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Executive Vice President and Vice President for Academic Affairs

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As Executive Vice President and VP for Academic Affairs for the University of Illinois System, I am writing to offer input on H.R. 4674, the *College Affordability Act of 2019* (CAA), which would reauthorize the Higher Education Act (HEA). As context, the U of I System is the largest public institution of higher education in the state, with over 89,000 students across our three best-in-class universities. We attract talented undergraduate and graduate students from across the U.S. and around the world; our undergraduates graduate at a rate that far exceeds the national average and they have less debt than the national average when they graduate. We are committed to access and affordability; fully one in three (33%) undergraduates are Pell Grant eligible across our system.

The U of I System has been monitoring the legislation closely since it was first introduced in mid-October. Given the broad impact of HEA reauthorization, there are a number of CAA provisions that would have significant implications for the U of I System and its students. We appreciate the need for a full reauthorization of the HEA, and there are many provisions in the bill that we support. There are, however, a few provisions about which we have concerns or questions, as detailed below.

Provisions in the CAA that We Endorse

- **Title IV (Student Assistance):** We are pleased that the CAA expands federal support for financial aid programs, which are of paramount importance to our students.
 - **Part A -- Grants to Students (Pell Grants):** Pell Grants are the cornerstone of student financial aid packages at the U of I System. In 2017-2018, over 19,800 students across the U of I System received \$90.8 million in Pell Grants. We strongly support the CAA's recommendations to increase the maximum Pell Grant award, to permanently index the award to inflation, and to extend the Pell Grant eligibility period by two semesters.
 - **Part D -- Direct Loans, Section 4302:** We appreciate that the bill would eliminate origination fees on federal student loans, which would lower the cost of borrowing and simplify the borrowing process. With over \$477.5 million in Federal Direct Loan disbursements for our undergraduate, graduate and professional students in 2018-2019, the U of I System has joined our higher education associations in vigorously advocating for elimination of origination fees.
- **Title II (Teacher Quality Enhancement):** The bill would expand a competitive grant program for Minority-Serving Institutions (MSI) to increase the diversity of the education workforce. The University of Illinois at Chicago (UIC), which is a federally designated MSI [it is both a Hispanic-

Serving Institution (HSI) and an Asian American and Native American Pacific Islander-Serving Institution (AANAPISI)] would have a strong interest in applying for these funds in the future. The System appreciates the increased support the bill would provide for teacher residencies and professional development, early childhood educator and school leader development, and teacher diversity.

- **Title III (Institutional Aid):** The bill would increase authorized discretionary funding levels for many Title III MSI grant programs, including the HSI-STEM program. UIC has been previously awarded funding under the HSI-STEM program to augment its efforts to increase the number of Latino and low-income students attaining degrees in STEM fields. The additional investment in these kinds of programs will enable MSIs to continue enhancing their STEM programs and their capacity to prepare today's students for tomorrow's jobs.
- **Title VI (International Education Programs):** We support the proposed increased authorization levels, which would enable needed investments in international and foreign language education. The University of Illinois at Urbana-Champaign operates four National Resource Centers, where over 500 faculty provide students with foreign language skills, support area/international studies teaching and research, and provide professional development and curriculum development for educators at the K-14, graduate, and postsecondary levels. We also support the authority the bill would give the Secretary of Education to prioritize MSIs and institutions that work with MSIs.

Provisions in the CAA that Raise Questions or Concerns

- **Title IV, Section 4013, Short-Term Pell:** We have concerns about extending Pell Grant eligibility to job-training programs as short as eight weeks. This would potentially cause a funding gap for currently eligible programs. Any reduction of available Pell Grants is worrisome, especially with 51% of UIC's student population, roughly 10,929 individuals, depending on Pell support.
- **Title IV, Section 4043, Federal Supplemental Educational Opportunity Grants (SEOG):** We support the increased authorization amounts for SEOG for FY2021-FY2026. However, the bill would also begin reducing current institutional allocations and phase in a new need-based "fair share amount" formula. The new formula put forth for SEOG would likely benefit UIC because of its particular student need profile. However, it is unclear how this change would impact our two other U of I System universities. Based on the proposed formula changes, we believe Urbana-Champaign could lose SEOG funding. We would rather see increased funding overall for the program, especially given that SEOG funding supported over 4,430 students at Urbana-Champaign in 2017-2018.
- **Title IV, Section 4110, Cohort Default Rates:** The bill would phase out current cohort default rates and establish a credential-level "adjusted cohort default rate" for institutions. Although we support the principle of institutional accountability, we have concerns about this approach to default rate calculation, especially given that the bill considers borrowers who are in loan forbearance for three or more years as being in default. Forbearance is a useful tool to help individuals who are temporarily unable to make scheduled loan payments for financial difficulties, medical expenses, change in employment or other accepted reasons provided to the loan servicers, so we want to ensure that caution is used in making changes to a mechanism

currently available to help borrowers with temporary financial challenges. There are many professional students at UIC, including in the College of Medicine, who utilize long-term forbearance, particularly during relatively low-paying residencies, before they begin very productive careers with higher earnings. Automatically deeming these students as being in default would hurt the students as well as the institution, and accommodations for these types of students should be considered.

