

Good Afternoon,

The latest Federal Policy & Advocacy Update for May 31, 2019 can be found below. Thank you for all you do on behalf of public education in the Commonwealth. Have a very good weekend!

Kind Regards,

J.T.

Federal Advocacy & Public Policy Update

May 31, 2019

Congressional Update

House Education & Labor Committee Schedules Two Oversight Hearings

When Congress returns to session next week following the weeklong Memorial Day recess, the Education & Labor Committee will hold two oversight hearings related to K12 education issues:

Examining the Policies and Priorities of the U.S. Department of Agriculture's Food and Nutrition Service – On Tuesday, June 4, Brandon Lipps, Administrator of the USDA Food and Nutrition Service is expected to testify before the Subcommittee on Civil Rights and Human Services. One of the main topics of the hearing is expected to be the Trump Administration's efforts to rollback nutritional standards in school lunches. The hearing will be livestreamed [here](#).

This is Not a Drill: Education-Related Response and Recovery in the Wake of Natural Disasters – On Wednesday, June 5, the Subcommittee on Early Childhood, Elementary and Secondary Education will hold a hearing examining the federal government's response to natural disasters and how that has impacted schools in the areas affected. The hearing will be livestreamed [here](#).

House Appropriations Floor Action in June, Senate Process May Also Start

The House has announced that it will begin considering appropriations bills on the House floor beginning on June 12. It is unclear exactly when the House Labor, Health and Human Services bill, which funds the Department of Education, will be considered.

Meanwhile, there continue to be conflicting signals out of the Senate about when we can expect the chamber to begin moving appropriations bills this Congress. Earlier this month, Senate Labor, Health and Human Services Appropriations Subcommittee Chairman Roy Blunt (R-MO) had indicated that his bill might move at the beginning of June. However, Senate Majority Leader Mitch McConnell (R-KY) later indicated that the Senate would not take any appropriations action until a deal had been struck with House Democrats and the President on overall spending levels.

Though early negotiations have taken place, there has not yet been significant progress towards that deal. With no deal expected until the fall, there may be a renewed interest in the Senate beginning its work prior to a deal, and so it is possible that Department of Education funding is considered in June.

Disaster Aid Deal In Limbo Until House Returns From Recess

A \$19 billion disaster aid package for states impacted by natural disasters, including states and territories such as Puerto Rico, California, Florida, Iowa, and Nebraska has been held in limbo over this week's congressional recess as members of the House Freedom Caucus have objected to passing the bill by voice vote. The package, which would provide critical disaster relief including rebuilding impacted infrastructure, such as schools, passed the Senate (85-8) prior to the Memorial Day recess. However, House attempts to quickly pass the bill by voice vote to send to the President's desk were stymied by a determined group of members of the House Freedom Caucus, who are objecting to passing the bill by voice vote over spending concerns. The full House returns next week, and once they have returned the bill is expected to pass easily by recorded vote. The President is expected to sign it.

Administration Update

Department of Education Instructs States to Comply with Obama IDEA Rule

The Department of Education has told states that they must comply with an Obama-era calculation of significant disproportionality; school districts that have high rates of students from certain demographic groups with disabilities who are placed in restrictive settings or subject to disciplinary measures. States have historically used different methods to calculate significant disproportionality and are now struggling to comply with the Department's directive quickly, which includes this school year.

The rule, which would create one national calculation for significant disproportionality, was finalized by the Obama Administration in 2016, but the Trump Administration had attempted to delay implementation. However, a challenge to the delay in court was upheld, and a judge determined that the rule should be implemented immediately. The Department has filed an appeal to the ruling, but in the meantime is complying with the court's decision.

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Have you register ed for the VSBA School Law Conference yet?