

Good Morning,

The latest Federal Policy & Advocacy Update for May 13, 2019 can be found below. I wish each of you a very good week. Thank you for all you do on behalf of public education in the Commonwealth.

Kind Regards,

J.T.

Federal Advocacy & Public Policy Update  
May 13, 2019

## **Congressional Update**

### **House Appropriations Committee Approves Historic Funding Increases for Education**

On Wednesday, the House Appropriations Committee reported legislation for Fiscal Year 2020 budgets for the U.S. Departments of Labor, Health and Human Services and Education. This appropriations bill is significant, as it would increase investments in key programs essential to special education, ongoing implementation of the Every Student Succeeds Act, and implementation of the reauthorized Perkins Career and Technical Education Act.

For the Individuals with Disabilities Education Act (IDEA), the bill would increase funding by more than \$1 billion. The Committee report for the bill states that the Committee recommends \$13.4 billion for Part B Grants to States, which is \$1 billion above the fiscal year 2019 enacted level and the Administration's FY2020 budget request, reflecting the largest increase to the program in more than a decade. The report also states that, "The Committee is concerned that the federal share of the excess cost of educating students with disabilities has declined and notes the critical role this increase will play in helping to reverse this trend."

In other areas for special education, Committee's bill proposes an \$11.11 million increase for personnel preparation under IDEA, bringing the total to \$98.31 million. Funding for the National Center for Special Education Research would be increased by \$5 million, bringing the total to \$61 million. The bill would also provide a \$5 million increase for IDEA preschool grants.

Title I grants would receive a \$1 billion increase through the House Appropriations Committee mark. In the Committee report, there is also guidance about community school models. "The Committee is encouraged by recent research on community school models, including findings that well-implemented community schools lead to improved student and school outcomes while meeting the needs of low-income students. The Committee notes that under Schoolwide Programs in the Elementary and Secondary Education Act (ESEA), schools may describe efforts, and use funds, to support strategies to address schools' needs that include a community schools approach, such as the use of a community schools coordinator, expanded and enriched learning time opportunities, active family and community engagement, collaborative leadership practices, and integrated student supports."

Title II funding for effective instruction/professional development for teachers and school leaders would be increased by \$500 million. This funding is multifaceted, as school districts can use funds for class size reduction, civics, master teacher cores and other functions such as recruitment and retention. Currently funded at \$2 billion, this program was targeted for elimination in the Administration's FY2019 and FY2020 budget requests. As discussions on Capitol Hill continue regarding educator preparatory programs in the Higher Education Act (HEA) reauthorization efforts, the importance of Title II funding in both ESSA and HEA is evident.

House appropriators recommended a \$37.4 million increase in Perkins Career and Technical Education grants to states that would raise annual funding to \$1.3 billion. In its recommendations for the U.S. Department of Labor, the Committee also proposed a \$90 million increase in funding (a total of \$250 million) for registered apprenticeships. In its report language for Perkins CTE grants, the Committee directs the U.S. Department of Education "to explore opportunities to support CTE programs that integrate cybersecurity into curricula used by students preparing for careers in critical infrastructure sectors."

For other programs, the Committee mark would increase funding for Impact Aid (federal properties payments to school districts) by \$2 million (a total of \$76.3 million). English Language Acquisition grants would be increased by \$242.6 million (a total of \$980 million). "Federal data show that significant achievement gaps exist between ELs [English Learners] and their peers. However, funding to support these students has been flat since fiscal year 2015. At the same time, many States and school districts have experienced rapid growth in their EL populations," according to the Committee report. The Committee recommended \$120 million for Magnet Schools Assistance grants, that represents a \$13 million increase over the current FY2019 funding level.

