

Good Afternoon,

The latest Federal Policy & Advocacy Update for July 12, 2019 can be found below. Have a good weekend and as always, thank you for all you do on behalf of public education in the Commonwealth.

Kind Regards,

J.T.

Federal Advocacy & Public Policy Update

July 12, 2019

Congressional Updates

Negotiations Over Budget Intensify as Debt Ceiling Looms

Congress and the Administration were shaken out of their budget stalemate this week after the Department of the Treasury announced that the US may hit the debt ceiling as early as the week of September 9, only a couple of days after the House and Senate return from August recess. With a looming deadline and very little time left to figure out a solution, House Speaker Nancy Pelosi (D-CA) spoke several times this week with Secretary of the Treasury Steve Mnuchin and conversations are ongoing between Democratic House and Republican Senate leadership. It is too early to tell if negotiations will be successful, but there is increasing pressure to pass something prior to the August recess, and it is encouraging that all parties are speaking again just one week after Pelosi had indicated that talks had broken down.

House Ed & Labor Committee Plans Three Education Hearings

The House Education & Labor Committee has a busy week of hearings planned, as Congress looks to get through as much business as possible prior to the August recess set to begin in two weeks. The hearings include:

- [Tuesday, July 16 \(10:15am ET\)](#) – The House Education and Labor Subcommittee on Higher Education and Workforce Investment is holding a hearing titled “Scaling Up Apprenticeships: Building on the “Success of International Apprenticeship Models””. Witnesses have not yet been announced. Watch the livestream [here](#).
- [Tuesday, July 16 \(2pm ET\)](#) – The House Education and Labor Subcommittee on Civil Rights and Human Services is holding a hearing titled “Strengthening Federal Support to End Youth Homelessness”. Witnesses have not yet been announced. Watch the livestream [here](#).
- [Wednesday, July 17 \(10:15am ET\)](#) – The House Education and Labor subcommittees on Early Childhood, Elementary and Secondary Education and Higher Education and Workforce Investment are holding a joint subcommittee hearing titled “Educating our Educators: How Federal Policy Can Better Support Teachers and School Leaders”. Witnesses have not yet been announced. Watch the livestream [here](#).

Administration Updates

Senate Confirms Assistant Secretary for Postsecondary Education

This week, the Senate confirmed (56-37) Robert L. King to serve as Assistant Secretary for Postsecondary Education at the Department of Education. King has been working at the Department as a Senior Advisor since 2018 but will now move into his newly confirmed role.

FCC Votes to Allow School Airwaves to be Opened up for Next Generation 5G

Ignoring the Department of Education, Members of Congress, and state and local education leaders, the Federal Communications Commission (FCC) voted along party lines to forgo granting new Educational Broadband Service licenses and instead commercialize the spectrum. The FCC noted plans to provide rural tribal nations the opportunity to acquire the unassigned/unused airwaves but will then auction off the remaining airwaves. NSBA will be carefully monitoring this situation going forward and will provide updates as more information becomes available.

Additional FCC Action: The FCC also released a new and additional NPRM this week concerning E-Rate separate from the one calling for an overall cap on the Universal Service Fund. This NPRM seeks comments on how to continue the category two funding approach adopted in earlier reforms when E-Rate was expanded and modernized. The date for comments and reply comments has not been determined at this time.

New Data Released from the Department of Education's Office of Civil Rights

The Department of Education's Office of Civil rights announced "[New Data Show Secretary DeVos' Reforms to the Office for Civil Rights are Driving Better Results for Students](#)". The announcement, which shows USED has cut the backlog of civil rights complaints in the past year, had been met with controversy.

Department of Education Issues Final Rule to Align ESEA and ESSA Regulations

The Office of Elementary and Secondary Education issued a final rule, with a request for comments, to align existing Elementary and Secondary Education Act (ESEA) regulations with the Every Student Succeeds Act (ESSA.) The final rule would align the regulations in 34 CFR Part 200 relating to Title I of ESEA and part 299 relating to general provisions of ESEA after changes were made by ESSA. These regulations make technical changes only, and one additional change to align section 200.64 with the US Constitution after the Supreme Court's decision in *Trinity Lutheran Church of Columbia Inc. v. Comer*. The regulations are effective July 1, 2019 and comments are due by August 1, 2019. Further information is available [here](#).

Department of Education Publishes Discretionary Grant Program Notices:

USED published notice on a discretionary grant program for the Office of Elementary and Secondary Education:

"Applications for New Awards: Trauma Recovery Demonstration Grant Program" – These competitive grants seek to support "model programs that enable a student a from low-income family who has experienced trauma that negatively affects the student's educational experience to access the trauma-specific mental-health services from the provider that best meets the student's needs." The estimated funds available for this program total \$5,000,000. Applications for this grant program are available on August 14, 2019 and further information is available [here](#).

