



VSBA
Virginia School Boards Association
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Federal Advocacy Update



Good Monday Morning. Please find the October 5, 2020 Federal Advocacy & Public Policy Update at the conclusion of this message. Please let me know if you have any questions.

Thank you for all you do on behalf of public education in the Commonwealth. Have a good week.

Best,

J.T.

Federal Advocacy & Public Policy Update

October 5, 2020

Congressional Update

Short-term Spending Measure Averts Government Shutdown

Late Wednesday night, September 30, the Senate overwhelmingly passed (84-10) a spending measure that extends current federal funding for all government operations and programs, including education, through December 11, 2020. This spending measure was passed by the House last week and was signed into law by President Trump shortly after the bill cleared the Senate on Wednesday night. The legislation puts federal spending on autopilot until lawmakers determine a path forward for longer-term funding beyond December 11. As these efforts get underway, NSBA's advocacy team will be working to ensure lawmakers appreciate the importance of passing adequate, full-year funding to meet the needs of the K-12 education community.

Congress and the White House Try Again on Pandemic Relief

Congressional lawmakers, along with the White House, have remained at loggerheads over a new pandemic relief package. This stalemate has lasted for several months, but more recently both the White House and House Democrats have softened their original negotiation positions in hopes of getting a deal prior to the November elections. At the direction of Speaker Nancy Pelosi last week, House Democrats crafted a [pared-back pandemic relief package](#) totaling \$2.2 trillion in anticipation of a vote this week. The bill reduces the cost of the previously passed HEROES Act by \$1.2 trillion but more than doubles the proposed amount of funding for education purposes. Specifically, the proposal would provide \$208.1 billion for education and specifically dedicate \$175 billion for the K-12 community.

Around this same time, the White House reportedly floated a \$1.62 trillion counteroffer which likely would include \$150 billion in dedicated emergency funding for education. Both sides have been seeking to negotiate this week using these new proposals but have not yet reached a deal. To exert additional pressure on the White House and Congressional Republicans, the House voted on and passed their new \$2.2 trillion proposal late Thursday night (October 1). It remains unclear whether this latest move will push the sides closer to a deal as discussions between Congressional Democrats and the White House continue. In an effort to jumpstart negotiations, on October 1 NSBA joined 18 other national education groups in sending [a letter](#) to Congress responding to the revised HEROES Act.

FCC Revises Rural Telecommunications Regulations to Boost Student Broadband Access

The Federal Communications Commission, this week, [revised tariffs](#) (the rates, terms, and conditions) for rural telecommunications providers to help the companies extend affordable broadband access to students. The tariff revisions took effect on September 30, and the related promotional offerings will be effective through the end of June 2021. While helpful, this change is not sufficient to close the Homework Gap. NSBA is continuing to urge Congress to provide emergency funding to the FCC to ensure that all students—rural, suburban, and urban—that lack access to broadband are connected to online learning.

Administration Update

USED Announces Grant Funding for Teacher & Principal Programs

On Wednesday, September 30, U.S. Secretary of Education Betsy DeVos [announced](#) \$100 million in grants for three programs aimed broadly at improving teacher and principal effectiveness. The announcement included \$63.7 million for the Teacher and School Leader Incentive ([TSL](#)) Program; \$23.8 million for the Supporting Effective Educator Development ([SEED](#)) Program; and \$7.3 million for the Teacher Quality Partnership ([TQP](#)) Program. Notably, all of the grant awards for the TSL and TQP programs went to applicants located in [Opportunity Zones](#)—economically distressed communities where private investments can qualify for tax incentives. A significant amount of SEED grant program awards are also located in these zones, which has been a key priority for the Trump Administration.

Secretary DeVos Backs Further Away from Equitable Services Proposal

In early September, a U.S. District Court [struck down](#) a proposed interim final rule from USED that was aimed to shift a greater proportion of CARES Act funding to non-public K-12 schools. At the time, USED confirmed that the rule was no longer in effect but appeared to indicate that it might further appeal the district court ruling. Late last Friday, September 25, Secretary DeVos [sent a letter](#) to Chief State School Officers saying that she would not appeal this ruling but did emphasize the Department's continued disagreement over the issue. Moving forward, schools will be required to share pandemic relief funding with private school students using the same federal formula used in ESSA, which is based on the number of low-income students being served. NSBA applauds this latest development which aligns with previous advocacy work done on this issue.

USED Publishes Q&A on IDEA

The Office of Special Education Programs (OSEP) at the Department of Education's Office of Special Education and Rehabilitative Services published a [Question and Answer document](#) "in response to inquiries concerning implementation of the Individuals with Disabilities Education Act (IDEA) Part B provision of services in the current COVID-19 environment." The Q&A is part of a wider Departmental effort to clarify existing legal obligations under IDEA during the pandemic.

Recent Legislation

[H.R.8460](#) To prohibit the use of corporal punishment in schools, and for other purposes. Sponsor: [Rep. McEachin, A. Donald \[D-VA-4\]](#)

[H.R.8423](#) 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 \[D-WA-7\]](#)

[H.R.8414](#) To direct the Secretary of labor to award grants to eligible entities to carry out or expand youth apprenticeship programs. Sponsor: [Rep. Castro, Joaquin \[D-TX-20\]](#)

[H.R.2468](#) School-Based Allergies and Asthma Management Program Act Sponsor: [Rep. Hoyer, Steny H. \[D-MD-5\]](#)

[H.R.2075](#) School-Based Health Centers Reauthorization Act of 2020 Sponsor: [Rep. Sarbanes, John P. \[D-MD-3\]](#)

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