

Federal Work Study Program (FWS)—Part C

FWS Issue 1: Increase FWS authorization [Section 441(b)]

Recommendation: Increase FWS authorization.

Rationale: NASFAA recommends the FWS first-year authorization level be increased for this successful student/school/government program.

Current HEA Law	NASFAA Proposed Statutory Language
Section 441(b) AUTHORIZATION OF APPROPRIATIONS.— There are authorized to be appropriated to carry out this part, \$1,000,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.	Section 441(b) AUTHORIZATION OF APPROPRIATIONS.— There are authorized to be appropriated to carry out this part, \$1,000,000,000 \$1,500,000,000 for fiscal year 1999 2005 and such sums as may be necessary for each of the 4 succeeding fiscal years.

FWS Issue 2: Purpose [Section 441(c)(1)]

Recommendation: Expand the definition of community service to include child care services provided only to campus employees and students.

Rationale: The current statute includes "child care services provided on campus that are open and accessible to the community" in the definition of community service. Many campus-based child care facilities have waiting lists due to the demand from the school's employees and students for affordable and convenient child care. In such cases other members of the community-at-large are unable to use these services as the students or students and employees have first priority. Expansion of the definition would recognize that these child care facilities are in fact providing quality and affordable child care to members of the community who happen to be employees or students of the school.

Current HEA Law	NASFAA Proposed Statutory Language
Section 441(c) (1) such fields as health care, child care (including child care services provided on campus that are open and accessible to the community), literacy training, education (including tutorial services), welfare, social services, transportation, housing and neighborhood improvement, public safety, crime prevention and control, recreation, rural development, and community Improvement;	Section 441(c) (1) such fields as health care, child care (including child care services provided on campus that are open and accessible to the community), literacy training, education (including tutorial services), welfare, social services, transportation, housing and neighborhood improvement, public safety, crime prevention and control, recreation, rural development, and community improvement;

FWS Issue 3: Community Service Requirement [Section 443(b)(2)(B), 442(d), and new (e)]

Recommendation: Expand and clarify the conditions under which the Secretary may grant a waiver of the utilization of Federal Work-Study funds for community service. Do not prescribe in the law what the requirements beyond the 7% will be as each institution has varying degrees of access to community service opportunities for its students. Allow those schools that can certify that ten percent of their student body is involved in community service to be exempt from any FWS community service spending requirements.

Rationale: Some postsecondary institutions have difficulty meeting the current 7% requirement to expend Federal Work-Study funds on community service. This statutory change is suggested to permit the Secretary to recognize schools that have voluntarily undertaken substantial community service activities, and not because of a government mandate. In so doing, the Secretary could avoid penalizing schools that are unable to meet the federal commitment because community service slots are not available for Federal Work-Study student workers in the community due to the school’s other community service activities. This recommendation also recognizes the “real world” operational difficulties some schools have with a suggested legislative change in the waiver process so that it would recognize such operational difficulties and not penalize schools for matters that are beyond their capacity to change.

NASFAA strongly supports the notion that all members of the higher education community should participate in community service activities that will benefit the nation and engender in all a sense of social responsibility and commitment to the community. Because many schools have a strong commitment to community service and incorporate it into their institutional philosophies and program structures, and because we believe incentives to grow community service initiatives are more productive than mandates, we recommend recognizing the efforts of schools that are successful in this regard. Recognizing that the development and nurturing of exemplary community service programs, even in the absence of JLD participation, is very important, NASFAA recommends encouraging such activity via the creation of a model community service program award to be given annually to schools that exemplify the best of community service. Recognized schools could also receive preferential treatment for the allocation of FWS funds.

Current HEA Law	NASFAA Proposed Statutory Language
Section 443(b)(2)(B) for fiscal year 2000 and succeeding fiscal years, an institution shall use at least 7 percent of the total amount of funds granted to such institution under this section for such fiscal year to compensate students employed in community service, and shall ensure that not less than 1 tutoring or family literacy project (as described in subsection (d)) is included in meeting the requirement of this subparagraph, except that	Section 443(b)(2)(B) for fiscal year 2000 and succeeding fiscal years, an institution shall use at least 7 percent of the total amount of funds granted to such institution under this section for such fiscal year to compensate students employed in community service, and shall ensure that not less than 1 tutoring or family literacy project (as described in subsection (d)) is included in meeting the requirement of this subparagraph, except that

the Secretary may waive this subparagraph if the Secretary determines that enforcing this subparagraph would cause hardship for students at the institution; and

Section 442(d) REALLOCATION OF EXCESS ALLOCATIONS.—(1) If institutions return to the Secretary any portion of the sums allocated to such institutions under this section for any fiscal year, the Secretary shall reallocate such excess to eligible institutions which used at least 5 percent of the total amount of funds granted to such institution under this section to compensate students employed in tutoring in reading and family literacy activities in the preceding fiscal year. Such excess funds shall be reallocated to institutions which qualify under this subsection on the same basis as excess eligible amounts are allocated to institutions pursuant to subsection (b). Funds received by institutions pursuant to this subsection shall be used to compensate students employed in community service.

