

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **05/16/2003**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-5996**

By/Representing: **Stott**

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Subject: **Higher Education - miscellaneous**

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Pre Topic:

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Topic:

Restore Higher Educational Aids Board

Instructions:

See Attached--Restore current law relating to the Higher Educational Aids Board

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 05/16/2003	jdye 05/19/2003 jdye 05/20/2003		_____			
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1/?	gmalaise	1 5/19 jld	26 5/20	Subb 5/20			

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Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 15, 2003

Joint Committee on Finance

Paper #445

Eliminate the Higher Educational Aids Board and Transfer Duties and Programs to the UW System Board of Regents (HEAB and UW System)

[LFB 2003-05 Budget Summary: Page 272, #7 and Page 454, #23]

CURRENT LAW

The Higher Educational Aids Board (HEAB) is the primary state agency responsible for the management and oversight of the state's student financial aid system for Wisconsin residents attending institutions of higher education. HEAB has a staff of 12.0 full-time equivalent (FTE) positions including an Executive Secretary who is appointed by the Governor. Base funding for HEAB administration totals \$829,500, including \$752,000 GPR, \$76,500 SEG, and \$1,000 PR in 2002-03. HEAB administers state-funded, student financial aid programs and negotiates interstate higher education reciprocity agreements. In 2002-03, total funding for HEAB administered financial aid programs is \$72,006,400, including \$69,939,100 GPR, \$1,191,600 PR, and \$875,800 FED.

The Board is an independent policy making body composed of 11 members: the State Superintendent of Public Instruction; three members, including one each of the UW Board of Regents, the Wisconsin Technical College System (WTCS) Board, and a Board of Trustees of an independent college or University in the state; three financial aid administrators, including one from each of the UW System, WTCS, and a private nonprofit college or university in the state; three undergraduate students, including one from each of the UW System, WTCS, and a private nonprofit college or university in the state; and one member of the general public. Except for the State Superintendent, all Board members are appointed by the Governor. Student members of HEAB serve staggered, three-year terms.

GOVERNOR

Eliminate HEAB and the Executive Secretary position in HEAB and transfer HEAB's administrative duties and programs to the UW System Board of Regents effective July 1, 2004.

Delete \$771,000 GPR and 11.36 GPR positions, \$1,000 PR, and \$76,800 SEG with 0.64 SEG positions in 2004-05 for general program operations for HEAB. Transfer \$196,900 GPR, \$1,000 PR, and \$76,800 SEG with 1.36 GPR and 0.64 SEG positions to the UW System Board of Regents for administration of financial aid programs transferred from HEAB. Provide \$103,700 GPR and 2.0 GPR positions to DOA. According to executive budget documents, the positions provided to DOA would be utilized to ensure fair treatment by the UW System for the programs being administered on behalf of private institutions, the Wisconsin Technical College System, and the programs affecting Native American students.

Transfer \$67,267,600 GPR, \$16,224,400 PR and \$1,396,400 FED in 2004-05 to the UW System from HEAB related to HEAB administered student financial aid programs.

Transfer administration of the Minnesota-Wisconsin reciprocity program from HEAB to the UW System Board of Regents. Under current law, the agreement is negotiated and administered jointly by the Minnesota Higher Educational Services Office and HEAB.

Finally, transfer administration of contracts with the Medical College of Wisconsin and the Marquette University Dental School from HEAB to the UW System Board of Regents. Under the medical and dental capitation contracts, state funding is provided as per capita tuition assistance for state residents enrolled at the Medical College of Wisconsin and Marquette University Dental School.

DISCUSSION POINTS

1. The Higher Educational Aids Board is an independent policy-making board with a staff of 12.0 positions authorized for administering the state programs of student financial aid, including a total of 12 scholarship, grant and loan programs; the Minnesota-Wisconsin reciprocity agreement; a contract for dental education services; and the contracts associated with the Medical College of Wisconsin. The mission of HEAB is to ensure that all students be provided equal access and diversity in obtaining a higher education and make certain the funds for each program the agency administers are distributed in a fair, equitable, and timely manner.

Higher Educational Aid Governance

2. The HEAB Board meets several times throughout the year. The Board sets agency policy, approves the biennial budget request, and approves formulas for the distribution of the tuition grant (TG) program for private college students and the Wisconsin higher education grant (WHEG) program for students attending the UW System, Wisconsin technical colleges, and tribal colleges.

