
FEDERAL AFFAIRS

COVID-19 and Higher Education

The conventional wisdom in Washington for months has been that Republicans and Democrats would come together in late July to craft a consensus bill striking a compromise between the \$3.5 trillion HEROES bill approved by the Democratically-controlled House of Representatives May 15, 2020 and the more spartan approach favored by most Republicans introduced the last week of July in the Senate.

While the parties have come together physically at the table, neither side is showing signs of moving off its starting position in the discussions. Democratic leaders Nancy Pelosi (D-CA) and Chuck Schumer (D-NY) have unified the Democrats over the past several months in support of the HEROES proposal. This creates a disincentive for the Democratic leaders to make a counterproposal to the Senate Republican HEALS package introduced the last week of July this week by Senate Majority Leader Mitch McConnell (R-KY) on behalf of the congressional GOP and the White House. Indeed, talks are not expected to resume until after Labor Day (however, the House will reconvene to vote on legislation providing, among other things, funding for the U.S. Postal Service).

Republicans, for their part, cannot compromise because they are divided amongst themselves. Some Republican Members of Congress are supportive of enacting a middle-ground bill that spends \$1 trillion or more in the name of public health and economic stabilization and “stimulus.” But others have declared their opposition to any significant additional spending. The divisions in the GOP ranks extend all the way to the White House negotiating team itself, which pairs Treasury Secretary Steven Mnuchin – who has successfully negotiated bipartisan deals for the Administration.

The House-passed bill in May offers \$3 trillion with nearly \$1 trillion for states and cities and continuing unemployment insurance until January 2021. Republicans are considering a \$1.3 trillion measure. The Administration’s insistence on a payroll tax break with the idea of workers taking home more and employers paying out more to cover payroll tax responsibilities has hit a brick wall in the Senate. Payroll taxes fund Social Security and Medicare so cutting them would pay less into those funds for current and future Americans receiving that coverage. Democrats do not consider such a cut in the House-passed bill. The House bill also tends to focus on money to states to increase testing. Both parties want to send around \$100 billion to states to deal with reopening schools while protecting student health.

The \$1200 check to those making less than \$75,000 is likely to happen again but Republicans want to cap that at a \$40,000 income. Democrats consider raising the extra \$500 per child to \$1200 per child for up to three children per household. The House bill also allows cities, counties and states to use funds to balance their budgets and for compensation for COVID-19 related costs; the Senate bill has zero funds for the same.

The additional \$600 given to unemployment recipients is uncertain to be continued at this time in the Senate.

In other somewhat related matters, the federal budget deficit in June 2020 was \$863 billion, compared with a deficit of \$8 billion in the same month last year, CBO estimates. That increase stems from the economic disruption caused by the 2020 coronavirus pandemic and from the federal government's response to it, including actions by the Administration and the enactment of four pieces of legislation.

Talks among Congress and the White House will continue to drag on at the staff level through August until after Labor Day. There is little hope for speedy resolution and a chance of ultimately yielding no agreement at all. The Speaker is upset because the HEROS act has been at the Senate desk since May, but the Senate Majority leader literally introduced legislation – without negotiating the details among the GOP – until literally the last minutes Congress was in session.

Along with the University of Michigan and Michigan State University, Wayne State University has aggressively pushed for COVID-19-related funding for, among other things, reimbursement for costs related to academic research, students, testing and staff. We made this request to the House and Senate leadership through the members of the Michigan delegation, notably Senators Stabenow and Peters and House Members Lawrence, Tlaib and Dingell.

Appropriations Updates

The House completed consideration of H.R. 7617, the second – and likely final – package of House appropriations bills providing funding and shaping public policy for fiscal year 2021, which begins on October 1. The \$1.31 trillion proposal is comprised of six individual funding measures – Defense; Commerce, Justice, Science; Energy and Water Development; Financial Services and General Government; Labor, Health and Human Services, Education; and Transportation, Housing, and Urban Development.

The House has passed 10 of the 12 annual funding measures. The remaining two bills – Homeland Security and Legislative Branch – are unlikely to receive House floor

consideration, given policy provisions addressing immigration, law enforcement, and members pay that have created division and jeopardized their passage. These Committee-approved bills, as well as the 10 soon-to-be House-passed funding measures, will set the stage for future negotiations over final fiscal year 2021 spending with the Senate.

This means Congress will pass a series of “continuing resolutions” to keep government running at last year’s funding levels. A final resolution to the budget, in all likelihood, will not happen until February 2021.

Confucius Institutes

The Administration is increasing scrutiny of a long-established program that is dedicated to teaching Chinese language and culture in the U.S. and other nations, the latest escalation of tensions with China. Along these lines, the U.S. State Department announced plans that Confucius Institutes in the U.S. – including the one at Wayne State University -- will need to register as “foreign missions.” The designation would amount to a conclusion that Confucius Institutes are “substantially owned or effectively controlled” by a foreign government. That would subject them to administrative requirements similar to those for embassies and consulates.

