

Federal Policy and Advocacy Update

(Provided by the California Community Colleges Chancellor's Office. Information current as of September 5, 2024).

FEDERAL REGULATIONS

On Friday, August 23rd, the California Community Colleges Chancellor's Office (Chancellor's Office) submitted public comment on the U.S. Department of Education's proposed regulations on distance education, return of Title IV funds, and federal TRIO programs. The Department published a [notice of proposed rulemaking](https://www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov) (https://www.federalregister.gov/documents/2024/07/24/2024-16102/program-integrity-and-institutional-quality-distance-education-return-of-title-iv-hea-funds-and?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov) on these topics on July 24, 2024. The Chancellor's Office letter is available [here](https://downloads.regulations.gov/ED-2024-OPE-0050-0245/attachment_1.pdf) (https://downloads.regulations.gov/ED-2024-OPE-0050-0245/attachment_1.pdf). In the comment, we express support for the regulations and make note of fiscal costs associated with implementing the proposed regulations. We also express strong support for the department's proposed regulations on federal TRIO programs.

FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) UPDATE

As of August 23rd, 2024, 51% of the high school class of 2024 has completed a FAFSA. There have been 2.1 million FAFSA forms completed nationally, which is 9 percent below last year's completion rate at this time.

On Tuesday, September 3, the U.S. Department of Education released the 2025-26 FAFSA prototype. The prototype is a web-based design tool that allows users to navigate specific scenarios that many 2025-26 applicants will encounter on the live website. This prototype has limited functionality and may not represent the final FAFSA experience. To access the 2025-26 FAFSA prototype, visit <https://fsapartners.ed.gov/fafsa-prototype/2526>, and enter the access code: prototype2526

On Tuesday, August 27th, the U.S. Department of Education released the framework for the testing period it will conduct for the 2025-2026 Free Application for Federal Student Aid (FAFSA) starting Oct. 1, 2024. During this testing period, the Department will work with community-based organizations (CBOs), high schools, higher education institutions, states, and limited groups of students and contributors to fill out and submit the beta 2025-2026 FAFSA. Starting today through Sept. 5, CBOs could submit a form to express interest in participating in the first round of beta testing, which will launch on Oct. 1, 2024. Learn more [here](https://www.ed.gov/news/press-releases/us-department-education-releases-framework-2025%20%9326-fafsa-testing-period-and-interest-form-first-beta-period) (<https://www.ed.gov/news/press-releases/us-department-education-releases-framework-2025%20%9326-fafsa-testing-period-and-interest-form-first-beta-period>). On August 7, 2024, the U.S. Department of Education announced that the 2025-26 FAFSA will be launched on or before December 1st.

ADMINISTRATION UPDATE

On June 18th, President Biden announced an executive action allowing undocumented individuals married to U.S. citizens to obtain lawful permanent residence without having to depart from the U.S. while they await the processing of their case. Undocumented

individuals must meet certain requirements to be eligible. They must have continuously been present in the United States for at least 10 years as of June 17, 2024 and have a legally valid marriage to a U.S. citizen as of June 17, 2024, [among other requirements](https://www.dhs.gov/news/2024/06/17/fact-sheet-dhs-announces-new-process-promote-unity-and-stability-families) (<https://www.dhs.gov/news/2024/06/17/fact-sheet-dhs-announces-new-process-promote-unity-and-stability-families>).

On Monday, August 26th, a federal judge in the Eastern District Court of Texas temporarily blocked the administration from processing new program applications by issuing an administrative stay for the program through September 9. On September 5, the District Court extended its administrative stay through September 23 from September 9. While the administrative stay is in place, program applicants can continue to submit applications to U.S. Citizenship and Immigration Services (USCIS); however, the agency will be prohibited from approving the applications during the stay period.

In addition, the June 18th executive action will more efficiently facilitate certain employment-based nonimmigrant visas for some individuals, including DACA recipients and other undocumented individuals who have graduated from a U.S. higher education institution. Updated guidance from the U.S. Department of State can be found [here](https://fam.state.gov/fam/09FAM/09FAM030504.html) (<https://fam.state.gov/fam/09FAM/09FAM030504.html>).