3. The Governor's proposal would eliminate the HEAB Board and transfer the policy-making duties for financial aid programs currently administered by HEAB to the UW System Board of Regents. One concern that has been expressed with the Governor's proposal is that financial aid policy decisions for all sectors currently served by HEAB financial aid programs, including private and technical college institutions, would be transferred to a Board with primary responsibility to the UW System.

4. According to executive budget documents, the Governor recommended the transfer of 2.0 positions from HEAB to DOA to provide independent oversight of program operations and to ensure that the needs of technical college and private college students are met. It is unclear how these positions would fulfill this oversight function, as the bill is silent on this. In addition, while those positions may ensure that programs are administered fairly, there still would be no policy-making body that would primarily advocate and administer financial aid programs on behalf of all students regardless of the sector of attendance.

5. In order to address student and institutional concerns regarding the policy making authority for financial aid, the UW System, WTCS, and Wisconsin Association of Independent Colleges and Universities (WAICU), support the creation of a council on student aid. This council would provide policy direction, oversight, and future funding recommendations for financial aid programs. Under the proposal, this council on student aid would be comprised of the leadership from all of the state's education systems including the President of the UW System (or designee), the President of WTCS (or designee), the President of WAICU (or designee), the State Superintendent of Public Instruction (or designee), and the Secretary of the Department of Administration (or designee), who would serve as the chairperson. Under this proposal, no expenses would be paid for the members of the proposed council on student aid.

6. As defined under state statute, councils do not have policy-making authority; rather, they are advisory bodies whose decisions are not legally binding. The proposed council would advise the department or agency with statutory authority over the financial aid appropriations. If the Committee would approve the Governor's proposal to transfer the appropriations to the UW System Board of Regents, the proposed council would advise the Board of Regents with regard to financial aid policy and funding requests. The UW, WTCS, and independent universities already have similar working relationships as evidenced in their work together on the PK-16 Council, which is intended to assist collaboration among K-12 education, the UW System, WTCS and the independent universities.

7. In order to provide independent budgetary authority, the WAICU, WTCS, and UW System proposal includes a provision that would transfer all financial aid appropriations except WHEG-UW to DOA rather than the UW System as proposed by the Governor. If the appropriations, excluding those related to the WHEG-UW program, were housed under DOA, DOA would be responsible for making budget and policy requests for the financial aid programs on behalf of all the higher education sectors. The UW System would provide administrative support as under the Governor's proposal. However, transferring the appropriations to DOA would create additional administrative duties for both the UW System and DOA in disbursing and managing

student financial aid funds, and there is no assurance that DOA would be responsive to the budgetary and policy recommendations of the proposed council.

8. It could be argued that the past enactment of the state's financial aid programs and subsequent assignment of these programs to HEAB point out the desirability of a single governmental body responsible for the administrative and policy coordination of the state's financial aid programs. However, if the Committee would choose to retain the independent policy making authority of a Board for the state's higher educational aid programs, the current HEAB structure could be retained with the financial aid appropriations transferred to DOA, as proposed by WAICU, WTCS, and the UW System, or both the appropriations and administrative functions attached to the UW System, as proposed by the Governor. In both cases, HEAB would operate as an independent Board in order to provide policy coordination and independent oversight of the administering agency.

Higher Educational Aid Administration

9. HEAB administration is headed by an Executive Secretary, who is appointed by, and serves at, the pleasure of the Governor. The Executive Secretary makes policy recommendations to the Board; carries out policy directives from the Governor, Legislature and Board; and is responsible for initiating and carrying out all administrative direction and responsibilities of the agency. In addition to the Executive Secretary position, the agency has 11 other permanent classified staff positions. Currently, both the Executive Secretary and division administrator positions are vacant with a current employee serving as an interim administrative manager.

10. At HEAB, five of the twelve positions could be classified as management and support positions. These positions include the Executive Secretary, division administrator, office manager, computer/information systems manager, and a budget and policy analyst. In addition to the five management and support positions, there are seven other HEAB positions that currently oversee individual programs.

