

US Higher Education Policy Report – June 1-5, 2020

Article By:

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This weekly report captures developments from the US executive and legislative branches related to higher education policy, and also includes additional information such as relevant reports and upcoming events.

Executive Branch Update

- **New White House Proclamation on Chinese Graduate Students.** On Friday, President Donald Trump issued a [proclamation](#) to bar some Chinese students from obtaining student visas to study at universities in the U.S. The Administration cited their concerns that the Chinese government uses Chinese students to obtain access to sensitive technology and intellectual property. According to a White House [fact sheet](#), the proclamation targets graduate students with F or J visas attempting to study in the United States.
- **President Trump Vetoes Borrow Defense Repayment Resolution.** On Friday, President Trump vetoed a [bipartisan resolution](#) to overturn a Department of Education borrower defense to repayment rule, which members of Congress argued would make it more difficult for students to obtain tuition refunds if they were defrauded by their colleges. President Trump argued the resolution would restore Obama-era regulations that defined “fraud” too broadly and would negatively impact many universities. Rep. Susie Lee (D-NV), who introduced the resolution, is advocating for Congress to hold a vote to overturn the veto.
- **Governor’s Emergency Education Relief Fund to be Publicized.** On Wednesday, the Department of Education announced it has received all applications from the Governor’s Emergency Education Relief (GEER) Fund, created by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and will soon make all applications public. The CARES Act allocated \$3 billion to the GEER Fund, which allows governors the ability to award the funding to universities and K-12 schools.
- **Binding Eligibility for CARES Act Emergency Financial Aid Grants Could be Forthcoming.** On Tuesday, a court filing revealed the Department of Education is considering a regulation that would make [April guidance](#) on emergency financial aid grants to students from the CARES Act legally binding. The April guidance blocked undocumented students from accessing this federal aid and was met with a negative response from a

Democrats in Congress and in state legislatures. The Department is currently being sued by the States of California and Washington over its guidance.

Legislative Update

- **House Democrats Ask For Additional K-12 Funding.** On Monday, a group of Democratic House members sent a [letter](#) to Senate and House leadership asking for \$305 billion in K-12 funding in the next COVID-19 stimulus bill. The group of over 100 House representatives led by Reps. Rashida Tlaib (D-MI), Jahana Hayes (D-CT), and Ayanna Pressley (D-MA), are asking for the \$305 billion to be allocated as a “State Fiscal Stabilization Fund for grants to States to support statewide and local funding specifically for our K-12 public schools.”
- **House Members Send Letter on Optional Practical Training Program and Student Visas.** On Tuesday, a group of bipartisan representatives led by Rep. Steve Stivers (R-OH) sent a [letter](#) to Secretary of State Mike Pompeo and acting Homeland Security Secretary Chad Wolf asking them to preserve the Optional Practical Training (OPT) program, which allows foreign students to work in the United States for up to three years after completing their academic studies. The letter also addressed expected increases in student visa volumes in the coming year. The request comes in response to media reports that the Trump Administration is planning an executive order to limit the OPT program and thereby decrease the number of international students studying in the United States. According to the Wall Street Journal, Trump administration officials say the temporary restrictions would be designed to benefit American graduates looking for entry-level work during the economic downturn caused by the COVID-19 pandemic.
- **Senate Committee Holds Hearing on Re-Opening College Campuses.** On Thursday, the Senate Health, Education, Labor, and Pensions (HELP) Committee held a hearing titled, “COVID-19: Going Back to College Safely.” Witnesses discussed their universities’ plan for testing, social distancing, and responding to positive cases when schools return in the fall. Senators voiced concern for older faculty and staff that may be more susceptible to the coronavirus, and discussed options to better support students and universities in the next COVID-19 legislation, suggesting increasing direct financial aid to students and universities as a viable option.

Upcoming Events

- **Wednesday, June 10:** the Senate HELP committee will hold a hearing titled “COVID-19: Going Back to School Safely.” Witnesses include Commissioner of Education for the Tennessee Department of Education Dr. Penny Schwinn, Commissioner of Education for the Nebraska Department of Education Dr. Matthew Blomstedt, Superintendent of Denver Public Schools Susan Cordova, and President and CEO of The Education Trust John B. King, Jr.

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