



VSBA
Virginia School Boards Association
Leadership · Advocacy · Support

Federal Advocacy Update



Good Saturday Morning. Early today, the United States House of Representatives passed the American Rescue Plan Act of 2021. A summary of this legislation can be found in the February 27, 2021 Federal Advocacy & Public Policy Update. This legislation will now move to the United States Senate for further debate and consideration.

In addition to this federal report, we are anticipating the 2021 session of the Virginia General Assembly to adjourn Sine Die on Monday. Be sure to check out the [VSBA Legislative Update Blog](#) and monitor VSBA on [Facebook](#) and [Twitter](#) daily for real time information from the VSBA Government Relations team on happenings in both Washington, D.C., and Virginia state government.

Thank you for all you do on behalf of public education in the Commonwealth!

Have a safe weekend!

Best,

J.T.

Federal Advocacy & Public Policy Update

February 27, 2021

Congressional Update

House Moves Forward with Pandemic Relief

On Monday, February 22, the House Budget Committee passed the [American Rescue Plan Act of 2021](#)—legislation modeled off of President Biden’s recent \$1.9 trillion [proposal](#) to respond to the ongoing pandemic. The committee advanced the bill along party lines (19-14) as part of the “budget reconciliation” process which allows lawmakers to pass legislation with simple majorities in both legislative chambers. If passed, the American Rescue Plan Act would provide nearly \$130 billion in additional pandemic relief for the K-12 ~~community via the Elementary and Secondary School Emergency Relief (ESSER) fund~~, \$7.6 billion in funding to connect students to home broadband and devices, and nearly \$350 billion in aid for State, Local, and Tribal governments.

Having cleared the House Budget Committee, the bill will now be considered by the full House Chamber where it passed early Saturday morning. Concurrent to this effort in the House, the Senate parliamentarian is currently examining various provisions contained in the legislation to ensure they meet the requirements of the budget reconciliation process in that chamber. While the K-12, broadband, and state and local governmental funding noted above is expected to be included in final legislation considered by the Senate sometime next week, provisions such as a proposed federal minimum wage increase contained in the bill will likely be stripped out of the final legislative package based on a ruling by the parliamentarian prior to Senators voting on the American Rescue Plan Act. This action would likely lower the overall cost of the plan.

House Republicans Request Information from CCSSO

On Thursday, February 25, the Ranking Member of the House Education and Labor Committee Rep. Virginia Foxx (R-NC), along with Rep. Burgess Owens (R-UT), sent a [letter](#) to the Council of Chief State School Officers (CCSSO) requesting several pieces of information related to the reopening of K-12 schools. The letter encourages the organization to convene education chiefs to further collaborate and identify common challenges as states seek to re-open schools. As part of this effort, the letter requests information about school re-openings to date, how states have been working to reopen schools and communicating these plans, and how states are monitoring the use of pandemic relief funds as part of these efforts.

FCC Approves Emergency Broadband Benefit Program

On Thursday, the Federal Communications Commission (FCC) adopted rules for implementing the Emergency Broadband Benefit Program (EBBP). Congress created the EBBP in December. The initiative will offer eligible low-income households with discounts of up to \$50 per month for broadband service and up to \$75 per month if the household is on Tribal lands. The program also includes a one-time discount of up to \$100 on a computer or tablet for eligible households. Although the funding does not flow through school districts, district leaders may want to consider notifying families and their students that they may be eligible for these discounts.

Administration Update

USED Issues New ESSA Guidance

On Monday, February 22, the U.S. Department of Education (USED) sent a [letter](#) to Chief State School Officers regarding assessment, accountability, and reporting requirements as part of the Every Student Succeeds Act (ESSA). The letter indicates that the department will waive several ESSA accountability requirements for the current 2020-21 school year. At the same time, USED's letter emphasizes that the department will not grant "blanket waivers" of ESSA's assessment requirements. Instead, USED encourages states to explore and apply for additional flexibilities regarding the upcoming spring administration of ESSA-mandated assessments. Specifically, the letter suggests states consider offering shorter exams, using remote administration, or extending testing windows to the greatest extent possible to ensure a statewide assessment administration takes place this spring. USED will make a waiver application template available shortly which will provide states with a clear path forward for how to apply for these (and potentially additional) flexibilities in the coming weeks and months ahead.

Cardona Inches Closer to Confirmation

On Thursday, February 25, the Senate agreed to limit further debate about Miguel Cardona's nomination as Education Secretary, clearing a path for his likely confirmation. Senators voted 66-32 in favor of moving Cardona's nomination forward with sixteen Republican Senators supporting this important procedural step. Cardona is expected to win final approval in the Senate by similar margins early next week.

New Legislation

[S.396](#) A bill to promote registered apprenticeships, including registered apprenticeships within in-demand industry sectors, through the support of workforce intermediaries, and for other purposes. Sponsor: [Sen. Coons, Christopher A. \[D-DE\]](#)

[S.385](#) A bill to improve the full-service community school program, and for other purposes. Sponsor: [Sen. Brown, Sherrod \[D-OH\]](#)

[S.383](#) A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers. Sponsor: [Sen. Durbin, Richard J. \[D-IL\]](#)

[S.342](#) A bill to advance STEM education, provide for improved worker training, retention, and advancement, and for other purposes. Sponsor: [Sen. Cortez Masto, Catherine \[D-NV\]](#)

[H.R.1213](#) To require elementary schools and secondary schools to provide an option for safe, in-person attendance during school years 2020-2021 and 2021-2022. Sponsor: [Rep. Allen, Rick W. \[R-GA-12\]](#)

[H.R.1139](#) To reimburse meals and supplements provided to individuals who have not attained the age of 25 under certain meal programs authorized under the Richard B. Russell National School Lunch Act, and for other purposes. Sponsor: [Rep. Jayapal, Pramila \[D-WA-7\]](#)

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