

Good Morning,

The latest Federal Policy & Advocacy Update for June 10, 2019 can be found below. Thank you for all you do on behalf of public education in the Commonwealth. Have a very good week!

Kind Regards,

J.T.

Federal Advocacy & Public Policy Update

June 10, 2019

Congressional Update

House Passes Legislation for DACA

This week, the House passed the American Dream and Promise Act (H.R. 6) by a [vote of 237-187-9](#). The legislation includes provisions to address the Deferred Action for Childhood Arrivals (DACA) program, of which hundreds of thousands of students have been enrolled.

The American Dream and Promise Act would establish a special procedure for applicants with DACA, and states that the U.S. Secretary of Homeland Security “shall establish a streamlined procedure for aliens who have been granted DACA and who meet the requirements for renewal (under the terms of the program in effect on January 1, 2017) to apply for cancellation of removal and adjustment of status to that of an alien lawfully admitted for permanent residence on a conditional basis ...”

“As a matter of national priority, NSBA urges a viable solution for DACA that supports our public schools in providing equitable access to ensure that all students enrolled have the knowledge and skills to succeed as contributing members of a rapidly changing global society,” NSBA wrote in a letter to House Judiciary Committee leaders. “DACA has enabled almost 800,000 eligible young adults to attend school, establish careers and contribute to America’s communities and economy without the constant threat of deportation. Hence, Congress’ immediate action regarding this priority will help stabilize the delivery of educational services and strengthen student achievement.”

Although the Administration implemented an executive order that terminated DACA in September 2017, the legality of the order was challenged in several federal courts, resulting in two nationwide injunctions staying the order pending the outcome of litigation, and two decisions by the U.S. Courts of Appeals finding the order invalid. The Administration must continue to process renewal applications of eligible individuals until the courts reach a conclusion in the matter. In January, the Supreme Court rejected the Administration’s request to expedite a review of three pending DACA cases. On May 24, the Administration again asked the High Court to expedite review of the pending cases, now numbering four.

NSBA Position: NSBA urges Congress to act swiftly to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and restore the pathway to U.S. citizenship for qualified undocumented students previously protected by the Deferred Action for Childhood Arrivals (DACA) program. As Congress explores legislative solutions for overall immigration reform, NSBA urges the extension of the DACA program through a measure that will provide the immediate support for continuity and reassurance that students will not be separated from their families and communities; and, that their education will not be jeopardized. The nation’s immigration laws must also continue to accommodate school districts that hire international teachers for high need subjects, foreign languages, and other shortage areas.

House Education Committee holds Child Nutrition Hearing

Earlier this week, the House Education and Labor Subcommittee on Civil Rights and Human Services held a hearing titled “Examining the Policies and Priorities of the U.S. Department of Agriculture’s Food and Nutrition Service.” Brandon Lipps, Administrator of the Food and Nutrition Service, testified at the hearing, which is a precursor to the committee’s plans to reauthorize the federal child nutrition programs later this year. Subcommittee Chairwoman Bonamici (D-OR) opened the hearing by reciting the mission statement of the Food and Nutrition Service noting FNS is designed to “end hunger and obesity and strengthen access to nutritious foods”. She noted that the hearing was an opportunity to assess FNS’s commitment to that mission and said 15 million households (1 in 5 children) depend on federal nutrition programs. Ranking Member Comer (R-KY) used his opening statement to emphasize that no child should go hungry and that proper nutrition is a precursor to later success in life. He said that the USDA needs to do all it can to make these meal programs easy for schools and districts through less paperwork and easy access. Administrator Lipps said, in his opening statement, that FNS’s \$100 billion budget is distributed through 15 programs that provided almost 30 million lunches in 2018, 15 million breakfasts, and 146 million summer meals. He said the agency’s current priority is to improve customer service and enhance program integrity and that the agency has heard that FNS’s education and training rules were too problematic. He added that the Trump Administration’s FY20 budget fully funds WIC and school meals seeks funding for states to modernize operations and overall program integrity.

Committee leaders' and the witness's full written statements, and a video archive of the hearing, are available on the committee's [website](#). NSBA has worked closely with USDA and leaders on Capitol Hill to ensure that federal nutrition programs work well for students and schools and plans to stay deeply involved with the reauthorization process.