11. The HEAB agency responsibilities fall into four categories, which include grant and scholarship financial aid programs, student loans, reciprocal agreements, and tuition capitation programs. In addition, HEAB employees respond to the programmatic needs and concerns of students, high school counselors, and college financial aid officers. HEAB also disseminates state financial aid information, conducts financial aid workshops and seminars, and manages a web site that acts as an information clearinghouse on financial aid.

12. The state's student grant and scholarship programs involved expenditure of \$65.7 million during 2001-02. Most of these funds were GPR with \$1.1 million in federal funds. The majority of these programs are based upon the federally determined student methodology for financial need of the student recipients. Total awards exceeded 59,600 from approximately 200,000 Wisconsin resident undergraduates who applied for assistance through HEAB in 2001-02.

13. HEAB is also responsible for administering four need-based forgivable loan

programs targeted at specific populations and for the collection and due diligence of outstanding loans for four discontinued loan programs. The current loan programs administered by HEAB include: (a) teacher education loan program; (b) minority teacher loan; (c) nursing student loan; and (d) loan program for teachers of the visually impaired. The four discontinued loan programs include: (a) nonguarantee loan; (b) nursing student stipend loan; (c) Paul Douglas scholarship; and (d) Wisconsin health education assistance loan.

14. HEAB's third major administrative function is the administration of the Minnesota-Wisconsin Reciprocity program in conjunction with the Minnesota Higher Education Service Office. A total of 11,074 Wisconsin residents participated in the program in 2001-02 by enrolling in Minnesota public institutions. Eliminating HEAB would require a modification of the current reciprocity agreement since that agreement refers to HEAB as the administering agency for Wisconsin. Any changes to the agreement must be agreed to by both states and must be approved by the Joint Committee on Finance.

15. Two tuition capitation agreements comprise the last major operational responsibility of the agency. HEAB has tuition capitation agreements with both the Medical College of Wisconsin and Marquette University School of Dentistry. These agreements provide funds to the two institutions to train Wisconsin residents as physicians and dentists.

16. According to executive budget staff, the elimination of HEAB and transfer to UW System was viewed as a cost-saving measure that would have little effect on financial aid service. According to executive budget documents, the UW System would have the economy of scale and experience in handling financial aid that would make the transfer feasible.

17. In 2002-03, base funding for HEAB general program operations is \$829,500 with 12.0 positions. Total funding includes \$752,000 GPR, \$1,000 PR, and \$76,500 SEG with 11.36 GPR and 0.64 SEG positions. Under SB 44, the agency's GPR-funded general program operations appropriation would be reduced by \$80,300 GPR in 2003-04 and 1.0 position would be deleted, providing the agency with \$704,200 GPR, \$1,000 PR, and \$76,800 SEG with 10.36 GPR and 0.64 SEG positions after standard budget adjustments. The first year reduction would represent a 10.7% GPR reduction from the 2002-03 adjusted base, or a 10% overall budget reduction.

18. Under the Governor's proposal, \$196,900 GPR, \$1,000 PR, and \$76,800 SEG with 1.36 GPR and 0.64 SEG positions would be transferred to the UW System, and \$103,700 GPR and 2.0 GPR positions would be transferred to DOA for administration of the programs. Funding provided to the UW System would provide \$128,000 for salary and fringe benefit expenses, and \$146,700 for supplies and services expenditures, primarily related to computer processing expenses for financial aid processing.

19. Under the Governor's proposal, the funding provided to DOA would be for the salary and fringe benefit expenses of the two positions transferred to DOA from HEAB to provide independent oversight of the UW System with regards to financial aid programs that benefit other higher education sectors. The exact role of these positions has not been determined; however,

according to DOA, they most likely would provide assurance to other higher education sectors that the programs are being preserved and continue to benefit all students. If the Committee were to create an independent council on student aid or retain HEAB as a policy-making authority, oversight could be ensured through the council or HEAB, and the positions at DOA could be transferred to the UW System for direct management of existing financial aid programs.

20. If the Committee approves the Governor's recommendation, the financial aid administrative role of DOA and the UW System related to the Governor's proposal would need to be clarified. For example, the current HEAB mainframe system is not supportable and must be upgraded in the near future to accommodate federal financial aid reporting requirements; given the split in positions, it could be unclear as to whether DOA or the UW would be responsible for maintaining or upgrading the computer system. The role of both DOA and the UW in relation to financial aid administration and oversight could be addressed through a memorandum of understanding.

