

July 2024 Policy Update

This policy update is your shortcut to the topline issues in higher education policy for student affairs professionals.

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Happenings on the Hill

The recent Supreme Court [decision to overturn Chevron deference](#) will significantly impact higher education by shifting the balance of power in regulatory interpretation from federal agencies to the courts. Chevron deference, which allowed federal agencies to interpret ambiguous statutes, has been a cornerstone of administrative law for nearly 40 years. With its elimination, courts now have more authority to determine the limits of agency actions, leading to a potentially more unstable and litigious regulatory environment for colleges and universities .

This change introduces greater uncertainty as courts, rather than specialized agencies, will now interpret complex regulatory issues. For example, new Title IX regulations and student loan forgiveness measures could face increased legal challenges, affecting policies related to civil rights and financial aid . The decision underscores the importance of precise legislative language from Congress to avoid ambiguities that could lead to varied judicial interpretations .

On July 1, 2024, a series of new federal regulations designed to enhance oversight and consumer protections in higher education took effect. Key changes include a [ban on withholding transcripts](#) for students who have used federal financial aid, new requirements for colleges to provide adequate career services, and detailed information on financial aid offers. Additionally, a [new gainful employment rule](#) requires certain programs to demonstrate that graduates can afford their debt, and an updated income-driven repayment plan, known as SAVE, previously blocked through a lower court injunction, offers more generous terms for student loan

borrowers.

[New regulations](#) also expand overtime eligibility. Employees in executive, administrative, or professional roles earning less than \$43,888 are now eligible for overtime pay, up from the previous threshold of \$35,568. This threshold will further increase to \$58,656 on January 1, 2025, and will be adjusted every three years starting in 2027. The initial increase is expected to affect about one million workers, including nearly 11,000 employees on college campuses, with the subsequent increase impacting nearly 59,000 campus employees.

Several of these regulations face legal challenges and their future may depend on federal court interpretations and the upcoming presidential election.

Last year the rollout of the 2024 Free Application for Federal Student Aid (FAFSA) faced significant delays, shifting from its usual October 1 launch to late December. This delay disrupted financial aid processes across higher education, leading to a challenging cycle for institutions and students alike. At a recent House hearing, United States Education Secretary Miguel Cardona committed to an October 1 release for the upcoming year. However, concerns persist among lawmakers, advocacy groups, and administrators due to last year's delayed draft release and ongoing technical issues. The ED asserts progress in resolving these issues and has appointed a [FAFSA Executive Advisor, College Board President Jeremy Singer](#), to oversee the rollout.

State Policy Update

New legislation aimed at restricting diversity, equity, and inclusion (DEI) initiatives on college campuses has taken effect in Utah, Indiana, Kansas, and Idaho. This year, state lawmakers have introduced 39 bills targeting DEI programs across 19 states, with seven enacted so far. Of those taking effect in July, Utah HB 261 is the most comprehensive, banning DEI offices, diversity training, and identity-based hiring and admissions. Indiana SB 202 mandates “intellectual diversity” and restricts political pledges from applicants and employees. Kansas HB 2105 prohibits hiring or admissions based on political ideology support, and Idaho SB 1274 bans institutions from requiring DEI-related statements from applicants.

Nia Carter, Student Government President at Austin College and NASPA Policy and Advocacy Intern, underscores the ties between equity and inclusion and pathways for student success overall amidst the evolving anti-equity state legislative landscape in recent blogposts, “[Intersectionality: DEI and Food Insecurity on College Campuses](#)” and “[What Student Leaders Should Keep in Mind Amidst an Anti-Equity Climate](#).”



Help us track what legislative activity and topical issues affect you most.

Complete Survey

NASPA Policy Statements & Sign-Ons

NASPA regularly represents the voices of student affairs professionals in policy conversations in Washington, D.C., doing so alongside other higher education associations. Our recent statements and participation in letters from the higher education community demonstrate the specific areas to which we are working to draw policymakers' attention and may be useful as you develop your own talking points and letters. The list below highlights recent statements, publications, and letters that NASPA has joined:

[Letter to the Rules Committee on the National Defense Authorization Act](#)

NASPA signed onto this letter alongside other higher education associations and the American Council on Education to oppose the inclusion of the Bipartisan Workforce Pell Act and the DETERRENT Act as amendments to the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (H.R.8070). Although we support expanding Pell Grant eligibility for short-term training programs, we believe these amendments are inappropriate for this bill and should be considered separately. Our concerns include the potential harm to low-income students, the unequal treatment of certain institutions, and the risks posed by privacy and administrative challenges under the DETERRENT Act. We urge the House to vote against these amendments and request they move through the regular legislative process. (June 7, 2024).

Current Policy Research and Reports

[Public Policy Agenda Addendum \(2024-2026\)](#)

The Public Policy Division (PPD) of NASPA has released an addendum to their Public Policy Agenda to bridge the gap until the new NASPA Strategic Plan in 2026. Based on a survey of 178 NASPA members, the addendum will prioritize financial aid and college affordability, student mental health, basic needs, political interference in higher education, and racial justice. The survey indicated a preference for state-level policy relevance and highlighted the importance of NASPA's direct engagement with federal departments and the creation of advocacy events. The addendum aims to provide timely, concise, and actionable policy updates and resources. Download the addendum and review the agenda in its entirety [here](#).

Have Feedback?

This update is prepared by the Policy and Advocacy Team within NASPA's Research and Policy Institute and [we welcome your feedback](#). [Update your profile to continue receiving this valuable resource](#).



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