



## The GOP's War on Students

On February 8, 2018, House Education and the Workforce Committee Republicans reported to the House H.R. 4508, an extremely partisan rewrite of the Higher Education Act (HEA) that would make college more expensive for working families and give for-profit corporations and religious institutions unprecedented access to federal student aid dollars. H.R. 4508 continues the GOP attack on education and working families, asking students and non-profit institutions to pay for corporate giveaways and tax cuts for the wealthy. Below is a summary of the bill's most notable provisions, organized by title.

### Title I – General Provisions

Title I defines terms used throughout HEA and includes provisions that generally apply to most HEA programs.

#### **H.R. 4508 Gives For-Profit Colleges a Blank Check from the Federal Government**

The HEA currently contains multiple definitions of an Institution of Higher Education (IHE). This allows the federal government to differentiate between public and private non-profit institutions and proprietary (for-profit) institutions for funding and regulatory oversight purposes. H.R. 4508 merges two definitions in current law, thereby allowing for-profit institutions to compete for already limited federal grant dollars reserved for public and private non-profit colleges and universities that help disadvantaged students access and succeed in college.<sup>1</sup> Repealing the current law definitions of IHE also removes the reasonable conditions that for-profit institutions must meet in order to participate in federal student aid programs. Further, since many other laws reference the current definitions in HEA, merging the definitions has specific implications on laws relating to Head Start, K-12 education, immigration, the Federal Aviation Administration, patent law, and other institutional grant and student scholarship programs provided throughout the federal government.

Additionally, H.R. 4508 defines a foreign institution in ways that allow more federal financial aid to flow to corporate interests. The bill expands the number of foreign medical graduate schools that can access federal student loans by modifying the calculations used to determine medical exam pass rates and removes transparency around the standards of accreditation for these institutions. Further, it removes the current prohibition on an eligible foreign institution to partner with entities ineligible to receive federal student aid and allows up to 25 percent of the eligible institution's program to be provided by an ineligible entity.

Further eliminating oversight of for-profit institutions and placing students at risk for abuse by predatory practices and low-quality programs, H.R. 4508 repeals the gainful employment rule, definition of distance education, and credit hour rule. The gainful employment rule ensures career programs are not saddling students with debt for a worthless degree, the distance education definition requires meaningful contact with faculty, and the credit hour rule prevents institutions from inflating course credit in order to access more aid. H.R. 4508 further prohibits the U.S. Secretary of Education (Secretary) from regulating on these issues in the future. H.R. 4508 also repeals the current borrower defense rule, which allows borrowers defrauded by for-profit institutions to apply for loan discharge, while codifying certain parts of the rule that make it more difficult for students to get the relief they deserve.

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<sup>1</sup> H.R. 4508 does exclude for-profit institutions from receiving institutional grant aid reserved specifically for minority-serving institutions under Titles III and V.

History shows that a reduction in federal oversight of for-profit colleges too often results in rampant predatory practices, leading to abuses of students and a waste of taxpayer dollars. Removing current law commonsense oversight of for-profit colleges is a recipe for disaster and could lead to the creation of more Corinthian Colleges and ITT Techs – defunct, predatory institutions – that defrauded thousands of students.

#### **H.R. 4508 Weakens Requirements that Institutions Assist in Combating the Opioid Epidemic**

In the middle of this current public health crisis, H.R. 4508 repeals current-law authorization of grant funds to assist IHEs in developing and implementing effective prevention programs. These funds are necessary since IHEs receiving federal funds must implement drug and alcohol abuse prevention programming, which we know can be crucial in reducing addiction.

#### **H.R. 4508 Ignores the Constitutional Separation of Powers**

The bill places unprecedented restrictions on the authority of the Secretary to effectively implement, provide oversight of, and ensure compliance with federal education law. It is the responsibility of the federal government to protect and promote student civil rights and consumer interests, but H.R. 4508 makes fulfilling that responsibility – in a world overrun by corporate interests – next to impossible.