21. The Governor's proposal would delete \$771,000 GPR, \$1,000 PR, and \$76,800 SEG with 11.36 GPR and 0.64 SEG positions from HEAB in 2004-05. Accounting for base budget reductions applied in 2003-04, the Governor's provision would delete \$390,100 GPR and eliminate 7.0 GPR positions in 2004-05 over funding and positions that would have been provided to HEAB in 2004-05.

22. Because HEAB currently administers student financial aid programs with a relatively small staff, the Committee could restore second year funding to HEAB for administration and restore the Board. This would avoid any potential disruption if these programs and responsibilities would be transferred to another agency.

23. In its recommendation to eliminate HEAB and transfer functions to the UW System and DOA, the administration does not point to any problems with the existing HEAB structure or the administration of the state's grant and aid programs. One can argue that the current structure is one that provides equitable access for all institutions of higher education and one that has effectively and efficiently administered the various aid, grant, loan, and reciprocity programs.

Given this, questions can be raised as to the rationale for the recommendations of SB 44. Apparently, the primary rationale is to eliminate 7.0 positions and related funding. However, although some savings might accrue because of the elimination of the positions, the proposal raises a number of questions about the role of private schools, WTCS, the administration of the reciprocity agreements, and the responsibilities of the UW System and the undefined role of DOA.

One could argue that if the elimination of HEAB does not result in increased program efficiency and continued equitable access by the various institutions of higher education, then HEAB should continue to function as it currently does.

24. Alternatively, the Committee could place full responsibility for administration of these student financial aid programs with the UW System. Under this option, the Committee could

provide the UW System with 3.0 additional GPR positions and an additional \$155,600 GPR in 2004-05 in order to provide additional administrative support for financial aid programs. In addition, the 2.0 GPR positions provided to DOA under the Governor's proposal would be transferred to the UW System. With these positions, the UW would have a total of 7.0 positions available to directly administer financial aid programs, which is roughly comparable to similar staff under HEAB. As under the Governor's proposal, the management and support duties and overhead expenses would be absorbed by UW System administration and funded within their existing base funding.

ALTERNATIVES

A. State Higher Educational Aid Governance

1. Approve the Governor's recommendation to eliminate HEAB and transfer the Board's functions to the UW System Board of Regents.

2. Modify the Governor's recommendation and create a council on student aid to provide financial aid policy recommendations, financial aid administration oversight, and funding recommendations for state financial aid programs. Specify that the council would include the President of the UW System (or designee), the President of WTCS (or designee), the President of Wisconsin Association of Independent Colleges and Universities (or designee), the State Superintendent of Public Instruction (or designee), and the Secretary of the Department of Administration (or designee), who would serve as chairperson.

③ Delete provision.

B. Higher Educational Aid Appropriations

1. Approve the Governor's recommendation to transfer \$67,267,600 GPR, \$16,224,400 PR, and \$1,396,400 FED in 2004-05 and all student support activity appropriations from HEAB to the UW System.

2. Approve the Governor's recommendation to transfer the WHEG-UW program with \$19,926,800 GPR and \$15,032,800 PR to the UW System in 2004-05, and modify the Governor's recommendation and transfer the remaining financial aid appropriations with \$47,340,800 GPR, \$1,191,600 PR, and \$1,396,400 FED to the Department of Administration.

③ Delete provision.

C. Higher Educational Aid Administration

1. Approve the Governor's recommendation to: (a) delete \$771,000 GPR and 11.36

GPR positions, \$1,000 PR, and \$76,800 SEG with 0.64 SEG positions in 2004-05 for general program operations for HEAB; (b) provide \$196,900 GPR, \$1,000 PR, and \$76,800 SEG with 1.36 GPR and 0.64 SEG positions in 2004-05 to the UW System Board of Regents for administration of financial aid programs; and (c) provide \$103,700 GPR and 2.0 GPR positions in 2004-05 to DOA.

2. Modify Alternative 1 to also require the UW System Board of Regents, and the Department of Administration to develop a memorandum of understanding to establish the role and responsibilities of DOA and the UW System in the management of financial aid programs transferred from HEAB, by June 30, 2004.

3. Modify Alternative 1 to transfer \$103,700 GPR and 2.0 positions that would go to DOA under the bill, and, instead, transfer the funding and positions to the UW System.