The institutes have long been a target of China hawks, led by Sen. Marco Rubio (R-FL), urging schools in his state to terminate their agreements with them. He called them “Chinese government-run programs that use the teaching of Chinese language and culture as a tool to expand the political influence” of the government. At the press release regarding the change to Confucius Institutes, the State Department, instead, designated the Confucius Institute of the United States as a foreign mission, versus individual Confucius Institutes.

Immigration

The Administration issued an order stating that newly enrolling international students won't be allowed to enter the U.S. for the fall term if they are not taking any in-person courses. International students who were enrolled as of March 9 aren't under the same restriction following the Administration's earlier retreat from its plan to deport those who only use online courses to study this fall. Among other universities, Harvard University acknowledged this week that it can't welcome incoming first-year international students to campus this year due to the Administration's new rules. Wayne State University joined the amicus brief. Eventually, the Administration withdrew the ruling.

STATE AFFAIRS

Budget Update and Projections

The Governor and state legislative leaders agreed to a supplemental budget compromise for Fiscal Year 2020, providing funding to many essential services including higher education. The authorization of federal Cares Relief Fund (CRF) dollars, coupled with creative reallocation of existing state funds, allowed for public universities to remain whole despite the current economic recession. WSU continues to advocate to state leaders and others that this funding needs to be flexible in nature, allowing institutions to ensure they can support students, faculty, staff, and others in the manner they see fit. To that end, House Bills 5910-5913 were signed by the Governor and include a correction to supplemental budget language that will ostensibly allow universities to utilize funds beyond just the current fiscal year. This is a step in the right direction, but still fails to fully provide the necessary flexibility.

The Fiscal Year 2021 budget, which starts on October 1, 2020, has yet to be completed. Leaders will convene with the State Budget Office and Fiscal Agencies on Monday August 24th to reexamine state revenues and adjust fiscal outlooks. The August Consensus Revenue Estimating Conference (CREC) will be vital to making state budgeting decisions. Ahead of CREC estimates have been significantly revised from May when the state anticipated a \$3.2 billion shortfall for FY 21. Currently, early predictions have the state looking at roughly \$1 billion in less revenues. WSU is actively monitoring the CREC, legislative budgets, and executive recommendations for reductions.

Active FY 21 Budget Advocacy:

WSU is actively advocating for investments across the University, including but not limited to, funding for the National De-Escalation Training Center, the Lycacki-Young Fund, the Frontline Strong initiative, MiDOCS, investments in Psych-NP programming at the College of Nursing, and, finally, broad reiteration of the importance of full funding for the University as a whole.

Legislation

WSU DGCA continues to monitor state legislation and regulations that could affect our students, our faculty, and our ability to carry out our mission. This includes, but is not limited to, the following:

- House Bill 4437 (Wakeman) modifying the requirements for a mortuary science license, and removing the requirement that an individual applying for a license have

a 4-year degree. WSU continues to monitor this legislation closely, and is working with the bill sponsor.

- House Bills 5217 (Iden), 5218 (Tate), and Senate Bill 660 (Hollier) requiring compensation for college athletes when their name, likeness, image, or athletic reputation is used as well as prohibiting the NCAA and other amateur sports organizations from preventing a student athlete from receiving compensation. HBs 5217-5218 were passed by the state House and are now in the Senate Regulatory Reform Committee.
- House Bills 5412-5416 expanding reimbursement opportunities for telemedicine under Medicaid and the Healthy Michigan Plan. WSU supported this legislation and it was signed by the Governor over the summer.
- House Bill 5603 (Reilly) creating a higher education ombudsman. This bill has been referred to the Education Committee and has yet to be acted upon.
- House Bill 5745 (Anthony) requiring a refund of certain housing and boarding costs assessed during closure due to a pandemic. This legislation was referred to the Education Committee and has yet to be acted upon.
- Senate Bill 657 (Theis) allowing for an interim training certificate (ITC) for special education, abbreviating the training for teachers with the intent of increasing the volume of special education teachers quickly. WSU opposes this legislation and has shared concerns with legislative leaders regarding how a truncated training could negatively affect students and teachers. This legislation is currently in the House Ways and Means Committee.
- Senate Bill 945 (Irwin) and House Bill 5837 (Peterson) requiring law enforcement in the state of Michigan to receive and maintain de-escalation training. WSU is supportive of this legislation, but also looking creatively at ways to be a partner with law enforcement agencies in need of training. Each piece of legislation has been passed by its respective chamber, further discussion is pending.
- Senate Bill 971 (MacDonald) prohibits a public institution from performing any testing on animals. WSU is concerned about the impact this legislation could have on important biomedical research at public institutions across the state. This legislation is currently in the Senate Judiciary and Public Safety Committee.
- Senate Bills 1022-1024 and House Bills 6030-6032 limit liability for businesses and universities associated with actions taken because of the pandemic. This legislation is slated to move in the House but has yet to be noticed for a committee hearing. WSU is monitoring closely and has worked with our Association and stakeholders across the state to support this legislation.
- Senate Bill 1055 (Nesbit) allowing Community Colleges to offer a 4-year BSN degree program. This legislation has been introduced in the past, with other programs being added to the CC book of business but successful defeat of the BSN program being included. This legislation is a priority of the Senate Majority Leader,

and WSU along with our other public and independent educational partners is sharing our concerns with members of the Senate.

