access to legal representation and immigration-related assistance for U.S. immigrant communities.

More information can be found [here](https://whitehouse.gov/briefing-room/statements-releases/2024/07/17/fact-sheet-biden-harris-administration-announces-new-actions-to-expand-opportunities-for-latino-communities-and-ensure-every-family-has-a-fair-shot-at-the-american-dream/) (whitehouse.gov/briefing-room/statements-releases/2024/07/17/fact-sheet-biden-harris-administration-announces-new-actions-to-expand-opportunities-for-latino-communities-and-ensure-every-family-has-a-fair-shot-at-the-american-dream/).