(i) the Secretary may waive this subparagraph if the Secretary determines that enforcing this subparagraph (I) would cause hardship for students at the institution, (II) results in inability to meet the requirements of this subparagraph due to a lack of appropriate placements as documented by the institution, (III) results from student refusals to accept such placements as documented by the institution, or (IV) would cause hardship to the institution due to other reasonable extenuating circumstances and such extenuating circumstances shall be determined in accordance with regulations developed under section 492, or (ii) this subparagraph shall be waived if the institution certifies to the Secretary that 10 percent or greater of its total full-time enrollment participates in community service activities as described in sections 441(c) or 443(d); and

Section 442(d) REALLOCATION OF EXCESS ALLOCATIONS.—(1) If institutions return to the Secretary any portion of the sums allocated to such institutions under this section for any fiscal year, the Secretary shall reallocate **such excess (A) first to those institutions recognized by the Secretary under provisions in (e) of this section, and (B) any remainder of** such excess to eligible institutions which used at least 5 percent of the total amount of funds granted to such institution under this section to compensate students employed in tutoring in reading and family literacy activities in the preceding fiscal year. Such excess funds shall be reallocated to institutions which qualify under this subsection on the same basis as excess eligible amounts are allocated to institutions pursuant to subsection (b). Funds received by institutions pursuant to this subsection shall be used to compensate students employed in community service **except this sentence shall not apply under**

	<p>(d)(1)(A) of this section.</p> <p>Renumber (e) as (f) and insert a new (e) as follows: (e)The Secretary annually shall recognize institutions with exemplary and model community service programs by establishment of a “Model Community Service Award.” The Secretary by regulation shall designate program criteria and application procedures for such award. No fewer than 50 postsecondary institutions shall qualify for the “Model Community Service Award.” The Secretary shall widely publicize the activities of award recipients.</p>
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FWS Issue 4: Job Location and Development Programs [Section 446(a)]

Recommendation: Increase the amount of Federal Work-Study allocations that can be used for Job Location and Development (JLD) Programs from 10 percent or \$50,000 to 15 percent or \$75,000.

Rationale: The JLD program has successfully assisted many students find part-time jobs while attending school. In addition to serving as an important financial resource for students, the program provides students with career-related jobs that offer an opportunity for job exploration and resume building. Students are able to gain invaluable experience that helps direct them to an appropriate career and makes them better candidates in the job market upon graduation. Many colleges would be able to expand these advantages to even more students if the JLD levels were increased. The current levels have not been increased in over ten years. NASFAA believes that increased demand for the program and inflation since the last increase justify this recommendation. This provision does not represent an increase in an institution's Federal Work-Study allocation or any increase in federal expenditures.

Current HEA Law	NASFAA Proposed Statutory Language
Section 446(a) AGREEMENTS REQUIRED.—(1) The Secretary is authorized to enter into agreements with eligible institutions under which such institution may use not more than 10 percent or \$50,000 of its allotment under section 442, whichever is less, to establish or expand a program under which such institution, separately or in combination with other eligible institutions, locates and develops jobs, including community service jobs, for currently enrolled students.	Section 446(a) AGREEMENTS REQUIRED.—(1) The Secretary is authorized to enter into agreements with eligible institutions under which such institution may use not more than 10 15 percent or \$50,000 \$75,000 of its allotment under section 442, whichever is less, to establish or expand a program under which such institution, separately or in combination with other eligible institutions, locates and develops jobs, including community service jobs, for currently enrolled students.

FWS Issue 5: Job Location and Development Programs [Section 446(a)]

Recommendation: Allow an institution to use 20 percent or up to \$100,000 of its Federal Work-Study allocation for a Job Location and Development (JLD) program if at least 5 percent or \$25,000 of this amount is specifically allocated to the development of off-campus community service jobs.

Rationale: There is a growing national interest in providing opportunities for students to engage in community service work. Although the original JLD language includes developing community service jobs as allowable JLD activities, NASFAA feels that schools will be encouraged to increase their programs even more if the JLD funding limits are expanded. Allowing additional funds to be used to dedicate staff and resources to developing community service jobs enables institutions to expand their programs to the greatest possible number of students and community service providers. Since JLD positions are not limited to Title IV-eligible students, this provision provides an incentive for institutions to encourage a broad range of its students to engage in community service and signifies Congressional support for these activities. This recommendation does not represent an increase in an institution's Federal Work-Study allocation or any increase in overall federal expenditures.

Current HEA Law	NASFAA Proposed Statutory Language
<p>Section 446 (a) AGREEMENTS REQUIRED.—(1) The Secretary is authorized to enter into agreements with eligible institutions under which such institution may use not more than 10 percent or \$50,000 of its allotment under section 442, whichever is less, to establish or expand a program under which such institution, separately or in combination with other eligible institutions, locates and develops jobs, including community service jobs, for currently enrolled students.</p>	<p>Section 446 (a) AGREEMENTS REQUIRED.—(1) The Secretary is authorized to enter into agreements with eligible institutions under which such institution may(A) use not more than 10 15 percent or \$50,000 \$75,000 of its allotment under section 442, whichever is less, to establish or expand a program under which such institution, separately or in combination with other eligible institutions, locates and develops jobs, including community service jobs, for currently enrolled students , or</p> <p>(B) use not more than 20 percent or \$100,000 of its allotment under section 442, whichever is less, if at least 5 percent or \$25,000, whichever is less, is specifically earmarked for the development of community service jobs under this section.</p>