

Good Afternoon,

Below you will find the April 12, 2019 Federal Advocacy & Policy Report with the latest news and information from Washington, D.C. If I can be of any assistance to you, please do not hesitate to contact me.

I thank each of you for your continued support of public education. Have a safe and enjoyable weekend!

Kind Regards,

J.T.

Congressional Update

House and Senate Schedule

Both the House and Senate are in recess from April 15 to April 28 on state and congressional district work periods. This is a great opportunity to contact your senators and representatives to urge their support for the bipartisan IDEA Full Funding Act. Details are below.

IDEA Full Funding Bills Gaining Co-Sponsors

Many thanks for your continued leadership to secure House and Senate co-sponsors for the bicameral, bipartisan IDEA Full Funding Act (H.R. 1878 and S. 866).

You can contact your members of Congress and urge their co-sponsorship by accessing NSBA's call-to-action [here](#).

The current list of **Representatives** who have co-sponsored the IDEA Full Funding Act is posted [here](#).

Senate co-sponsors are listed [here](#).

In a similar effort, more than 130 representatives have expressed bipartisan support to increase funding for the Individuals with Disabilities Education Act (IDEA) in Fiscal Year 2020 appropriations. The Administration proposed to level fund IDEA, even though the child count is increasing. In a letter to Congress, NSBA wrote that, "Achieving IDEA's promise – that all students with disabilities will have access to a free appropriate public education – will require a much more balanced federal-state-local partnership. According to the U.S. Department of Education, the average federal investment for each student educated through IDEA is approximately \$1,770 for Fiscal Year 2019, and would decline to \$1,758 in Fiscal Year 2020 if the program is level-funded. Chiefly, the federal government must begin providing the level of dedicated annual funding for students with disabilities that is commensurate not only with IDEA's vision and goals, but also with our moral commitment to these vitally important students and their families."

The IDEA Full Funding Act would authorize a 10-year plan towards fully funding the federal share of investments in the Individuals with Disabilities Education Act. The current federal share is less than 15 percent, even though Congress originally promised to fund 40 percent of the cost of educating students with disabilities in 1975.

NSBA and other education groups have expressed [strong support](#) for the IDEA Full Funding Act and urge swift passage of this legislation along with the commensurate appropriations. Congressional champions for increasing the federal share of funding for Part B of IDEA introduced this legislation to press their case that the federal government is not doing enough to support school districts' efforts to serve students with disabilities. The IDEA Full Funding Act is consistent with NSBA's "It's Time for a Great IDEA" campaign: <https://www.nsba.org/nsba4idea>.

NSBA appreciates the grassroots leadership and engagement of each state association in support of the IDEA campaign.

Keep Our PACT Act Introduced

This week NSBA supported the introduction of the bicameral Keep Our Promise to America's Children and Teachers (PACT) Act by Senator Chris Van Hollen (D-MD) and Representative Susie Lee (D-NV). Similar to the IDEA Full Funding Act, this legislation would authorize a 10-year plan to fully fund the Individuals with Disabilities Education Act (IDEA). However, the Keep Our PACT Act also includes provisions to fully fund Title I grants for disadvantaged students. Hence, the bill would authorize funding for both Title I and IDEA on a mandatory basis over the next 10 years.

"NSBA applauds Senator Van Hollen's legislation, the 'Keep Our Promise to America's Children and Teachers Act.' This legislation is important to our nation's public-school students and districts, and vital to addressing equity in education," stated Thomas J. Gentzel, Executive Director and CEO of the National School Boards Association. "The Keep Our PACT Act would authorize the federal resources our school districts and communities need as they continue the work to provide a high-quality education to our students."

Our members have prioritized the Individuals with Disabilities Education Act and Title I programs that are effective in helping raise student achievement in many public schools, and we urge Congress' swift passage of the Keep Our PACT Act."

Additional details are available [here](#). We will provide more information soon.