#### **H.R. 4508 Puts Institutional Religious Beliefs above Student and Taxpayer Interests**

The legislation prohibits any federal, state, or local government entity from taking any adverse action (including withholding of funds) against an IHE that receives Title IV funds for failure to comply with HEA requirements, so long as the IHE’s justification for noncompliance rests with the institution’s religious mission or affiliation. This overly broad provision effectively exempts institutions, including for-profit institutions, from federal oversight in the name of religion.

#### **H.R. 4508 Fails to Improve Campus Safety**

The bill would require IHEs to conduct climate surveys and to use them to improve the school’s response to sexual harassment and assault. However, the bill fails to require institutions to share survey findings with the students. Further, H.R. 4508 prohibits the Secretary of Education from standardizing the surveys, using the findings of the survey as a tool for comparisons among IHEs, or from issuing regulations or technical assistance as a means to address the problem of sexual assault.

Further, H.R. 4508 mandates schools have counselors to provide services to victims of sexual assault, but then explicitly exempts them from reporting the incident(s) for purposes of crime statistics, and bars the consideration of such information as part of the Clery Act. This contradicts the purpose of the Clery Act, which requires the collection and reporting of such incidents.

H.R. 4508 also allows IHEs to delay their own investigation into an allegation of campus sexual assault if the matter is being investigated by law enforcement. This contradicts Title IX and related guidance, which finds that once a school “knows or reasonably should know of possible sexual violence, it must take immediate and appropriate action to investigate or otherwise determine what occurred.” Schools are obligated to promptly address the alleged incidents, regardless of the whether the allegation is addressed through the criminal justice system.

Currently, IHEs must use the *preponderance of the evidence standard* in school processes by law; however, H.R. 4508 would change the law to allow each IHE to set its own standard of review as long as it is consistently applied throughout the institution.

#### **H.R. 4508 Fails to Provide Complete Information about Outcomes to Students**

While H.R. 4508 would replace the existing outdated College Navigator tool designed to provide consumer information to students and families, it fails to make the necessary changes to provide comprehensive information about the outcomes of all students. The bill ignores bipartisan consensus that the federal government should collect student-

level data to provide an accurate picture of how all students are faring. By leaving the ban on student-level data collection in place, H.R. 4508 continues to severely limit the federal government's ability to simplify the complex and burdensome existing data reporting systems.

## **Title II – Expanding Access to In-Demand Apprenticeships**

Title II currently authorizes grants for improving teacher education programs and supporting teacher recruitment efforts. This title also includes reporting requirements for states and IHEs on the quality of teacher education programs.

### **H.R. 4508 Worsens the Teacher Shortage by Eliminating Federal Funding for Teacher Education**

H.R. 4508 eliminates all federal funding for teacher preparation programs. Part A of Title II, Teacher Quality Partnership Grants, is currently authorized at \$300,000,000, but received just \$43,092,000 in FY 2017 appropriations. By eliminating Teacher Quality Partnership Grants and all other HEA authorized grant programs to enhance teacher education (authorized in Part B), H.R. 4508 would shrink the pipeline of effective teachers and school leaders, hurting students across the country. At a time when public education is experiencing a national teacher shortage, programs that improve pre-service teacher preparation and support new teachers should be lifted up, not shut down.

### **H.R. 4508 Disguises Low-Quality Workforce Training As “Apprenticeships”**

H.R. 4508 replaces federal funding for teacher education with a new grant program for which corporations, in partnership with IHEs (including for-profit institutions), are eligible to receive federal funds. Not only does the new program make for-profit institutions and businesses eligible for scarce federal dollars but the majority of the grant money benefits the employer. Employers would now be able to use federal funds to subsidize as much as half of the student's wage and can use limited federal dollars to purchase equipment. The grant program also lacks quality controls to ensure that students complete meaningful credentials and fails to prioritize access for underserved students. Traditional registered apprenticeship programs have a long track record of success and support from Congressional Democrats. Although the bill labels the program as an “apprenticeship program,” in reality this is an *earn-and-learn* grant program that fails to meet widely accepted minimum standards for apprenticeship programs. Grants awarded under H.R. 4508 would be more akin to subsidized internships, rather than apprenticeships. This profit-first program is authorized at approximately \$183 million per year.