House Appropriators also proposed funding for a new initiative to support social-emotional learning (SEL), “whole child” approaches to education, and community schools. “A recent study by the Collaborative for Academic, Social, and Emotional Learning found that students who received SEL interventions showed lasting positive impacts on variables such as high school graduation rates and college attendance, and lower likelihoods of being arrested or being diagnosed with a clinical mental health disorder,” the Committee report states. “In total, the Committee recommends \$260,000,000 for the initiative, which includes dedicated funding for SEL and “whole child” projects and activities across a variety of programs within the Department of Education. In particular, \$170,000,000 is made available through the Education Innovation and Research program for grants for evidence-based, field-initiated innovations that address student social, emotional, and cognitive needs.”

The Committee’s statement regarding the appropriations bill is available [here](#). The statutory text of the bill is available [here](#). The committee report is posted [here](#). The Senate Appropriations Committee has not yet acted on the measure; but, the Labor, Health and Human Services, Education and Related Agencies Subcommittee Chairman, Senator Roy Blunt (R-MO), said he hopes his Subcommittee will consider a bill at the end of May, followed by full committee action in early June.

NSBA and the National School Boards Action Center (NSBAC) thank all state associations and school board members who are advocating for greater investments in IDEA and other priority areas. Your grassroots leadership and engagement are making a difference.

In a [letter](#) to Reps. Rosa DeLauro (D-CT) and Tom Cole (R-OK), Chairwoman and Ranking Member of the House Appropriations Subcommittee for Labor, Health and Human Services, Education and Related Agencies, NSBA urged swift passage of the measure and noted that our “membership has prioritized the Individuals with Disabilities Education Act (IDEA), along with other critical programs such as Title I, as valuable resources in closing achievement gaps and advancing equity. Your leadership to maximize the effectiveness of these programs among our students and communities is indicative of Congress’ commitment to its promise to fund the federal share of investments in IDEA and to raise student achievement among all students.”

Next Steps: Please express support for the House FY2020 Labor, HHS, Education Appropriations bill that was reported out of Committee to your representatives. Currently, the bill has not been scheduled for floor consideration. In the Senate, please contact the senators who serve on the [Appropriations Committee](#) to urge their support for increased investments in IDEA, Title I, Title II, English Language Acquisition, Perkins Career and Technical Education and related program areas noted above. We will continue to share updates as negotiations for a final FY2020 funding bill progress.

## **House Higher Education Act Hearings Continue**

The House Subcommittee on Higher Education and Workforce Investment held the fourth in a series of five bipartisan hearings focused on the future of the Higher Education Act. The hearing was titled, “The Cost of Non-Completion: Improving Student Outcomes in Higher Education.” Subcommittee Chairwoman Susan Davis (D-CA) said as the subcommittee “continues its work to expand college access, we must also ensure that today’s students have the support they need to complete college and enjoy the life changing benefits of a college degree.” The following higher education leaders testified at the hearing about their institutions’ efforts to increase completion rates: Dr. Susan Dynarski, Professor, University of Michigan; Dr. M. David Rudd, President and Distinguished University Professor of Psychology, The University of Memphis; Dr. Pam Y. Eddinger, President, Bunker Hill Community College; and Mr. Kyle Ethelbah, MPH, Director of Federal TRIO Programs, The University of Utah. The witnesses’ written statements can be accessed [here](#).

## **Administration Update**

### **New Report on Title I Data**

The U.S. Department of Education’s National Center for Education Statistics has released a Study of the Title I, Part A Grant Program Mathematical Formulas. This study responds to a congressional mandate under the Every Student Succeeds Act (ESSA) (Sec. 9211) to examine the distribution of Title I, Part A funds to understand how the current formulas affect various types of districts, such as large or small districts, those in poor or rich areas, and those in urban or rural areas.

#### **Key Findings:**

The average Title I final allocation per formula-eligible child in the United States was \$1,227 in fiscal year 2015, but ranged from \$984 in Idaho to \$2,590 in Vermont, a difference of \$1,606.

The locales with the highest Title I final allocations per formula-eligible child were the most densely and least densely populated areas: large cities (\$1,466) and remote rural areas (\$1,313). Districts in fringe rural areas (\$1,070), fringe towns (\$1,088), and small suburban areas (\$1,102) had the lowest Title I final allocations per formula-eligible child.

