

Good Afternoon,

The latest Federal Policy & Advocacy Update for July 19, 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. Kessler

Federal Advocacy & Public Policy Update

July 19, 2019

Congressional Updates

Committee to Examine School Safety Practices, including Related Student Data Use

On July 25, the Senate Homeland Security and Government Affairs Committee will hold a hearing titled “Examining State and Federal Recommendations for Enhancing School Safety Against Targeted Violence”. Among other topics, the committee plans to examine emerging state and local efforts to use student data to promote school safety. The hearing was prompted, in part, by growing concern about a Florida plan to create a statewide school safety database.

In 2018, Florida lawmakers approved a law placing notable new requirements on school districts, including an obligation to share a vast array of sensitive, personally identifiable student data with law enforcement and state agencies. Responding to an inquiry by Education Week, the Florida Department of Education (FDE) said that covered data could include students’ course schedules, participation in scholarship and dropout-prevention programs, past homeless status, immunization status, and even the Individualized Education Plans of students in special education. The new law requires FDE to coordinate with the Florida Department of Law Enforcement to create “a centralized integrated [student] data repository” and data analytics resource. The student data repository’s purpose is to help leaders make decisions about students that may pose a public safety threat. By law, the database must include – but is not limited to - “timely, complete, and accurate information” about students from social media, the Florida Department of Children and Families, FDE, the Florida Department of Juvenile Justice, and local law enforcement.

More information about the hearing, including access to a live and archived webcast of the proceeding, is available [here](#).

Administration Updates

FCC Publishes E-rate NPRM Concerning Category Two Funding

Earlier this week, the Federal Communications Commission published a notice in the Federal Register inviting public comment on a proposal to make the E-rate program’s “category two” funding formula permanent. The Notice of Proposed Rule Making also invites school districts and other stakeholders to suggest new eligible services for E-rate category two support, which could include areas such as WiFi on school buses and cybersecurity. NSBA plans to file comments in the proceeding and we invite member’ input into that process. NSBA’s comments must be submitted to the FCC no later than August 16, 2019 and reply comments are due no later than September 3, 2019. States are reminded this is a different NPRM than the one concerning the Universal Service Fund that has also been issued. The new NPRM can be found [here](#).

REMINDER: FCC USF Comments Due July 29

Several states has started filing comments to the FCC regarding the NPRM concerning the Universal Service Fund (USF) and its impact on E-Rate. NSBA encourages the state associations and district board members to file comments or reply comments opposing the rule to place a cap on the USF which would negatively impact E-Rate and high-speed broadband access to schools and libraries. Comments are due by July 29, 2019 with the reply comment deadline of August 26, 2019. Please contact Chip Slaven at cslaven@nsba.org with any questions or assistance. Talking points and instructions on how to file will be included again as attachments with this weekly update.

Department of Education Publishes IDEA Implementation Letters

The Department of Education released their "[2019 Determination Letters on State Implementation of the IDEA](#)". IDEA requires every state to write a State Performance Plan and Annual Performance Report evaluating its efforts to implement the law and plans for improving its implementation activities. The law outlines four general categories for the Secretary of Education to evaluate the state's work:

- Meets the requirements and purposes of IDEA;
- Needs assistance in implementing the requirements of IDEA;
- Needs intervention in implementing the requirements of IDEA; or
- Needs substantial intervention in implementing the requirements of IDEA.

School board members can review their state's determination status on the [U.S. Department of Education's website](#).

Department of Education Approves Additional States for Innovative Assessment Pilot

Georgia and North Carolina were [approved](#) to participate in the [Innovative Assessment Demonstration Authority](#) (IADA), an assessments pilot program under ESSA, during the 2019-2020 school year. According to the Department of Education, the goal of the IADA is to "encourage local involvement in the development of the next generation of assessments." [Georgia](#) intends to pilot two different innovative assessments, one that uses adaptive interim assessments and the other will use on-demand assessments to provide real-time data on student performance. [North Carolina](#) will use a customized, end-of-year assessment for each student, which will be based on the student's performance on two formative assessments during the school year.

Department of Education Invites Special Education Planning Grant Applications

This week, the Office of Special Education and Rehabilitation Services invited states to apply for planning funding designed to help them increase instructional time and reduce administrative burdens. The grant program seeks to promote academic achievement for students with disabilities by providing technical assistance, supporting model demonstration projects, disseminating useful information, and implementing activities that are supported by scientifically based research. The estimated available funds for this program total \$1,500,000. The Department will not make an award exceeding \$150,000 for a single budget period of 12 months. Applications are due by August 14, 2019 and further information is available [here](#).

Notable New K-12 Legislation

[H.R.3827](#) To promote and support collaboration between Hispanic-serving institutions and Hispanic-serving school districts, and for other purposes. **Sponsor:** [Rep. Castro, Joaquin \[D-TX-20\]](#)

[H.R.3809](#) To amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, and for other purposes. **Sponsor:** [Rep. Lawson, Al, Jr. \[D-FL-5\]](#)

[H.R.3808](#) To amend the Higher Education Act of 1965 to include teacher preparation for computer science in elementary and secondary education. **Sponsor:** [Rep. Kilmer, Derek \[D-WA-6\]](#)

[H.R.3778](#) To amend the Public Health Service Act to authorize certain grants (for youth suicide early intervention and prevention strategies) to be used for school personnel in elementary and secondary schools and students in secondary schools to receive student suicide awareness and prevention training, and for other purposes. **Sponsor:** [Rep. Cleaver, Emanuel \[D-MO-5\]](#)

[H.R.3444](#) School Food Modernization Act **Sponsor:** [Rep. DeSaulnier, Mark \[D-CA-11\]](#)

[H.R.3743](#) To amend the Higher Education Act of 1965 to require that certain information with respect to nutrition assistance programs be annually disclosed, and for other purposes. **Sponsor:** [Rep. Fudge, Marcia L. \[D-OH-11\]](#)

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