Through H.R. 4508, House Republicans send a clear message: one that values low-quality workforce training programs above preparing quality teachers to meet the demands of today's classrooms.

## **Title III – Institutional Aid**

Title III provides direct federal aid to under-resourced IHEs, including, but not limited to, Historically Black Colleges and Universities (HBCUs) and other Minority-Serving Institutions (MSIs), to help improve academic quality, institutional management, fiscal stability, and self-sufficiency.

### **H.R. 4508 Provides Less Institutional Aid to Community Colleges**

Similar to President Trump's proposed Fiscal Year (FY) 2018 and 2019 budget, H.R. 4508 eliminates funding for the Strengthening Institutions Program, which provides grants to under-resourced schools that serve a higher percentage of low-income students. This provision would render the majority of the nation's under-resourced colleges and universities ineligible for federal institutional aid to improve academic quality and disproportionately impact community colleges that presently receive 60 percent of the program's overall funding. Many of these community colleges are found in rural areas of our country.

### **H.R. 4508 Requires MSIs to Do More with Less**

The bill streamlines how the funds for the MSI programs authorized in Title III can be used. In an extremely troubling precedent, the bill imposes a new eligibility requirement for certain grant programs whereby MSIs, with the exception of HBCUs and Tribal Colleges and Universities, would be required to maintain a 25 percent or greater

graduation/transfer rate. H.R. 4508 includes this new requirement for Title III grantees without including additional resources to ensure eligible institutions achieve success. In fact, the bill reduces the authorization levels for all MSI programs to their current-year appropriation levels, and it does not extend the authorization of mandatory funding to support MSIs that was established under the Student Aid and Financial Responsibility Act of 2009 (SAFRA). Without additional action, those mandatory funds will expire after FY 2019, resulting in a significant funding cut for MSIs.

Because IHEs seeking aid from Title III programs are the most under-resourced institutions in need of federal aid to improve academic quality and increase completion rates - including many community colleges - these provisions would significantly harm access for students at these colleges and universities.

## **Title IV – Student Assistance**

Title IV currently authorizes a broad array of programs to assist students and families with accessing and financing a postsecondary education. It contains provisions designed to ensure that institutions receiving federal dollars provide a quality education that enables student success and ability to repay student loans. The programs authorized under this title are the primary sources of federal aid to support postsecondary education.

### **H.R. 4508 Makes Higher Education More Expensive for Working Families**

H.R. 4508 creates one grant, one loan, and one work-study program by eliminating the Federal Supplemental Educational Opportunity Grant (FSEOG), TEACH Grants, and subsidized loans for students. Combined, these eliminations would negatively affect nearly 8.5 million students every year.

Under the guise of simplification, H.R. 4508 creates a single Income-Based Repayment (IBR) plan that preference upper income borrowers and is far less generous than IBR plan options under current law. The new IBR plan would increase borrower costs and create uncertainty for low-income families by increasing the percent of borrower discretionary income used to repay loans, establishing a statutory minimum for monthly payments, and severely limiting loan forgiveness.

