

THE NATIONAL ASSOCIATION OF
GRADUATE-PROFESSIONAL STUDENTS

Legislative Letters

September 21, 2020

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Updates in Higher Education



Image Credit: Kaylynne Glover, "The Capitol"

The Department of Education published the final rule on *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities*. In addition, the unclaimed higher education CARES Act money may be recalculated and redistributed. A new bill was introduced in the House of Representatives asking for sexual misconduct investigations to be investigated using evidence and trauma-informed techniques.

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THE EXECUTIVE BRANCH

DEPARTMENT OF EDUCATION

Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities

On September 9, Secretary DeVos published the [final rule](#) on *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities*. According to the [administration](#), this rule would protect people from being “forced to choose between their faith and their education.” It addresses four areas considered to be important: 1) to implement Executive Order 13864, in which public colleges and universities need to comply with the First Amendment to receive grants, and private institutions only has to meet their institutional policies; 2) to provide guidelines for universities to show that they are controlled by religious organizations, and therefore not required to enforce Title IX; 3) to ensure religious students are treated equally at public colleges and universities; and 4) To revise the regulations of grant programs under Title III and Title V, to “better align with the First Amendment”.

CARES Act Funding

Only [\\$8.3 billion out of \\$30 billion](#) for higher education has been paid out, as of July 31. The Department of Education extended the deadline for colleges and universities to apply for the money, after which the department will calculate and redistribute any leftover funds.

THE LEGISLATIVE BRANCH

LEGISLATION

Representative Elissa Slotkin (D-MI-8) introduced the Trauma-Informed Investigation Act ([HR 8136](#)) August 28 that would ensure investigation of sexual misconduct at colleges and universities and these are “fair, trauma-informed, and evidence based.” This bill was sent to the House Committee on Education and Labor. It is currently cosponsored by Lois Frankel (D-FL-21), Debra Haaland (D-NM-1), and Ann Kuster (D-NH-2).

THE JUDICIAL BRANCH

THE SUPREME COURT

On September 18, Justice Ruth Bader Ginsberg died due to complications from cancer.

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