Secretary DeVos Testifies before House Education and Labor Committee

This week, Secretary DeVos testified before the House Education and Labor Committee. In his opening remarks, Chairman Scott said the hearing's purpose was to discuss the department's policy actions and justification for those steps. He said the Department has not been transparent and that in order for the committee to fulfill its oversight function, committee members must have a healthy working relationship with the Department. Ranking Member Foxx said, in her opening statement, that she was eager hear about the Department's priorities as well as what they are doing to provide greater opportunities to students at every level of education. Ranking Member Foxx said we need an increased focus on skills-based education, in order to fill jobs with skilled and educated workers. Secretary DeVos's opening statement described her vision for expanding "freedom" for teachers, parents, all students, and taxpayers, noting that there is "no one size fits all" approach to education. During the lengthy hearing, Committee members questioned the Secretary about the president's fiscal year 2020 budget request, the department's decision to rescind its discipline guidance, implementation of the Every Student Succeeds Act, the Secretary's "Freedom Scholarships" proposal, arming teachers, and more. The Secretary's full written statement can be accessed on the Education and Labor Committee's [website](#). NSBA expects this hearing to be the first of several oversight discussions with the Department of Education's senior leaders.

Senate Health, Education, Labor, and Pensions Committee holds Higher Education Act

The Senate HELP Committee held its second hearing of the year focused on the Higher Education Act (HEA). The hearing, titled Reauthorizing the Higher Education Act: Strengthening Accountability to Protect Students and Taxpayers, featured testimony from five higher education leaders and experts. Chairman Alexander (R-TN), in his opening statement, said the purpose of the hearing was to ensure taxpayers are paid back for their investments in higher education. Senator Alexander also used his opening statement to call for more effective student repayment measures. Ranking Member Murray (D-WA), in her opening statement, said higher education must focus more on student outcomes while also recognizing that there are different types of schools and ensure the accountability is as nuanced as the schools and students they serve. The witnesses' written testimony can be accessed on the HELP Committee's [website](#).

Although the hearing did not specifically focus on the HEA provisions that directly impact K-12 education – such as educator preparation and college access programs – the discussion represents an important step in the committee's efforts to develop a bipartisan proposal for updating the HEA. As part of the reauthorization process, NSBA is urging the HELP Committee to adopt improvements to the law's educator preparation provisions with the goal of strengthening the new educator pipeline. This work includes a specific focus on finding ways to boost recruitment and preparation of special education teachers and teachers for other high need subjects and areas. With this goal in mind, NSBA recently endorsed the bipartisan PREP Act, which was introduced by Senator Susan Collins (R-ME) and Senator Tim Kaine (D-VA), and we are fighting to ensure it is included as part of any HELP Committee's HEA reauthorization that emerges later this spring.

Senate Agriculture Committee Holds Child Nutrition Hearing

On Wednesday, the Senate Agriculture Committee held a hearing examining child nutrition programs. Similar, to the House Education and Labor hearing last month, the Senate hearing focused on what is working with school meals and areas where Congress can make improvements in the next reauthorization. Chairman Roberts indicated that his Committee would work to pass a child nutrition bill this year. He expects the Senate to take the lead on the legislation but is working with the House Education and Labor Committee. NSBA continues to engage House and Senate staff on the importance of including school boards in any stakeholder engagement as the reauthorization process begins. NSBA is also advocating for local school districts to have the flexibility needed to serve healthy meals to students. You can watch the hearing [here](#).

House Approves Net Neutrality Legislation

This week the House passed the "Save the Net Act" (232-190). All Democrats and 1 Republican (Rep. Posey FL-8) supported the bill's passage. The legislation would prohibit blocking and throttling (slowing) web traffic to schools and other consumers and would categorize broadband as a service open to greater regulation by the Federal Communications Commission. NSBA strongly supported the bill's passage to ensure that school districts have access to affordable, high speed broadband services. Senate Majority Leader McConnell has said the bill is "dead on arrival" in the Senate and the Office for Management and Budget advised the White House to veto the measure in the event Congress approves it. NSBA is working with a coalition of Net Neutrality advocates and plans to continue championing the bill's passage.