The bill increases the discretionary income used to calculate a borrower's monthly IBR payment from 10 percent to 15 percent, requiring low-income borrowers to use more of their take home pay on loan repayment. This change creates a greater hardship for low-income families struggling with student loan debt where a difference of 5 percent of income is most visible. By requiring, with extremely limited exception, a \$25 minimum monthly payment under IBR, the bill eliminates the possibility of monthly payments as low as \$0 for the lowest-income borrowers, which could send the most vulnerable borrowers into default. Further, the bill removes any certainty that a borrower enrolled in IBR will receive forgiveness (referred to in the bill as 'cancelation') during his or her lifetime. H.R. 4508 bases the availability of loan forgiveness on the amount repaid, as opposed to current law, which bases forgiveness on length of repayment. Because of this, it will take borrowers exponentially more time to reach forgiveness. This would have a disproportionate impact on the lowest income individuals. For example, under the bill's new IBR plan, it could take a low-income borrower with just \$30,000 in student loan debt 138 years in repayment before qualifying to have his or her loan forgiven. H.R. 4508's changes to IBR ensure that upper income borrowers reap the greatest benefit from a repayment vehicle intended to help low-income borrowers.

The bill also eliminates Public Service Loan Forgiveness (PSLF) for new borrowers and will negatively harm communities needing public servants and our military and veterans who rely on PSLF. Further, the bill pushes graduate students and parent borrowers to the private loan market by capping the amount they can borrow at below cost of attendance.

These changes, along with a failure to increase the Pell Grant maximum, failure to adjust for inflation, and the use of mandatory program funds to pay for a \$300 bonus for a select group of students who complete 15 credit hours per semester, will increase the cost of college at every step, particularly for already underserved students. H.R. 4508 would force students to borrow more, pay more to borrow more, and pay more to repay their loans with no end in sight.

Further harming students, H.R. 4508 allows financial aid directors to limit access to loans. Allowing the institutions to create loan limits goes against the very premise of the HEA, which was authorized to ensure that all students, regardless of income, could have access to funding for college.

#### **H.R. 4508 Creates Unneeded Financial Stress for Students**

Known as “Aid Like a Paycheck,” H.R. 4508 mandates institutions to distribute aid to students on a monthly or weekly basis. Current law already allows institutions to provide more than one disbursement per semester and thus there is nothing stopping institutions from implementing this policy today. Forcing schools to disburse aid in this way without requiring that the institution account for varying costs at the beginning of the school year such as tuition and fees or rent can limit access for low-income students who do not have the money to pay for these upfront costs. Although there is little research on this proposal, rigorous evaluation at a few schools show that living paycheck to paycheck causes additional stress for students.

#### **H.R. 4508 Preempts States from Protecting Student Loan Borrowers against Servicer and Debt Collector Misconduct**

Each year, thousands of borrowers file complaints to their states and the federal government describing loan servicer misconduct. In fact, several states have put in place necessary standards in light of lax federal oversight and have sued loan servicers for failing to provide borrowers with accurate and consistent information. Ignoring the important role states play, this bill would allow the federal government to preempt all state laws that govern student loan origination, servicing, and debt collection. It would also bar states’ from governing licensing of these companies. Without the ability of states to create important state-based protections, this bill creates additional opportunities for servicer and debt collector misconduct.

#### **H.R. 4508 Uses Work-Study Dollars to Fund Private Companies at the Expense of Students**

Although H.R. 4508 nearly doubles the federal allocation for the Federal Work-Study program and changes the formula used to allocate money to participating institutions, the bill completely eliminates all other campus-based aid programs, including through failure to reauthorize the Perkins Loan Program. Further pushing graduate students to private loans, H.R. 4508 prevents these students from participating in Federal Work-Study. H.R. 4508 also requires institutions to put more money into the program and allows less Federal Work-Study money to be used to fund students directly. Currently, institutions need to pay 25 percent of a student’s compensation, but H.R. 4508 requires institutions to double its share. At the same time, H.R. 4508 removes a 25 percent cap on how much Federal money can be spent to operate Federal-Work Study programs at private companies. While there is surely some benefit to off-campus employment, especially in later years, research shows that new students benefit from institutional connectedness derived from on-campus employment. These changes would limit aid available for students, send more Federal money to private companies that have no track record of success, and create an incentive for for-profit IHEs to participate in the program, especially if such IHE is owned by a corporation with non-institutional entities.