Districts in the highest poverty quarter (i.e., the poorest districts) had the highest Title I final allocation per formula-eligible child (\$1,381), and districts in the lowest poverty quarter (i.e., the least poor districts) had the lowest allocation (\$1,023).

Districts with a 5- to 17-year-old population of less than 300 (the smallest districts) had the highest Title I final allocation per formula-eligible child (\$1,442) compared with districts of all other population sizes; districts with a population of 25,000 or more (the largest districts) had the second-highest allocation (\$1,323). The total Title I final allocation per formula-eligible child was lowest for districts with a population of 5,000 to 9,999 (\$1,107).

This report contains analytic summaries in an array of statistical tables that display allocations under current provisions of the Title I, Part A formulas for various types of districts, as well as a range of examples under alternative funding formulas. The intent was not to provide an exhaustive analysis of potential allocations of alternative formulas but rather to provide examples of tabulations that highlight analytic concepts that researchers and policy analysts may find useful. It is hoped that this study will provide a valuable reference for further analyses of the structure of the formulas for Title I allocations and encourage additional research on the role of Title I funds in supporting the education of disadvantaged children.

To view the full report, please visit <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2019016>

## **Department of Education Announces Competitive Grant Opportunities**

### **The U.S. Department of Education invited applications for the following two competitive grants:**

The Comprehensive Literacy State Development program seeks to advance literacy skills specifically for disadvantaged students, through the use of evidence-based practices, activities and interventions, including pre-literacy skills, reading, and writing. Applications are due by June 3, 2019 and further information is available [here](#).

The Jacob K. Javits Gifts and Talented Students Education Program supports evidence-based research, demonstration projects, innovative strategies, and other activities “designed to build and enhance the ability of elementary schools and secondary schools nationwide to identify gifted and talented students and meet their special educational needs.” Applications are due by June 3, 2019 and further information is available [here](#).

### **Notable K12 Bills**

[H.R.2653](#) To amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students. Sponsor: [Rep. Linda T. Sanchez \[D-CA-38\]](#)

[H.R.2651](#) To amend the Child Nutrition Act of 1966 to clarify the availability and appropriateness of training for local food service personnel, and for other purposes. Sponsor: [Rep. Mark Pocan \[D-WI-2\]](#)

[H.R.2632](#) To reauthorize the child care access means parents in school program. Sponsor: [Rep. Katherine Clark \[D-MA-5\]](#)

[H.Res.363](#) Recognizing the roles and contributions of America's teachers to building and enhancing the Nation's civic, cultural, and economic well-being. Sponsor: [Rep. Sam Graves \[R-MO-6\]](#)

[H.R.2606](#) To make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools. Sponsor: [Rep. Dina Titus \[D-NV-1\]](#)

[H.R.2562](#) To reauthorize title VI of the Higher Education Act of 1965. Sponsor: [Rep. David E. Price \[D-NC-4\]](#)

[H.Res.359](#) Supporting the goals and ideals of National Healthy Schools Day. Sponsor: [Rep. Dwight Evans \[D-PA-3\]](#)

[S.1408](#) A bill to amend the Child Care and Development Block Grant Act of 1990 to improve child care protections provided through interstate background checks. Sponsor: [Sen. Richard Burr \[R-NC\]](#)

[S.1403](#) A bill to amend the Child Care Access Means Parents in School Program under the Higher Education Act of 1965. Sponsor: [Sen. Tammy Duckworth \[D-IL\]](#)

[S.1387](#) A bill to amend the Higher Education Act of 1965 in order to improve the service obligation verification process for TEACH Grant recipients, and for other purposes. Sponsor: [Sen. Mike Braun \[R-IN\]](#)

[S.1364](#) A bill to establish an Early Federal Pell Grant Commitment Program. Sponsor: [Sen. Debbie Stabenow \[D-MI\]](#)

**S.1362** A bill to make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools.  
Sponsor: [Sen. Jon Tester \[D-MT\]](#)

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Have you registered for the VSBA School Law Conference yet?