



Thursday, March 2, 2023

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Join the NCHER Board of Directors and Play a Leadership Role on Higher Education Finance, Run for Chair-Elect or Director at-Large!

As NCHER continues to promote its advocacy, communications, and regulatory engagement agenda at the federal level, it is the time of the year to start preparing for upcoming elections for the NCHER Board of Directors. Have you thought about playing a leadership role at NCHER? Do you have ideas on improving membership services? Do you want to become more active on higher education policy at the federal level? Is your organization a voting member of NCHER? If so, consider submitting your name for Chair-

Elect or a seat on the Board of Directors.

Next month, NCHER will hold elections for the following positions:

- Chair-Elect. As an officer of NCHER, the Chair-Elect serves as vice chair of the Board of Directors, performing the duties and exercising the powers of the Chair in his/her absence or disability. The term begins on July 1, 2023, and includes the assumption of the duties as Chair on July 1, 2024, and as Immediate Past-Chair on July 1, 2025. This position and both subsequent positions serve on NCHER's Executive Committee.
- Five Directors at-Large. Board members are responsible for directing any and all activities and affairs of NCHER, including the organization's federal advocacy, communications, and research strategy. These two-year terms begin on July 1, 2023, and expire June 30, 2025.

In order to assist in the administration of the election, NCHER has formed a Nominating Committee which is composed of the Chair, Chair-Elect, and three of the most recent former Chairs who still remain active members, as prescribed by the NCHER By-Laws. The committee is responsible for soliciting recommendations from the voting membership and proposing a slate for election that will be mailed to each voting member by March 15, 2023. This notice is part of that solicitation as the committee works to ensure that the candidates for Chair-Elect and Directors at-Large are representative of the diversity of our organization.

If you would like to be considered for election or know someone who would be a great addition to the Board of Directors, email or call Christiana Thornton with the New Hampshire Higher Education Assistance Foundation Network (cthornton@gsmr.org), Angela Baier with College Invest / College Assist (abaier@collegeinvest.org), Scott D. Giles with MOHELA (ScottG@mohela.com), Scott A. Giles with the Vermont Student Assistance Corporation (giles@vsac.org), and/or Ron Gambill with ELFI (rgambill@elfi.com) **before tomorrow, Friday, March 3, 2023.**

Department of Education Releases New Guidance on Personal Liability of College and University Leaders

Today, the U.S. Department of Education [announced](#) that it had released new [guidance](#) outlining how Federal Student Aid will implement provisions in the Higher Education Act that allow the Secretary of Education to require leaders of private colleges and

universities that fail to operate in a financially responsible way to assume personal liability for the cost of unpaid debts owed to the federal government. The guidance clarifies the circumstances under which the Department would require individuals to assume personal liability as a condition of allowing those institutions of higher education to participate in federal financial aid programs. It also includes specific factors that the Department will consider when determining whether to require an individual to assume personal liability by signing an institution's program participation agreement. This allows the Department to hold those individuals responsible for the cost of liabilities that are not otherwise paid for by their institutions, including those stemming from closed school and borrower defense to repayment discharges. "The Biden-Harris Administration is canceling the loans of more than a million borrowers cheated by for-profit colleges," Under Secretary James Kvaal said. "But too often, the owners and executives of these colleges escape liability. Congress gave the Department the authority to make college owners and operators personally responsible for these losses in certain circumstances and we are going to use that authority to hold them accountable, defend vulnerable students, protect taxpayer dollars, and deter future risky behavior."

House Education and the Workforce Committee Republicans Reintroduce College Cost Transparency and Student Protection Act

Today, House Education and the Workforce Committee Chairwoman Virginia Foxx (R-NC) and Rep. Lisa McClain (R-MI) reintroduced the [College Cost Transparency and Student Protection Act](#). According to a [press release](#), the legislation is designed to make the college decision-making process easier and clearer for students and families. Specifically, the bill proposes standardized terms and definitions for key information on costs and grant aid in order to make financial aid offer letters clearer; requires aid offers to be sequenced such that students are presented first with the direct costs they must pay to enroll and then itemized lists of indirect costs they have an option to finance; and increases transparency about financial aid by making direct and indirect college costs public through the College ScoreCard. This bill comes as a response to a recent [report released by the U.S. Government Accountability Office](#) that found many colleges and universities misled students and families about the cost of college. "Postsecondary institutions should not be allowed to skirt around necessary transparency," Chairwoman Foxx said. "Prospective students and their families deserve to have all the information they need to make informed decisions throughout the college shopping process—especially how much their degree will cost and their options for financing it. I'm proud to

introduce the College Cost Transparency and Student Protection Act alongside Representative McClain to ensure that financial aid offers are clear and information about college costs are readily available so that student and parent choice are maximized." For a copy of the bill summary, click [here](#). For a copy of a fact sheet, click [here](#).

WICHE Releases New Report Showing K-12 Enrollment Lags Led to Fewer Students Attending College

The Western Interstate Commission for Higher Education recently released a [report](#) revealing that, as elementary and secondary education enrollment lags, there are new cracks in the postsecondary education pipeline, leaving colleges and universities with an enrollment cliff. According to the report, the number of students in public K-12 schools in fall 2021 fell below projected levels, meaning about 833,000 fewer seats were filled by school districts across the country. The report showed that students struggling in the classroom amid the COVID-19 pandemic could also foreshadow the number of high school graduates falling more sharply after 2025 than was previously expected. Some college admissions officers and equity advocates say that colleges and universities should work to overcome declines in the number of high school graduates by reaching students that they have not traditionally enrolled in large numbers. Other observers point out that changes in the number of enrolled students will be different on a region-by-region and state-by-state basis. For further coverage, see this article from [Higher Ed Dive](#).

U.S. Department of Education News

For today's *Federal Register*, click [here](#).

The following announcements were posted to the Federal Student Aid's Knowledge Center Website:

- [\(GENERAL-23-11\) Establishing Personal Liability Requirements for Financial Losses Related to the Title IV Programs](#)
- [Comment Request: Loan Rehabilitation: Reasonable and Affordable Payments](#)
- [\(COD-23-01\) 2023-2024 COD Technical Reference \(March 2023 Update\) Now Available](#)

General News

[The Hill](#) reports that President Joe Biden told reporters that he is not confident that the U.S. Supreme Court will uphold his administration's federal student loan forgiveness plan.

[CNN](#) reports that U.S. Supreme Court Chief Justice John Roberts took center stage during oral arguments for the Biden Administration's federal student loan forgiveness program held earlier this week.

[The Wall Street Journal](#) reports that student loan borrowers likely will not know for months if their federal student loan debt will be forgiven, as the U.S. Supreme Court is not likely to rule on the two cases challenging the Biden Administration's plan until May or June.

[Yahoo Finance](#) reports that, if the U.S. Supreme Court strikes down the federal student loan forgiveness plan, the White House has no alternative in place and examines what several interest groups are proposing going forward.

[Roll Call](#) reports that Congressional observers say the elimination of earmarks will make the Labor, Health and Human Services, Education, and Related Agencies Appropriations Act even harder to pass through Congress.

[The Chronicle of Higher Education](#) reports that more colleges and universities are saying they have dropped out of the U.S. News and World Report rankings saying that they are doing it for low-income students. Related, [Inside Higher Ed](#) reports that, in his opening remarks at a conference organized by Harvard and Yale law schools, Secretary of Education Miguel Cardona said that colleges should not worship at "the false altar" of U.S. News and World Report's rankings.

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