

TICUA Policy Update

March 17, 2016

Senate Passes TICUA Bills

The Senate passed both bills drafted on behalf of the TICUA membership. The Veteran Friendly bill, sponsored by Senator Mark Norris, passed the Senate Session Monday evening. TICUA has requested a public bill signing with Governor Bill Haslam, the bill sponsors, and representatives from member campuses. TICUA will send the date of the signing to member campuses once the arrangements are complete.

The TICUA state authorization bill passed the Senate Chamber during yesterday's floor session. The bill, sponsored by Senator Dolores Gresham, clarifies THEC's role in maintaining a list of authorized Tennessee domiciled non-profit universities. This list will satisfy the US Department of Education's state authorization requirements related to Title IV recertification and other Department authorization requirements.

Both bills will now go to Governor Bill Haslam's desk for signature. Both will immediately become effective once his signature is secured.

F-1 Visa Bill Amendment Reduces Reporting

Senator Paul Bailey and Rep. Ryan Williams are sponsoring a bill (SB2394/HB2429) which will change the reporting for F-1 Visa holders. The bill requires higher education institutions to report the names and addresses of F-1 Visa holders who unexpectedly do not re-enroll in classes. Under this new measure, the campuses will report to the Tennessee Department of Safety only when requested to do so.

Just last year a bill was passed requiring higher education institutions to annually report aggregate numbers of students holding M-1 and F-1 Visas. The report was to give the number enrolled and the number still enrolled at the end of each term. The first reporting cycle is in November of 2016. However this new bill vacates that reporting requirement.

The higher education community had expressed concerns that the additional requirement of giving directory information for a subset of students will violate FERPA since the reporting will clearly create student identifiable information which is prohibited. The bill was amended in the House giving the Tennessee Department of Safety administrative subpoena powers related to this specific information. These powers will allow the Department to request the data under FERPA. The data, however, must remain confidential within the Department. As well, institutions will only need to report when requested, thus vacating the annual reporting requirement.

Both bills are now headed to their respective Chambers for a full vote.

TICUA Expresses Concern About Federal DOL Rule Change

When US Senator Lamar Alexander attended the TICUA Annual Meeting this past February 16th, TICUA briefed him on the pending rule change from the US Department of Labor which will change the minimum salary threshold for exempt employees. Senator Alexander requested a letter summarizing our concerns. Based on select campus' analysis the change could cost around \$1,000 per student if the full salary adjustment is taken. Reclassification of employees and paying overtime could result in even greater cost.

During a hearing today with Department of Labor Secretary Thomas Perez, Senator Alexander entered the TICUA letter into the record and then proceeded to quote from various portions. As well, Alexander introduced legislation to table the implementation of the rule change until an economic impact study can be completed on small businesses and nonprofits. It will be seen whether or not the legislation passes and then if President Obama chooses to either sign or veto the measure.

Click [here](#) to view Senator Alexander's questioning of Secretary Perez and to read the TICUA letter, press release, and legislation.