#### **H.R. 4508 Reduces Institutional Accountability to Give For-Profit Colleges a Free Pass**

Institutional accountability requires effective collaboration between a three-legged foundation comprised of the U.S. Department of Education (ED), state authorizers, and accreditors, commonly referred to as the “triad.” ED is responsible for ensuring the financial viability of institutions, state authorizers provide consumer protection, and accreditors assure program quality. H.R. 4508 undermines each leg of this foundation.

In the name of simplification, the bill amends current law financial responsibility provisions that are intended to account for variances in institutional organization and governance. While some simplification might be warranted, the bill goes to a harmful extreme. For example, despite widely acknowledged abuse due to a current-law loophole that excludes veterans’ benefits from counting toward a for-profit institution’s federal share, H.R. 4508 not only fails to close the loophole but completely eliminates the 90/10 rule, along with many other financial responsibility provisions. In doing so, the bill would allow unscrupulous institutions to game the system, ultimately leaving taxpayers on the hook for precipitous failure. The bill also abandons use of cohort default rates (CDR) and, instead, requires programs to meet a minimum loan repayment rate, which actually works more like a cohort delinquency rate at a program level and will make it unfair and difficult to implement. While CDR, as currently written, is not a strong accountability

measure, the proposed loan repayment rate in H.R. 4508 makes it worse. It sets an extremely high threshold and fails to close loopholes, thereby rendering the metric completely ineffective. Further, there is little data available to assess whether this rate is a good gauge of repayment and the implications of this proposal on our most under-resourced institutions.

H.R. 4508 weakens state authorization by requiring institutions, including distance education and career education programs, to be authorized only in states where the institution has a physical location. This creates a race to the bottom, with low-quality online programs opting for physical locations in states with lower authorizing standards. The bill also exempts IHEs with a religious mission or affiliation from state authorization requirements. Without a strong role for state authorizers, a student's ability to work and earn in their state of residence is severely jeopardized.

Although House Republicans claim that H.R. 4508 improves accreditation with increased focus on student outcomes, the bill allows not just accreditors, but individual institutions within each accrediting portfolio, to develop individualized metrics and set quality standards. An accreditation process with wide variances in development of outcome measures and standard-setting lacks consistency and transparency and would likely mean less accountability for institutional quality. The bill also permits differentiated risk-based reviews but removes any federal statutory checks to ensure review is done rigorously. Further, it allows accreditors to forgo site visits to institutions that have changed ownership or expanded their campuses. H.R. 4508 also permits accreditors to waive certain accreditation requirements upon demonstration by an institution that such waiver is necessary to promote innovative practices that reduce burden or improve service delivery. H.R. 4508 contains no accountability or oversight mechanism to ensure the granting of a waiver causes no adverse harm to students. Without statutory checks, this policy invites abuse and would allow institutions to side-step entire sections of the law.

#### **H.R. 4508 Makes Even Unaccredited, Ineligible Entities Eligible for Title IV Dollars**

The bill redefines Title IV eligibility by reducing program requirements and eliminating safeguards such as verified completion rate, verified placement rate, and quality assurance practices. It permits an *ineligible institution or organization* – an entity that has not gone through the checks required of actual colleges such as obtaining state authorization, accreditation, or passing financial responsibility tests among other essential requirements – to offer an educational program (in whole or in part) by entering into a written agreement with an eligible institution (including a for-profit institution). This expansion of eligibility includes no safeguards or quality assurance standards, no limits on federal aid eligibility for such programs, no requirements for evidence, assessments or outcome measures, and no requirements for review and monitoring by an independent, third-party entity. Opening the Title IV floodgates to new programs and ineligible entities while decreasing investment in federal student aid spreads limited resources too thin and lacks federal safeguards to ensure that students have access to meaningful credentials.