4. Modify Alternative 3 to also provide the UW System with an additional 3.0 GPR positions and \$155,600 GPR for salary and fringe benefit costs related to the positions in 2004-05.

<u>Alternative C4</u>	<u>GPR</u>
2003-05 FUNDING (Change to Bill)	\$155,600
2004-05 POSITIONS (Change to Bill)	3.00

5.

Delete provision and thus, maintain HEAB and its responsibilities under current law.

<u>Alternative C5</u>	<u>GPR</u>
2003-05 FUNDING (Change to Bill)	\$390,100
2004-05 POSITIONS (Change to Bill)	7.00

Prepared by: John Stott



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0199/7

GMM...:.....

JLD

LFB:.....Stott – Restore Higher Educational Aids Board

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

At the locations indicated, amend the bill as follows:

1. Page 54, line 18: delete that line. ✓
2. Page 68, line 21: delete lines 21 to 25. ✓
3. Page 69, line 1: delete lines 1 to 13. ✓
4. Page 71, line 7: delete that line. ✓
5. Page 78, line 23: delete that line. ✓
6. Page 337, line 17: delete lines 17 to 25. ✓
7. Page 338, line 1: delete that line. ✓
8. Page 338, line 10: delete lines 10 to 25. ✓
9. Page 339, line 1: delete lines 1 to 24. ✓

10. Page 340, line 7: delete lines 7 to 25. ✓
11. Page 341, line 1: delete lines 1 to 17. ✓
12. Page 349, line 24: delete lines 24 and 25. ✓
13. Page 350, line 1: delete lines 1 to 21. ✓
14. Page 403, line 17: delete lines 17 to 19. ✓
15. Page 403, line 24: delete that line. ✓
16. Page 404, line 1: delete lines 1 and 2. ✓
17. Page 428, line 13: delete that line. ✓
18. Page 474, line 18: delete lines 18 to 23. ✓
19. Page 477, line 12: delete that line. ✓
20. Page 478, line 5: delete lines 5 to 11. ✓
21. Page 479, line 24: delete lines 24 and 25. ✓
22. Page 480, line 1: delete lines 1 to 6. ✓
23. Page 480, line 18: delete lines 18 to 25. ✓
24. Page 481, line 1: delete lines 1 and 2. ✓
25. Page 481, line 4: delete lines 4 to 24. ✓
26. Page 482, line 1: delete lines 1 to 25. ✓
27. Page 483, line 1: delete lines 1 to 25. ✓
28. Page 484, line 1: delete lines 1 to 24. ✓
29. Page 485, line 1: delete lines 1 to 25. ✓
30. Page 486, line 1: delete lines 1 to 25. ✓

31. Page 487, line 1: delete lines 1 to 24. ✓
32. Page 488, line 1: delete lines 1 to 17. ✓
33. Page 489, line 1: delete lines 1 to 21. ✓
34. Page 490, line 1: delete lines 1 to 23. ✓
35. Page 927, line 17: delete lines 17 and 18. ✓
36. Page 934, line 10: delete that line. ✓
37. Page 1057, line 5: delete lines 5 to 10. ✓
38. Page 1078, line 20: delete lines 20 to 24. ✓
39. Page 1079, line 1: delete lines 1 to 25. ✓
40. Page 1080, line 1: delete lines 1 to 22. ✓
41. Page 1099, line 1: delete lines 1 to 11. ✓
42. Page 1110, line 2: delete lines 2 to 5. ✓
43. Page 1132, line 24: delete lines 24 and 25. ✓
44. Page 1133, line 1: delete lines 1 to 13. ✓

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0199/1
GMM:jld:jf

LFB:.....Stott – Restore Higher Educational Aids Board

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- 7 **6.** Page 337, line 17: delete lines 17 to 25.
- 8 **7.** Page 338, line 1: delete that line.
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- 12 **21.** Page 479, line 24: delete lines 24 and 25.
- 13 **22.** Page 480, line 1: delete lines 1 to 6.
- 14 **23.** Page 480, line 18: delete lines 18 to 25.
- 15 **24.** Page 481, line 1: delete lines 1 and 2.
- 16 **25.** Page 481, line 4: delete lines 4 to 24.
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15

(END)