In its letter to the House, NSBA wrote that, “our school districts--especially those served by a single broadband provider--may be vulnerable to special fees and reduced service during important high-consumption times, such as during annual statewide testing. Relying on school districts’ and families’ abilities to understand broadband providers’ complicated terms of service, and then report complaints to the Federal Trade Commission, is not an adequate replacement for the FCC’s leadership on this important national issue. Therefore, we encourage the House’s passage of H.R. 1644, as it is important to the consistent, stabilized delivery of educational services and student achievement.”

Notable New K-12 Legislation

[H.Res.231](#) Keeping guns out of classrooms. Sponsor: [Rep. Hayes, Jahana \[D-CT-5\]](#)

[S.1122](#) A bill to amend the Public Health Service Act to revise and extend projects relating to children and to provide access to school-based comprehensive mental health programs. Sponsor: [Sen. Smith, Tina \[D-MN\]](#)

[S.1117](#) A bill to establish a career pathway grant program. Sponsor: [Sen. Hassan, Margaret Wood \[D-NH\]](#)

Administration Update

U.S. Census Bureau Webinar

Statistics in Schools: Resources for Teaching and Learning

MAY 01, 2019

The Statistics in Schools (SIS) program of the U.S. Census Bureau provides data, tools, and activities that educators can incorporate into their lessons to help teach statistics concepts and data analysis skills to students. The activities and resources are segmented by subject (English, geography, history and social studies, mathematics and statistics, and sociology) and grade (from kindergarten through high school) so statistics education can be brought to any classroom.

Wednesday, May 1, 2019

Time: 12:00 - 1:00 p.m. (EST)

Instructor: Lacey Loftin

Registration information is available [here](#).

Department Releases School Climate Resources

This week, the Department of Education released a new resource titled “[Parent and Educator Guide to School Climate Resources](#)”. The purpose of the guidance is to equip parents, classroom teachers, school leaders, and others “to create and maintain a safe and positive learning environment.” The document includes a focus on school discipline, Positive Behavioral Interventions and Supports, and other topics such as using data to improve a school’s climate.

Secretary DeVos Talks Waivers With State Chiefs This Week

Secretary DeVos spoke briefly to the Council of Chief State School Officers this week and noted that the Department would look favorably at waiver requests that were designed to increase expectations for student achievement and “set the bar higher for those with whom you work”. She also noted that waiver requests that complicate or delay something that students should be benefitting from today, that the request will not be well received.

Negotiated Rulemaking Committee Agrees on Possible TEACH Grant Regulatory Changes

A Department of Education negotiated rulemaking recently announced that it has reached consensus on all three sets of regulations put forward for consideration including proposals on TEACH grants, college accreditation, state approval of online colleges, religious institutions, competency-based education and more. The TEACH program provides grants of up to \$4,000 per year to students who agree to teach for four years at an elementary school, secondary school, or educational service agency that serves students from low-income families. Teachers in the program have experienced significant difficulties in navigating the initiative’s requirements and policymakers from both parties have been working to identify ways it can be improved. Before any TEACH Grant rule changes can be adopted, the Department of Education must now publish the negotiated rulemaking committee’s recommendations in the Federal Register, as part of a Notice of Proposed Rule Making. We expect the NPRM to be published later this spring.

Department of Education Seeks Comment on State and Local Report Cards Guidance

The Department of Education released a draft non-regulatory informational document for public comment, titled “[Opportunities and Responsibilities for State and Local Report Cards under the ESEA, as amended by ESSA](#).” The Department said the purpose of the document is to provide state departments of education and school districts with additional information about implementing the State and local report cards required by the Every Student Succeeds Act. The guidance includes information that “clarifies reporting requirements, provides optional templates related to data presentation, and incorporates information about stakeholder priorities.” Public feedback about the draft guidance must be submitted no later than April 29, 2019. Further information is available [here](#).

New White House Substance Prevention Guide Released for Schools

The White House Office of National Drug Control Policy released a new resource titled [Substance Use Prevention: A Resource Guide for School Staff](https://www.whitehouse.gov/ondcp/additional-links-resources/resource-guide-for-school-staff/): <https://www.whitehouse.gov/ondcp/additional-links-resources/resource-guide-for-school-staff/>. The document includes recommendations for teachers, school administrators, and all school staff, including information about evidence-based programs and the array of federal programs available to help prevent substance abuse.

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