

NCSL Standing Committee on Education

POLICY DIRECTIVES AND RESOLUTIONS

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1 **COMMITTEE: EDUCATION**
2 **POLICY: THE STATE-FEDERAL PARTNERSHIP IN**
3 **POSTSECONDARY EDUCATION**

4 **TYPE: DIRECTIVE (Proposed Amendments)**

5 Reauthorization of the Higher Education Act (HEA) offers another opportunity to renew
6 this country's commitment to accessible and affordable postsecondary education and
7 remove barriers encountered by a changing student population. The nation's legislators
8 remind our federal partners of the increasingly complex and important role
9 postsecondary education plays in maintaining and fostering a dynamic and productive
10 economy. A strong higher education system supports individual financial success,
11 provides a foundation for healthy state economies and ensures our nation's position in a
12 global economy. When students fall through the cracks, they do not achieve their full
13 potential and neither does our country. The federal government has an important role to
14 play in supporting low-income students, conducting research on innovation and
15 productivity, monitoring national and regional programming efforts, and providing data
16 and technical assistance to help states examine and analyze our institutions.

17
18 **Postsecondary Affordability**

19 Reauthorization efforts directing federal aid to students who need it most and helping
20 them quickly become productive members in their communities without substantial debt
21 will help local, state, and national economies. If federal aid is limited, there are fiscal
22 impacts for state-funded efforts to support students.

23
24 The federal government should ensure adequate federal funding for the Pell Grant
25 program to help reduce dependency on student loans. Congress should review Pell
26 Grant award amounts to guarantee that the purchasing value of this important grant
27 does not continue to erode and consider moving Pell funding to the mandatory side of
28 the federal budget. Congress should also ensure Pell that it serves the broadest number
29 of students, including adult students enrolled part-time. The federal government should
30 continue to reduce barriers or obstacles that may prevent students from applying for

Commented [AR1]: Color Key:
Yellow: Existing language, rearranged
Green: New proposed language
Blue: Existing language with edits
Gray: Language to be remove

31 federal financial aid, must also fundamentally simplify and streamline the process for
32 applying for federal financial aid.

33
34 If Congress considers a new grant program to create a state-federal funding partnership
35 in higher education, the nation's legislators remind Congress that states are primarily
36 responsible for funding and governing their higher education systems. While each state
37 has different traditions and goals for its higher education institutions, all institutions
38 participate in a national higher education marketplace that crosses state lines. Congress
39 must recognize this by ensuring that any new affordability programs can benefit
40 students and institutions of all types in all states and territories. Broad state participation
41 should be a fundamental goal of any state-federal partnership.

42
43 A state-federal funding partnership in higher education must:

- 44 • provide funding to states in block grants that allow states the flexibility to
45 distribute funds across institutions and state financial aid programs;
- 46 • Avoid a state maintenance of effort requirement (MOE). As states continue to
47 prioritize and address competing public needs, federal policy must acknowledge
48 this reality by noting the difficulties fiscal constraints states face in satisfying
49 maintenance of effort requirements for important postsecondary programs. If
50 MOE is required, allow states to use a wide range of resources as match for
51 federal dollars, such as state and local funds not used to match another federal
52 program. MOEs should be constructed to provide legislatures certainty they will
53 comply with MOE provisions when budgeting for the upcoming fiscal year;
- 54 • continue to defer to state authority in regulating postsecondary tuition levels;
- 55 • ensure that eligibility requirements are set at the state level; and
- 56 • ensure state legislative authority to appropriate the funds.

57
58 The federal government should design college savings incentives at the federal level so
59 as to stimulate and complement, rather than preempt, similar policy initiatives by states
60 and higher education institutions. Legislators support particular student aid programs
61 that serve state and national economic and workforce priorities.