#### **H.R. 4508 Incentivizes For-Profit College Recruiters to Aggressively Target Low-Income Students**

Many students make enrollment decisions based on advertising and recruiting efforts. Unscrupulous colleges, particularly in the for-profit sector, have been prone to aggressive and deceptive recruiting practices, especially when employees are compensated based on enrollment numbers. Since 1992, colleges have been banned from paying commissions, bonuses, or any other form of compensation based on enrollment. The bill codifies significant loopholes in the HEA's ban on incentive compensation for admission and financial aid officers. H.R. 4508 creates two exceptions to the ban by codifying two loopholes: one that allows institutions to pay a third-party entity based on the number of students the entity enrolls and one that allows institutions to pay commission to recruiters based on enrollment and completion. Given the problematic history of incentive compensation and unscrupulous manipulation of academic processes and completion records, this provision would increase the incentive to cheat. Codifying incentive compensation in statute makes it difficult for Congress to respond to predatory behavior.

#### **H.R. 4508 Allows Competency-Based Education Programs to Receive Federal Aid with Little Accountability**

Competency-based education (CBE) is an emerging learning model that provides flexibility for students by allowing them to progress through their degree by demonstrating mastery of a set of skills or knowledge as opposed to traditional seat-time. Instead of studying CBE through a demonstration project that expands experimentation in a

controlled setting and ensures a comprehensive evaluation component to analyze the effects of waivers and program outcomes, H.R. 4508 prematurely defines and codifies CBE in statute, allowing these programs to receive unfettered access to federal aid. Using “innovation” as an excuse, this bill removes nearly all existing guardrails and leaves CBE program approval up to the school’s accreditor with no regard to standards of quality, definition of a competency unit, or benchmarks for granting, evaluating, and terminating accreditation for programs. This would be detrimental not only to students and taxpayers but also to the CBE learning model as a whole.

#### **H.R. 4508 Includes a Faulty Risk-Sharing Plan That Burdens Under-Resourced Institutions and Punishes Students**

H.R. 4508 restructures the existing Return to Title IV (R2T4) process that requires institutions to return funds to the federal government when a student withdraws before the end of a semester. The bill increases the proportion that institutions must return, disproportionately impacting institutions that enroll higher proportions of students who are at-risk of withdrawing prior to completion. In particular, analysis shows that community colleges would be paying two to three times more than the amount paid under the current R2T4 process. This reduces the already limited funds community colleges have at their disposal. Further, this provides institutions a perverse incentive to enroll higher-income students who are already more likely to complete the semester. Risk-sharing plans only work if they incentivize institutions to effectively serve and ensure degree completion for high-need students, not deny such students access.

## **Title V – Developing Institutions**

Title V is one of the primary sources of institutional support to Hispanic-serving institutions (HSIs) and post-baccalaureate opportunities for Hispanic Americans under the HEA.

#### **H.R. 4508 Disinvests in HSIs**

The bill reduces the authorization amount for Parts A and C from \$175,000,000 to \$107,795,000 for each fiscal year from 2019-2024 (a reduction of 38 percent). Under current law, grants to HSIs are authorized for five-year periods, but the bill would require any unused grant funds remaining 10 years from the award date to be returned to the Treasury.

Similar to the new requirement for certain MSI grant competitions under Title III, the bill would require HSIs to have a six-year completion/transfer rate of at least 25 percent. In essence, this requirement would discourage institutions from taking lower-income and higher-risk students, and if it looks like students won’t graduate on-time, then it encourages institutions to push those students to transfer elsewhere.

#### **H.R. 4508 Disinvests in Hispanic-American Graduate Students**

The bill significantly reduces the authorization amount for Title V, Part B from \$100,000,000 to \$9,671,000 for each fiscal year from 2019-2024 (a reduction of 90 percent). Grants to HSIs for post-baccalaureate studies are authorized for five-year periods as under current law, but the bill would require any unused grant funds remaining 10 years from the award date to be returned to the Treasury. Additionally, H.R. 4508 prohibits an HSI that receives a grant under this part from receiving grant funding under Title III, Part A or Title III, Part B during the period of the grant.