House May Consider the Department of Education's FY20 Budget Next Week

House leaders are preparing to bring an omnibus spending bill to the House floor next week. The \$987 billion package will combine a handful of the 12 annual spending measures including the Department of Education's fiscal year 2020 spending bill. The House Rules Committee will meet on Monday to evaluate dozens of proposed amendments to the omnibus measure. NSBA does not expect the full House debate to result in significant changes to the education spending levels adopted by the Appropriations Committee in May. The Senate's fiscal year 2020 appropriations work remains far behind the House, as Senate leaders continue to delay the process until an agreement can be reached on aggregate spending levels for the next fiscal year. NSBA supports the aggregate caps proposed by the House, but we will not know until later this month if the Senate will agree to adopt the House approach. In the meantime, NSBA's advocacy team will continue to call on Congress to strengthen investments in special education for IDEA State Grants, Title I programs, Title II effective instruction, Title III English Language Acquisition, Title IV Student Support and Academic Enrichment, Perkins Career and Technical Education, Impact Aid and related programs.

U.S. Department of Education Opens Disaster Recovery Unit

Following months of negotiations, President Trump signed H.R.2157 to provide \$19.1 billion in disaster relief for areas impacted by hurricanes, wildfires and flooding. In conjunction with the bill signing, the Department of Education announced the creation of a new Disaster Recovery Unit that will manage and coordinate the agency's responses to disasters. The team of five people will help the department to better work with federal agencies, such as the Federal Emergency Management Agency, and Congress as well as review policies and procedures. Department officials also hope to work with researchers to examine long-term academic impacts of disasters.

Administration Update

FCC Opens Rule Making that Could Impact the E-rate

This week, the Federal Communications Commission released a Notice of Proposed Rulemaking that seeks public comment on a proposal to establish an aggregate cap on the Universal Service Fund and combine the E-rate and Rural Healthcare program caps. If enacted, the plan could result in diminished funding for the E-rate and disrupt cooperation among USF stakeholders working to address broadband gaps across the country. We expect the NPRM to be published in the Federal Register later this month, at which point the public will have 30 days to comment. NSBA strongly opposes the FCC's proposal and intends to work with the Education and Libraries Networks Coalition to file comments in the proceeding and educate Members of Congress about the problems this idea could present for the E-rate program's operations. The Senate Commerce Committee will host an FCC oversight hearing on June 12 and we expect the rule making to be among the subjects the committee discusses with FCC Chairman Pai and the other commissioners. Interested school board members can watch the hearing [here](#).

Notable New Bills

[H.R.3149](#) To allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students. Sponsor: [Rep. Walker, Mark \[R-NC-6\]](#)

[H.R.3139](#) A bill to better support our early childhood educators and elementary school and secondary school teachers, and for other purposes. Sponsor: [Rep. Norcross, Donald \[D-NJ-1\]](#)

[H.R.3125](#) To reverse declining milk consumption in schools. Sponsor: [Rep. Courtney, Joe \[D-CT-2\]](#)

[H.R.3119](#) To award grants to States to establish or improve, and carry out a Seal of Biliteracy program to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language. Sponsor: [Rep. Brownley, Julia \[D-CA-26\]](#)

[H.R.3117](#) To amend the Child Nutrition Act of 1966 to establish a grant program to provide grants to local agencies and clinics to improve the health of mothers and infants, and for other purposes. Sponsor: [Rep. Adams, Alma S. \[D-NC-12\]](#)

[H.R.3108](#) To amend the Higher Education Act of 1965 to provide for a teacher leader development program, and for other purposes. Sponsor: [Rep. Schneider, Bradley Scott \[D-IL-10\]](#)

[H.R.6](#) American Dream and Promise Act of 2019 Sponsor: [Rep. Roybal-Allard, Lucille \[D-CA-40\]](#)

[H.R.3099](#) To provide for loan forgiveness for STEM teachers, and for other purposes. Sponsor: [Rep. Swalwell, Eric \[D-CA-15\]](#)

[H.R.3096](#) To amend the Higher Education Act of 1965 to provide for a percentage of student loan forgiveness for public service employment, and for other purposes. Sponsor: [Rep. Swalwell, Eric \[D-CA-15\]](#)

[H.R.3090](#) To amend the Richard B. Russell National School Lunch Act to include ranching educational activities in the Farm to School Program. Sponsor: [Rep. Johnson, Dusty \[R-SD-At Large\]](#)

[H.R.3089](#) To provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and local educational agency policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes. Sponsor: [Rep. Grijalva, Raul M. \[D-AZ-3\]](#)

[S.1752](#) A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students. Sponsor: [Sen. Daines, Steve \[R-MT\]](#)

[S.1704](#) A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and local educational agency policies and program relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes. Sponsor: [Sen. Whitehouse, Sheldon \[D-RI\]](#)

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