



**LOS ANGELES COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
LEGISLATIVE & PUBLIC AFFAIRS COMMITTEE MEETING**

**Educational Services Center
Board Room – First Floor
770 Wilshire Boulevard
Los Angeles, CA 90017
Wednesday, March 21, 2018
3:00 p.m. – 4:15 p.m.**

Committee Members
Mike Fong, Chair
Andra Hoffman, Vice Chair
Gabriel Buelna, Member
Scott J. Svonkin, Board Alternate
Maria Luisa Veloz, Staff Liaison
Marvin Martinez, College President Liaison

Agenda

(Items may be taken out of order)

- I. ROLL CALL
- II. PUBLIC SPEAKERS*
- III. NEW BUSINESS
 - A. State Legislative Report
-*Lizette Navarette, Vice President Community College League of California*
 - i. Review of 2018 Higher Education Bills
 - ii. Update on FY 2018-2019 State Budget Issues
 - 1. Funding for Financial Aid Software and Tech Support
 - 2. On-line California Community College
 - 3. California Community College New Funding Formula
 - B. Federal Update Report
-*Leslie Pollner, Holland & Knight LLP*
- IV. OLD BUSINESS
- V. DISCUSSION
- VI. SUMMARY- NEXT MEETINGMike Fong
- VII. ADJOURNMENT

*Members of the public are allotted three minutes time to address the agenda issues.

Order of Business

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Holland & Knight

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Memorandum

Date: March 14, 2018

To: LACCD Legislative & Public Affairs Committee

From: Holland & Knight LLP

Re: Federal Policy Update

This memo provides a brief overview of key issues impacting the Los Angeles Community College District, including:

- FY 2018 Omnibus
- DACA
- HEA
- America's College Promise Act
- DOL Apprenticeship Guidelines

FY 18 Omnibus House Vote Delayed

With government funding set to expire on March 23rd, lawmakers face a rapidly approaching deadline to pass an FY 18 spending package. The House was expected to vote on Friday, March 16th to pass the omnibus. However, debates over “policy riders” and other legislative issues continue to stall the bill’s progress. Because the funding package is viewed as one of the few remaining “must pass” items before the November elections, Republicans and Democrats are looking to attach other items to it, many of which are controversial. The miscellaneous potential policy riders under consideration range from deportation relief for DREAMers and funding for President Trump's proposed border wall; a prohibition on U.S. funding for international groups that provide abortion services and de-funding Planned Parenthood; as well as a tax provision that would allow churches and nonprofits to participate in political campaigns. Nevertheless, House and Senate leadership are adamant that these debates will be resolved by March 23rd and another Continuing Resolution (CR) will not be needed. The House and Senate are now expected to vote the week of March 19th and then will break for a two-week recess.

DACA

Although some Democrats have continued to push to have a DACA fix attached to the March 23rd spending bill, most believe that it will not be included. Nevertheless, efforts to try to address DACA continue. On March 13, Rep. Jeff Denham (R-CA) introduced H.Res. 774, which has 24 co-sponsors and proposes to bring the Securing America's Future Act, the DREAM Act, the USA Act, and an immigration bill of Speaker Paul Ryan's choice to the House floor. The rule would allow bill sponsors the opportunity to amend language prior to debate and, ultimately, a

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vote. In this vote series, the bill receiving the highest number of votes exceeding 218 would pass the House under a rule known as “queen-of-the-hill.” While this effort faces a significant uphill battle (the resolution itself would need a majority before the effort could be undertaken), it is an indication of the frustration felt by some Republicans about Congress’ inability to address the issue.

Meanwhile, Speaker Ryan continues to face pressure from other members of his caucus to bring H.R. 4760 *The Securing America’s Future Act* to the House floor late spring or early summer. *The Securing America’s Future Act*, also known as “The Goodlatte bill” after House Judiciary Chairman and bill sponsor Bob Goodlatte (R-VA), is the most conservative piece of the several DACA bills introduced over the last six months.

Specifically, the bill allows DACA beneficiaries to receive a 3-year renewable legal status, while making gang members, individuals who have criminal convictions, or convictions in juvenile court for serious crimes ineligible for legal status. It ends family migration, ends the Diversity Visa program, increases the number of green cards available for skilled workers, and creates a new, agricultural guest worker program for farmers and ranchers. The bill also authorizes the construction of a border wall, invests in new technology, and improves, modernizes, and expands ports of entry. It also calls for an additional 5,000 Border Patrol Agents and 5,000 Customs and Border Protection Officers and requires the use of a biometric Entry-Exit system at all ports of entry. Even if the legislation could pass the House, however, it would not be able to garner 60 votes in the Senate.