62

63 **Accountability**

64 Legislators strongly urge the federal government to defer to the states' leadership in
65 ensuring the quality of postsecondary education, and to facilitate state efforts to
66 emphasize accountability. While the federal government has a role in monitoring
67 national and regional accrediting bodies ~~and lean providers~~, accountability of state
68 higher education programs and institutions is and should remain a state issue. **The**
69 **federal government should continue to support an interstate-compact-state authorization**
70 **reciprocity agreements, which support expanded access to quality postsecondary**
71 **distance learning opportunities nationwide, on delivering academic programming across**
72 **state lines via the internet.** ~~The federal government can also support accountability~~
73 ~~standards for emerging forms of education delivery, whether provided by public or~~
74 ~~private not-for-profit institutions or proprietary ones, whether delivered as massive open~~
75 ~~online courses or other mechanisms.~~ **Ensuring students gain skills competency no**
76 **matter the means used to obtain that competency will help states and the nation**
77 **increase productivity, improve competitiveness, and prepare future generations of**
78 **leaders and citizens.**

79

80 **Teacher Preparation**

81 States have taken the lead in advocating for higher standards for teacher preparation
82 and performance, and vigorously acted to improve assessments of quality. **As such, the**
83 **federal government must refrain from setting national standards.** The National
84 Conference of State Legislatures (NCSL) encourages the expansion of several
85 programs embodied in the Higher Education Act and other federal legislation that
86 focus es on teacher quality. **States should be included as eligible applicants or**
87 **encouraged as partners in federal grant projects, so that grant programs can be**
88 **developed with statewide goals in mind and best practices can be shared broadly.** ~~At the~~
89 ~~same time, NCSL insists that states be allowed to implement their own programs and~~
90 ~~be given the opportunity to demonstrate their effectiveness.~~ **The federal government**
91 **must refrain from setting national standards.**

92

93 **Helping Students Succeed**~~Student Success~~

94
95 Our country will remain internationally competitive if more high school age, non-
96 traditional students, and working adults not only enroll in colleges and universities, but
97 complete postsecondary credentials and degrees. Ensuring students gain skills
98 competency no matter the means used to obtain that competency will help states and
99 the nation increase productivity, improve competitiveness, and prepare future
100 generations of leaders and citizens. States, working with national foundations,
101 institutions, and private partners, are implementing policies that focus on maintaining
102 access to postsecondary education and improving student performance and outcomes.
103 NCSL supports federal programs that complement state efforts to improve student
104 participation in and completion of postsecondary education. **Legislators welcome federal**
105 **efforts, such as the College Scorecard, that provide prospective students with accurate**
106 **information on college costs and institution- and program-level student outcomes.**
107 **Increased transparency is critical to ensuring students are able to make informed**
108 **postsecondary choices.**

109
110 Legislators are keenly aware that students benefit from a seamless progression
111 encompassing preschool through postsecondary education. A growing number of states
112 are looking at education as “P-16” rather than separate systems serving early
113 education, K-12 and postsecondary education and updating or amending their statutes
114 to facilitate this change. Important federal-state educational programs supported by the
115 states, such as the Perkins Act programs and the TRIO program, must be better
116 integrated with state postsecondary policy. The federal government has a significant
117 role and responsibility in working with states and supporting state efforts in college
118 readiness and providing research and technical assistance. **Legislators welcome federal**
119 **efforts to facilitate the exchange of best practices around dual enrollment programs.**
120 **States, working with national foundations, institutions, and private partners, are**
121 **implementing policies that focus on maintaining access to postsecondary education and**
122 **improving student performance and outcomes.** ~~Congress and the administration should~~
123 ~~follow suit.~~ ~~Our country will remain internationally competitive if more high school age,~~

124 non-traditional students, and working adults not only enroll in colleges and universities,
125 but complete postsecondary credentials and degrees. Policies that further this ultimate
126 outcome will help states prepare to meet our still-challenging economic situation and
127 grow economically. As states continue to prioritize and address competing public needs,
128 federal policy must acknowledge this reality by noting the difficulties states face in
129 satisfying maintenance of effort requirements for important postsecondary programs.
130 Reauthorization of the Higher Education Act (HEA) offers another opportunity to renew
131 this country's commitment to accessible and affordable postsecondary education and
132 remove barriers encountered by a changing student population.

133

134 **Student Aid Loans**

135 Increasingly the burden of higher education costs is borne by students and families.

136 This burden consists of significant educational debt held by all students and their
137 families, whether program graduates or drop-outs, whether attending public and private
138 institutions. Crippling educational debt slows any recovery and limits state economic
139 growth. Reauthorization efforts directing federal aid to students who need it most and
140 helping them quickly become productive members in their communities without
141 substantial debt will help local, state, and national economies. If federal aid is limited,
142 there are fiscal impacts for state-funded efforts to support students. The federal
143 government should make every effort to improve the federal student loan program so
144 that borrowers are able to successfully repay their loans and take advantage of federal
145 loan forgiveness programs.