Recent University Appointments:

The DGCA actively monitors opportunities for University leaders to inform policy at the state level through appointment to task forces, councils, and commissions. Recent appointments include:

- Provost Laurie Lauzon Clabo, PhD, RN, FAAN serving on the stakeholder workgroup responsible for informing the promulgation of rules requiring implicit bias training for licensed health professionals in Michigan.
- Dawn Medley, Associate Vice President of Enrollment Management and Chief Enrollment Officer, serving on the newly created Food Security Council charged with identifying and analyzing the origins of and solutions for food insecurity in Michigan and with helping Governor Whitmer work to ensure all Michiganders, no matter their socioeconomic status, can put food on the table for themselves and their families

GOVERNMENT HEALTH AFFAIRS

Graduate Medical Education (GME) Reform – MIDOCs

Wayne State University and other members of the MIDOCs consortium now have two cohorts of residents in the program. As a reminder, this program is funded through direct state appropriations, which are then leveraged to receive federal dollars. The federal government approved the State's plan of how it will use those funds and how we will flow the money to the residency programs. For FY20, the legislature passed \$3.75 million through supplemental funding. National Match Day for residency was on March 20 and WSU matched a resident for all open positions in the program this year. The new residents started on July 1. Wayne State now has eight MIDOCs residents, and there are a total of 32 in the program across all four institutions.

On August 18, MIDOCs had its annual Advisory Council meeting. Community stakeholders, members of the legislature, and representatives from each institution were present at the meeting. The purpose of the Advisory Council is to give feedback on how the program is functioning and to make sure the program is being held accountable to fulfill its goals.

With the onset of the COVID-19 pandemic, we might see changes in the general fund amount available for future years. We will be working with the legislature to come up with a plan for the needed funding for the program. As of now, the legislature has indicated that it intends to fund the program at the same level as last year, which would allow for 24 new residents.

The Michigan Poison Center

The Poison Center (PC) has begun a two-month marketing campaign. The goal of the campaign is to increase awareness and engagement. The primary markets are Detroit, Grand Rapids, Flint, and Traverse City. The campaign will capitalize on the end of summer travel and utilize outdoor ads and Pandora.

The Government Affairs team will work to ensure that the budget needs of the PC are communicated to the legislature. Dr. Aaron, the director of the PC, testified at a Health and Human Services subcommittee hearing in early March. Dr. Aaron focused on the work that the PC does, the number of Michigan residents it serves, and the funding needs for future years. The testimony was very well received.

COMMUNITY AFFAIRS

WSU's Social Justice Action Committee

In July 2020, President Wilson created the Wayne State University Social Justice Action Committee (SJAC). The purpose of SJAC is to drive culture change and foster a climate of inclusion and equity throughout the University. The SJAC consists of seven committees:

- Hiring and retention of diverse faculty.
- Hiring and retention of diverse staff.
- Student access and success.
- Policing.
- Intercultural education and training.
- Campus climate issues.
- University diversity and inclusion (DEI) initiatives.

The SJAC for Policing committee consists of 10 members (seven internal and three external members). Director Victor Green serves as the chair of this committee. The purpose of SJAC for Policing is to examine the WSU Police Department's (WSUPD) current policies, procedures, and practices of engagement with the campus and external communities surrounding the footprint of campus. More details of the progress of this committee will be provided in the next Board report.

President Community Advisory Group (PCAG)

On Monday, July 27, 2020, the Division of Government and Community Affairs hosted WSU's President's Community Advisory Group (PCAG) meeting via Zoom. The PCAG

purpose is to provide input, feedback and guidance advice to the President and the Division of Government and Community Affairs regarding the University's mission, strategic plan, and priorities. PCAG serves in an advisory capacity, not governance. PCAG meets three times a year. The July meeting agenda consisted of an update the community on the campus reopening for the fall semester, and the establishment of the WSU Social Action Justice Committee (SJAC). PCAG members also gave WSU an update on the different events and projects that occurring in the community. The next meeting is scheduled for mid-fall 2020,

Woodbridge Citizens' Council Meeting

On August 13, 2020, the Division of Government and Community Affairs (DGCA), Office of Economic Development (OED), WSU Athletics, and Facilities Planning & Management (FP&M) presented to the Woodbridge Citizens' Council (WCC) monthly meeting via Zoom. The purpose of the presentation was to inform and update the WCC on the status of the new basketball arena. Several questions from the members of WCC consisted of construction of the site, post construction—parking and community access to the venue. WSU is continuing the conversations and engagement with WCC and Woodbridge Neighborhood Development (WND) and scheduling future meetings.