Adding to the uncertainty, President Trump briefly floated a short-term deal this week that would provide temporary protections for Dreamers in exchange for border wall funding in the FY 18 spending bill. That effort, was quickly shut down by Republican leadership and the Trump Administration has backed away from its proposal.

HEA Reauthorization

The momentum around the reauthorization of the Higher Education Act (HEA) has diminished considerably. House Education and Workforce Chair Virginia Foxx (R-N.C.) has failed in her attempts to get Speaker Paul Ryan (R-Wisc.) to bring The PROSPER Act to the House floor for a vote. Meanwhile, higher education advocacy groups continue to push their opposition to PROSPER by targeting Republican districts where they have member institutions.

On the Senate side, Health Education Labor and Pensions (HELP) Committee Chairman Lamar Alexander (R-Tenn.) and Ranking Member Patty Murray have yet to unveil an HEA bill. The two are still trying to find common ground on several divisive issues. Late last week there was speculation that Senator Alexander will revert to his original plan to release higher education reform legislation through a piecemeal approach, which Senator Murray ardently opposes. It is anticipated that the first bill Senator Alexander would introduce is legislation to simply FAFSA.

Senators Introduce America’s College Promise Act

Senators Sheldon Whitehouse (D-R.I.) and Tammy Baldwin (D-Wis.) have reintroduced the America's College Promise Act. The legislation would create a new federal-state partnership to provide two years of tuition-free training in community or technical college programs that lead to a degree or industry-recognized credential.

The legislation would give students the opportunity to access quality and affordable higher education that gives them the skills and knowledge they need to succeed in the 21st century economy. A full-time community college student could save an average of more than \$3,500 in tuition and fees per year. If all states participated under this program, an estimated 9 million students could benefit. Key provisions of the bill include:

- Provide a federal match of \$3 for every \$1 invested by the state to waive community college tuition and fees for eligible students before other financial aid is applied;
- Ensure that programs offer academic credits which are fully transferable to four-year institutions in their state, or occupational training that leads to credentials in an in-demand industry;
- Maintain and encourage state funding for higher education; and
- Establish a new grant program to provide pathways to success at minority serving institutions by helping them cover a significant portion of tuition and fees for the first two years of attendance for low-income students.

“Higher education should be a path to shared prosperity, not a path into suffocating debt. But unfortunately, college costs and student loan debt are holding back an entire generation and creating a drag on economic growth for our country,” said Senator Baldwin. “America needs to out-educate the rest of the world in order to better compete in a 21st century, skills-based economy. The *America's College Promise Act* is an investment in workforce readiness and our economy. I'm proud to introduce this legislation and help give more students the opportunity to gain the skills needed to compete, succeed and prosper.”

The co-sponsors of the *America's College Promise Act* include Senators Kirsten Gillibrand (D-NY), Ben Cardin (D-MD), Sheldon Whitehouse (D-RI), Sherrod Brown (D-OH), Mazie Hirono (D-HI), Martin Heinrich (D-NM), Bob Menendez (D-NJ), Amy Klobuchar (D-MN), Patrick Leahy (D-VT), Chris Van Hollen (D-MD), Kamala Harris (D-CA), Tammy Duckworth (D-IL) and Dick Durbin (D-IL).

The *America's College Promise Act* is supported by the Association of Community College Trustees, American Association of Community Colleges, Center for Law and Social Policy, and Young Invincibles.

DOL Set to Unveil Apprenticeship Guidelines

This week, the U.S. Department of Labor is set to issue guidelines for the Trump administration's industry-led apprenticeship program. An internal draft lays out requirements for transparency, pay and education that business groups will have to follow to participate. In June 2017, President

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Trump created the apprenticeship program by executive order and, at the time, he criticized the federal regulations saying they "have prevented many different industries from creating apprenticeship programs." Instead, the president said the Labor Department would encourage private industry to administer apprenticeships. The plan is to scale up the program until it becomes a viable alternative to four-year college.

Trade groups and private companies will certify apprenticeship programs in their respective industries, an arrangement that's prompted some to wonder how the program will be kept accountable. According to the memo, the certifying entity "must show that it is qualified to establish, through a consensus-based process involving industry experts, the classroom and workplace education requirements, structure, and curricula for an apprenticeship program."