USED published notice on a discretionary grant program for the Office of Special Education and Rehabilitative Services:

"Applications for New Awards: Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities – Model Demonstration Projects for Early Identification of Students with Dyslexia in Elementary School" – The purpose of this grant program is to support professionals to collaborate with parents and establish high expectations for students with, or at risk for, dyslexia. The estimated available funds for this program total \$1,200,000, contingent upon the availability of funds and quality of applications. Applications are due by August 5, 2019 and further information is available [here](#).

USED published notice on a discretionary grant program for the Office of Elementary and Secondary Education:

"Applications for New Awards: Expanding Opportunity through Quality Charter Schools Program – Grants to Charter School Developers for the Opening of New Charter Schools and for the Replication and Expansion of High-Quality Charter Schools" – This grant program provides funds to charter school developers to enable them to open new charter schools or replicate or expand high-quality charter schools. This grant program is limited to charter school developers in states that do not currently have a CSP State Entity grant. If a state has a CSP SEA grant, it is limited to charter school developers applying for grants for the replication and expansion of high-quality charter schools, and only if the SEA's grant application authorizes the SEA to make subgrants for replication and expansion. Estimated available funds for this program total \$14,460,000. Final priorities, requirements, definitions, and selection criteria for use in this competition are available [here](#). Applications for this grant program are due by August 2, 2019 and further information is available [here](#).

Notable New K-12 Bills

[H.R.3692](#) To amend the Higher Education Act of 1965 to provide greater access to higher education for America's students, to eliminate educational barriers for participation in a public service career, and for other purposes. Sponsor: [Rep. Torres, Norma J.](#) [D-CA-3]

[H.R.3689](#) To prohibit States from suspending, revoking, or denying State-issued professional licenses or issuing penalties due to student default. Sponsor: [Rep. Shalala, Donna E.](#) [D-FL-27]

[H.R.3674](#) To amend the Higher Education Act of 1965 to eliminate origination fees for Federal Direct Loans. Sponsor: [Rep. Davis, Susan A.](#) [D-CA-53]

[H.R.3667](#) To create a new Federal grant program that provides grants to State libraries to allow schools with summer lunch programs to keep their libraries open for student use during the summer months. Sponsor: [Rep. Morelle, Joseph D.](#) [D-NY-25]

[H.R.3662](#) To amend the Higher Education Act of 1965 to ensure that student borrowers are provided relief from their student loans in the instance of substantial misrepresentation or omission by an institution of higher education. Sponsor: [Rep. McBath, Lucy](#) [D-GA-6]

[H.R.3692](#) To amend the Higher Education Act of 1965 to provide greater access to higher education for America's students, to eliminate educational barriers for participation in a public service career, and for other purposes. Sponsor: [Rep. Torres, Norma](#)

[H.R.3659](#) To establish an Anti-Bullying Roundtable to study bullying in elementary and secondary schools in the United States, and for other purposes. Sponsor: [Rep. Rose, Max \[D-NY-11\]](#)

[H.R.3647](#) To provide temporary impact aid construction grants to eligible local educational agencies, and for other purposes. Sponsor: [Rep. Cox, TJ \[D-CA-21\]](#)

[S.2085](#) A bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes. Sponsor: [Sen. Rosen, Jacky \[D-NV\]](#)

[S.2070](#) A bill to create a new Federal grant program that provides grants to State libraries to allow schools with summer lunch programs to keep their libraries open for student use during the summer months. Sponsor: [Sen. Merkley, Jeff \[D-OR\]](#)

NSBA Updates

Reminder: NSBA has successfully worked with our EdLiNC partners to get a two-week extension for comments and reply comments to the FCC for the NPRM calling for an overall cap on the Universal Service Fund. Comments are now due on July 29, 2019 and reply comments are due on August 26, 2019. The NSBA Advocacy Team is glad to work with any state directly to help with the submission process. NSBA strongly encourages states and district board members to file a submission to the FCC and also to work with your Congressional delegation to oppose implementation of this rule placing an overall cap on the Universal Service Fund. It has severe negative implications for school connectivity to high-speed broadband and ultimately, state and school districts budgets.

J.T. Kessler
Government Relations Specialist
Virginia School Boards Association
200 Hansen Road, Suite 2
Charlottesville, VA 22911
800-446-8722 or 434-295-8722 Office
434-295-8785 Fax
jason@vsba.org, www.vsba.org