

Good Monday Morning! Please find the Federal Advocacy & Public Policy update for November 4, 2019 below. Have a good week and thank you for all you do on behalf of public education in Virginia.

Best,

J.T.

## **Federal Advocacy & Public Policy Update**

November 4, 2019

### **Congressional Update**

#### **House Committee Approves HEA Update with Teacher and School Leader Provisions**

On a party line vote, the House Education and Labor Committee approved (28-22) H.R. 4674 “The College Affordability Act”, following a three-day debate about the future of the Higher Education Act. The Democratic bill includes a central focus on strengthening educator and leader preparation, including by taking the following steps:

Continues and strengthens the existing Teacher Quality Partnership (TQP) Grant program, which supports “coordination between school districts, state agencies, and teacher preparation programs at institutions to include school leader preparation programs.” Among other improvements, the bill proposes to allow “TQP grantees to develop Grow Your Own partnerships between high-need LEAs and teacher prep IHE programs to recruit and support paraprofessionals and other non-teaching staff from the LEA in gaining teacher certifications to teach in their own communities.”

Increases “requirements and capacity for effective oversight and intervention for at-risk and low-performing teacher and school leader preparation programs to ensure program improvement.”

Authorizes “funding for competitive grant programs that support institutions to: increase the diversity of the educator workforce by improving teacher and school leader preparation programs at minority-serving institutions; ensure new teachers are prepared for diverse learners by increasing the number of teacher preparation programs that embed dual certification for special education instruction and English-language instruction in general education programs; improve the ability of teacher preparation programs to offer pedagogy and coursework on social and emotional learning competencies, trauma-informed practices, and strategies to create a positive school climate; offer graduate fellowships to doctoral students to advance high-quality instruction on pedagogy for fields that are consistently cited as shortage areas by states such as special education; English-language instruction; and Science, Technology, Engineering, and Math (STEM), including computer science.”

NSBA expects the full House to consider the bill before the end of year, but committee leaders have not announced an official timeline for further House action.

#### **Bipartisan Group of Senators Urge the FCC to Not Adopt New E-rate Caps**

Senators Lisa Murkowski (R-AK), Dan Sullivan (R-AK), Brian Schatz (D-HI), and Maize Hirono (D-HI) sent a letter to Federal Communications Commission Chairman Ajit Pai to stop a rulemaking proceeding that would merge the funding caps for the E-rate program and Rural Health programs and establish a new overall cap on the Universal Service Fund (USF), which supports broadband access. In their letter the senators said, “Especially in rural areas, USF programs have been key to redefining access to services and ensuring that the most vulnerable Americans have the tools and bandwidth necessary to communicate with one another, receive telehealth services, and engage in teaching and learning online... We urge the Commission not to proceed down this path, and instead to consider other ways to support these critical programs that fulfill the mandate of Congress and that serve all Americans.”

Earlier this year, Chairman Pai released a proposal to cap funding for Universal Service Fund (USF) programs. NSBA strongly supports the letter, which echoes the official comments we filed in this proceeding with the FCC earlier this year. NSBA also commends the Association of Alaska School Boards who have diligently worked hard to communicate their concerns over the proposed USF rule with their Congressional Delegation. Those efforts have clearly paid off.

## Senate Fails to Advance FY20 Education Spending Bill

Congress and the Administration have until November 21 to either complete the fiscal year 2020 budget for the U.S. Department of Education and other federal agencies or pass another stopgap spending bill to continue government operations at fiscal year 2019 until a spending deal can be reached. Earlier this week, Senate leaders failed to secure the 60 votes required to initiate a floor debate on a fiscal year 2020 spending package that included the U.S. Department of Education's budget. Policy disagreements unrelated to the Department of Education's budget have continued to frustrate the Senate's ability to push the appropriations process ahead. Although the House will be adjourned next week, senators will continue to seek a way forward that would enable the body to finalize negotiations with the House and then send the Department of Education's budget to the White House for final approval. NSBA is continuing to champion investments in the major education formula programs, including ESSA Title I, IDEA Part B, ESSA Title IV, and other key federal funding sources that school districts need to support their students.

## NSBA Files Comments Responding to FTC Privacy Rule Making

Earlier this year, the Federal Trade Commission invited public comment on the agency's regulations associated with the Children's Online Privacy Protection Act (COPPA). COPPA regulates private companies' collection and use of data about children less than age 13, including data collection by education technology companies that work with schools. In its comments, NSBA advocated for "a federal framework that not only vigorously protects student data privacy, but also provides flexibility to local school districts to fashion policy consistent with local priorities and existing data systems. By working with all stakeholders, the FTC can address areas of overlap between the Family Educational Rights and Privacy Act (FERPA) and the Children's Online Privacy Protection Act (COPPA), outline clear

and objective criteria for schools, create language extending a safe harbor when such criteria are

followed, and institute a workable rule regarding parent consent for the use of EdTech in schools."

By simplifying the framework of FERPA and COPPA, NSBA believes the Department of Education and the FTC have an opportunity to make the use of EdTech tools for student learning more efficient and effective.

## Administration Update

### U.S. Department Invites New Application for Innovation Pilot

The Department of Education released a Federal Register notice inviting new applications for the Innovative Assessment Demonstration Authority, as authorized under ESSA. This program provides SEAs with the authority to operate innovative assessment systems in their public schools within the law's accountability requirements. During the initial demonstration period, the first three years, no more than seven SEAs may participate. The first two competitions, held in 2018 and 2019, resulted in the award of the authority to four states to participate. Now, three additional states may be approved for this authority during this competition. Deadline for notice of intent to apply is November 27, 2019, and applications will be due on January 27, 2020. Further information is available [here](#).

### Notable New Legislation

[S.2736](#) A bill to increase rates of college completion and reduce college costs by accelerating time to degree, aligning secondary and postsecondary education, and improving postsecondary credit transfer. Sponsor: [Sen. Hassan, Margaret Wood \[D-NH\]](#)

[S.2719](#) A bill to amend the Higher Education Act of 1965 to increase the knowledge and skills of principals and school leaders regarding early childhood education. Sponsor: [Sen. Casey, Robert P., Jr. \[D-PA\]](#)

[H.R.4876](#) To amend the Higher Education Act of 1965 to establish a work-based learning opportunities pilot grant program. Sponsor: [Rep. Kilmer, Derek \[D-WA-6\]](#)

[H.R.4606](#) Alyssa's Legacy Youth in Schools Safety Alert Act Sponsor: [Rep. Gottheimer, Josh \[D-NJ-5\]](#)

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