Good Afternoon and Happy Friday! At the conclusion of this message is the October 22, 2021 Federal Advocacy and Public Policy Update. If you have any questions about the items addressed in this report, please do not hesitate to contact me.

Thank you for all you do on behalf of public education in the Commonwealth. Have a safe and enjoyable weekend!

Best,

JT

Federal Advocacy & Public Policy Update
October 22, 2021

Congressional Update

Senate Releases Remaining FY22 Spending Bills

On Monday, October 18, the Senate Appropriations Committee released drafts of the remaining nine fiscal year 2022 (FY22) spending bills that had not been considered by the committee. Among these was the Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS-ED) appropriations bill, which provides funding for the U.S. Department of Education (USED) and the related federal programs it oversees. Overall, the proposal would, if enacted, provide $98.4 billion for USED-an increase of $24.9 billion compared to the previous fiscal year. While this proposed funding level is $4 billion short of President Biden's initial budget request to Congress earlier this year, the legislation would amount to a nearly 34% increase for USED.

Significantly, the legislation seeks to nearly double the amount of funding for Title I of the Every Student Succeeds Act (ESSA), proposing an additional $16.6 billion for this program for a total of $36 billion. Additionally, the legislation would provide a slew of increases to other notable ESSA funding streams including an additional $45 million for Title II-A and $100 million in additional funds for the law's Student Support and Academic Enrichment grant program (Title IV-A).

The proposal is not expected, however, to be formally marked up by the Senate. Rather, these bills will be used as the basis to begin bicameral and bipartisan negotiations for full-year FY22 funding-legislation that must be completed by December 3 when current short-term funding is set to expire. Earlier this year, the House completed work on its set of spending bills which also envision significant increases for many of these same programs. These negotiations are intended to

resolve the differences between the two chambers. VSBA will keep you abreast of developments as the legislative process continues.

Administration Update

President Biden Issues Executive Order to Advance Educational Equity

On Tuesday, October 19, President Biden issued an Executive Order creating a new White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans. The order enumerates several actions that the Administration has already taken or plans to take to provide greater economic opportunity for black families and communities, close educational achievement gaps for black learners, improve health outcomes for these communities, and outlines a number of steps the administration plans to take regarding criminal justice reform among other elements. In addition, the order establishes an interagency governmental working group to support the initiative's broad remit. A related factsheet outlining this order can be found here.

USED Releases New Mental Health Resource

Also on Tuesday, October 19, the U.S. Department of Education (USED) released a new resource titled "Supporting Child and Student Social, Emotional, Behavioral and Mental Health" which aims to provide "information and resources to enhance the promotion of mental health and the social and emotional well-being among children and students." The resource includes the seven key challenges to providing school- or program-based mental health support across early childhood, K–12 schools, and higher education settings and recommendations for each of the challenges examined in the resource. The release is part of the Department's wider response to the ongoing pandemic and the mental health challenges facing students. A press release providing more information on this resource can be found here.

Catherine Lhamon Confirmed

On Wednesday, October 20, Catherine Lhamon was narrowly approved by the Senate to become the next Assistant Secretary for the U.S. Department of Education's (USED) Office of Civil Rights (OCR). The vote was evenly split along partisan lines, requiring a tie-breaking vote from Vice President Kamala Harris. Lhamon previously led OCR under President Obama where she oversaw a controversial overhaul of Title IX-a move that has continued to be a primary source of opposition for Republican lawmakers. In addition to Lhamon's confirmation, the Senate Health, Education, Labor, and Pensions (HELP) Committee is scheduled to consider the nominations of two other USED officials, including Sandra Bruce to be the Department's next Inspector General as well as Amy Loyd, to serve as the next Assistant Secretary for the Office of Career, Adult, and Technical Education (OCTAE).

Updated CDC Resources

On Monday, the Centers for Disease Control and Prevention (CDC) updated

its resources for school administrators in responding to COVID-19 cases.

COVID-19 Vaccinations for Kids Ages 5-11 - White House Fact Sheet on Operational Planning

This week the Biden administration released a fact sheet on operational planning for distribution of the COVID-19 vaccine for children 5-11, if it is approved by the appropriate regulatory bodies. The FDA's independent advisory committee meets on Oct. 26 and the CDC's independent advisory committee meets Nov. 2-3 to consider. The actual timeline for distribution will depend on the timeline from the FDA and CDC advisory committees, but the administration is making preparations for once that approval is received. If approved, the dosage would be one-third the strength of the regular dose given to individuals ages 12 and up.

According to the CDC, COVID-19 vaccines for children ages 5-11 are subject to the very same multi-step testing and approval process as all other COVID-19 and non-COVID-19 vaccines, including those routinely recommended for childhood vaccination. More details are available on the CDC website.

School Worker Shortage Webinars

The U.S. Departments of Education and Treasury will hold a two-part webinar series - "Using American Rescue Plan Funds and Other Federal Supports to Address State and Local Teacher and School Staff Labor Shortages" - on Wednesday, Oct. 27 and Thursday, Oct. 28 from 4-5 p.m. (ET). The Oct. 27 webinar will focus on teacher and substitute teacher shortages. The Oct. 28 webinar will focus on staff shortages, such as school bus drivers and food service workers.

The purpose of these webinars is to discuss the underlying causes of these shortages and share effective practices happening at the state and local levels and how federal resources, including those under the American Rescue Plan's Elementary and Secondary School Emergency Relief Fund (ARP ESSER) and the State and Local Fiscal Recovery Fund (SLFRF), can be used to support and sustain these efforts.

To register for Webinar 1: Teacher and substitute teacher shortages

Oct. 27, 2021 4 p.m. (ET) https://www.zoomgov.com/meeting/register/vJIsd-2sqzkpH2KJhWPp_Vv7Iy7vjlnHSBM

To register for Webinar 2: Staff shortages, such as school bus drivers and food service workers Oct. 28, 2021 4 p.m. (ET) https://www.zoomgov.com/meeting/register/vJItf-mrrTgpHMb_X3ytzYvojdCHoncw8H0

New K-12 Legislation

- R.5593 Cybersecurity Opportunity Act **Sponsor:** Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]