## **Title VI – International Education Programs**

Title VI authorizes several institutional grants to strengthen foreign language and international studies education.

#### **H.R. 4508 Cuts Funding for Low-Income Students to Pursue Degrees Critical to National Security**

The bill eliminates two authorized and currently appropriated Title VI programs: the Undergraduate International Studies and Foreign Language Program and the American Overseas Research Centers. The elimination of both programs will make it more difficult and more costly for undergraduate students to master foreign languages and area studies critical to our national security and international relations needs. It will also defund the efforts of American colleges and universities to promote postgraduate research, exchange/research programs abroad, and area studies. H.R. 4508

also reduces the authorization levels for Title VI programs by more than \$3.5 million below currently appropriated levels.

## **Title VII – Graduate and Postsecondary Improvement Programs**

Title VII currently authorizes several programs that support graduate education, promote innovation in postsecondary education, help IHEs better serve students with disabilities, and improve state-level postsecondary education.

### **H.R. 4508 Reduces Support for Low-Income and Minority Post-Graduate Degree Seekers**

The bill repeals several key programs that enable minority and low-income students to access professional degrees. These programs include the Jacob K. Javits Fellowship Program that provides funding to support students pursuing doctoral degrees and the Thurgood Marshall Legal Educational Opportunity Program that supports students in obtaining a law degree. The bill also reduces the authorization of appropriations for graduate assistance in areas of national need by nearly 20 percent below currently authorized levels.

Further, Title VII repeals the Fund for the Improvement of Postsecondary Education (FIPSE) that provides grants to institutions to improve postsecondary education opportunities. These grants accomplish this by expanding innovative supports for *all* students, focusing on career and professional training, reforming remedial education courses, supporting demonstration projects to ensure homeless students and foster students enroll and succeed in higher education, and expanding many other programs that support diverse learners in accessing and succeeding in higher education.

### **H.R. 4508 Reduces Support for Students with Disabilities to Pursue and Complete College**

H.R. 4508 makes a number of harmful changes to supports for students with disabilities. The bill eliminates one program and woefully under-funds two centers that collect and disseminate critical information about students with disabilities in higher education. The bill eliminates grants that support training postsecondary faculty, staff, and administrators in supporting and educating students with disabilities.

While H.R. 4508 maintains authorization for model comprehensive transition and postsecondary programs for students with intellectual disabilities (TPSID), the bill fails to make needed improvements to better align the programs with the Workforce Innovation and Opportunity Act (WIOA) and improve access to housing on campus. The bill also leaves the Coordinating Center for the transition programs in place as well as the National Technical Assistance Center while removing appropriations and the reservation of funds from the TPSID programs, thereby leaving both entities with inadequate funding to operate effectively.

HR 4508 includes a new program to establish a Commission on Accessible Instructional Materials in Higher Education. The Commission is designed to develop negotiated voluntary guidelines for IHEs to follow when using instructional materials in higher education to improve access for students with disabilities. The mission of the program is critical, but includes two harmful safe harbors from enforcement of the Americans with Disabilities Act. The safe harbors undermine the goals of the guidelines and allow IHEs to avoid upholding rights while not providing required accessibility services. Although voluntary guidelines are long overdue, they should not be developed at the expense of civil rights enforcement.

## **Title VIII – Other Repeals**

Programs authorized in Title VIII of current law seek to improve access to higher education for many underserved student populations.

### **H.R. 4508 Disinvests in Minority Students Seeking Graduate Degrees**

H.R. 4508 repeals all 26 programs currently authorized in Title VIII, including those with current and recent appropriations: Training for RealTime Writers, Centers for Excellence for Veteran Student Success, additional appropriations for Masters and Post Baccalaureate Programs at HBCUs and for Hispanic Americans under Title VII and Title V, respectively, and a program to pilot renting course material.