146

147 The federal government should also recognize that many states now play a role in
148 ensuring borrowers are treated fairly and receive appropriate consumer protections. The
149 federal government should engage in collaborative federalism with states around
150 providing consumer protections to borrowers and conducting oversight of student loan
151 servicers.

152 State legislators recognize that the student population is changing. Many students are
153 older and more are part-time. Congress should review Pell Grant award amounts to
154 guarantee that the purchasing value of this important grant does not continue to erode

155 and that it serves the broadest number of students, including adult students enrolled
156 part-time. The federal government should ensure adequate federal funding for the Pell
157 Grant program to help reduce dependency on student loans. For example, moving Pell
158 funding to the mandatory side of the federal budget, resuming “year round” Pell Grants
159 to summer enrollments, and reinstating a longer eligibility period (which will assist
160 nontraditional college students) are federal actions that can strengthen the program.
161 The federal government must also fundamentally simplify and streamline the process
162 for applying for federal financial aid. In considering the framework for student financial
163 assistance, the nation’s legislators urge the Congress to:

- 164 • continue to defer to state authority in regulating postsecondary tuition levels;
- 165 • support federal programs that complement state efforts to improve student
166 participation in and completion of postsecondary education;
- 167 • design college savings incentives at the federal level so as to stimulate and
168 complement, rather than preempt, similar policy initiatives by states and higher
169 education institutions;
- 170 • support particular student aid programs that serve state and national economic
171 and workforce priorities; and
- 172 • facilitate the exchange of best practices around dual enrollment programs

1 **COMMITTEE:** **EDUCATION**

2 **POLICY:** **FEDERAL EDUCATION RELIEF AID**

3 **TYPE:** **DRAFT RESOLUTION**

4 **WHEREAS**, state legislatures have the primary responsibility for funding and governing
5 their state’s K-12 and higher education systems; and

6
7 **WHEREAS**, each state has its own unique system for funding K-12 and higher
8 education; and

9
10 **WHEREAS**, fiscal conditions can vary significantly across states, especially during
11 times of national economic emergencies; and

12
13 **WHEREAS**, education is a significant part of state budgets, other compelling priorities
14 may make demands on state resources while states respond to and recovery from
15 emergencies; and

16
17 **WHEREAS**, Congress has included maintenance of effort provisions for both K-12 and
18 higher education funding from fiscal year 2020 to fiscal year 2023 as a condition of a
19 state receiving funds from the Elementary and Secondary School Emergency Relief
20 (ESSER) Fund; and

21
22 **WHEREAS**, Congress has also included “maintenance of equity” provisions for K-12
23 funding in fiscal years 2022 and 2023;

24
25 **NOW, THEREFORE**, the Secretary of Education should allow states the opportunity to
26 seek waivers from the maintenance of effort and “maintenance of equity” provisions
27 associated with the Elementary and Secondary School Emergency Relief (ESSER)
28 Fund; and

29

30 **NOW, THEREFORE, BE IT RESOLVED**, the National Conference of State Legislatures
31 believe state fiscal requirements for education relief aid should only ask states to
32 maintain aggregate funding levels or serve as a guide for how states can make cuts to
33 education if facing revenue declines.

34

35 **NOW, THEREFORE, BE IT FURTHER RESOLVED**, the National Conference of State
36 Legislatures believe state fiscal requirements should not be used to compel states to
37 make fiscal or policy decisions beyond the purposes enumerated above, which includes
38 requiring states to increase funding for education or distribute funds to local education
39 agencies by methods other than a state's statutorily defined school funding formula.

40

41 **NOW, THEREFORE, BE IT FURTHER RESOLVED**, the National Conference of State
42 Legislatures believe unanticipated federal funding for education should not bypass state
43 legislative appropriations processes and should allow state legislatures broad discretion
44 in determining how those funds will best meet local and state education needs.

45

46 **BE IT FINALLY RESOLVED**, that NCSL send a copy of this resolution to Members of
47 Congress and the U.S. Department of Education.