In addition, the removal of the low default rate requirement would place a burden on our graduating seniors because we may be required to release refunds in installments, where now they receive this funding prior to the start of the term. Such installment payments could cause difficulty for students in paying for living expenses and could negatively affect student success in that final semester.

- **Title IV, Section 4608, Clery Act Amendments:** We have concerns about the proposed definitions of both harassment and hazing. The definitions are broad and vague, leaving room for too much subjectivity in interpretation. Furthermore, unlike other Clery crimes, which are defined using the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) specifications, the CAA uses its own definitions. UCR crime categories are clearly defined and are supplemented by numerous resources such as a handbook and training. This deviation from other Clery-reportable crime definitions may make institutions vulnerable to allegations of noncompliance despite good faith efforts to comply.

With respect to adding hazing as a reportable crime, we believe that the data required by the CAA may not provide a meaningful representation of the culture or prevalence of hazing at an institution because the statistics are based on Clery geography. At UIC, for example, there are no housing facilities owned by student organizations (unlike other universities that may have large Greek housing structures). Therefore, activities such as hazing that occur in private off-campus residences may not be captured for the purposes of Clery reporting. In addition, the specificity of the additional information required to be reported for hazing (such as tracking each change in policy and providing a justification for each change, or naming the student organizations that perpetrate hazing) deviates greatly from the required information for other policies and crime data required under the Clery Act.

Additionally, we are concerned about the significant increase in financial penalties. We appreciate the need to adjust for the cost of inflation, but we do not believe that drastically raising the fines for violations will improve compliance, especially when institutions are already making strong efforts to create and maintain safe communities.

- **Title IV, Section 4609, Online Survey Tool for Campus Safety:** We applaud the effort to collect accurate data to help scope the full extent of sexual assault on college campuses. However, we are concerned with several aspects of the online survey requirements. Requiring institutions "to ensure, to the maximum extent practicable, an adequate, random, and representative sample size of students (as determined by the Secretary) enrolled in the institution complete the survey," is a difficult mandate because universities and other organizations cannot actually force individuals to *complete* a confidential survey. Response rates are a challenge in all types of surveys. This issue is particularly difficult with this type of survey; even if the survey is designed to include trauma-informed language, it might be challenging for some survivor students to

even contemplate answering. We believe our concerns can be remedied by requiring institutions to make the survey *available* to an adequate, random, and representative sample size and to encourage randomly selected students to participate, but to not include language about completion as part of the requirement.

- **Title IV, Section 4613, Crime Statistics for Study Abroad Programs:** We are concerned that the proposed crime statistics reporting requirements for study abroad programs are not in line with the intent of the Clery Act, especially given that such information is not representative of an institution's safety and security practices. Current law already poses a challenge given the difficulties in obtaining crime statistics from law enforcement agencies abroad that do not have a requirement or duty to respond to U.S. university requests. An alternative would be to work with consulates and embassies, which already post travel advisories.

We understand the importance of ensuring that prospective study abroad students are fully informed about safety. Yet the data required to be collected, whether from local law enforcement agencies abroad or through student-populated post-travel surveys, may not be reliable. Students who submit post-travel surveys may not understand or accurately categorize crimes/incidents or the location categories in which the crimes/incidents occurred, which are based on specific guidance and definitions. Additionally, any crime statistics collected abroad are combined under the ambiguous "non-campus" category — a category that may also include an off-campus lab located 1.5 miles away from a main Illinois campus. Categorizing study abroad data in this way does not provide helpful context.

- **Title IV, Section 4801, Federal-State Partnership (America's College Promise):** We appreciate the intent of the new two-year community college partnership program. However, there are questions about whether the program could unintentionally result in states reducing their investments in four-year universities, despite the "maintenance of effort" language that is intended to protect against that. We believe that a more effective approach would be to support all students, regardless of whether they are attending a two- or four-year public institution of higher education.

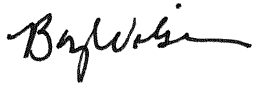
Other Provisions

- **Title I, Section 1013 (Disclosures of Foreign Gifts):** We are pleased that the bill would require the Secretary of Education to enter into negotiated rulemaking, and that it makes clear that tuition payments would not need to be reported. The bill does not, however, prevent the Secretary from moving forward with a recent proposal to significantly expand current reporting requirements in a manner that goes far beyond the scope of current law and would create significant administrative burdens on universities.
- **Title IV, Sections 4711-4731, Accreditation:** We are still evaluating the implications of increasing the role of the federal government and states in accreditation, and the potential impact on institutions with strong records of stability and successful performance.

In addition to our own comments, we support the broader comments submitted by the leading national associations representing our universities, including the American Council on Education (ACE), the Association of American Universities (AAU), and the Association of Public and Land-grant Universities (APLU).

We appreciate your attention to this input, and we look forward to serving as a resource for your office and Congress throughout the HEA reauthorization process.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara J. Wilson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Barbara J. Wilson
Executive Vice President and Vice President for Academic Affairs