



VSBA
Virginia School Boards Association
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Federal Advocacy Update



Good Saturday Morning. At the conclusion of this message is the August 29, 2020 Federal Advocacy & Public Policy Update. Thank you for all you do on behalf of public education. Have a good weekend.

Best,

JT

Federal Advocacy & Public Policy Update

August 29, 2020

Congressional Update

Delays Continue for COVID-19 Relief

Efforts to provide a new round of COVID-19 relief legislation have been stalled for the past several weeks. Lawmakers have largely left Washington, D.C. for their annual August recess and are not expected to return until mid-September barring a breakthrough in pandemic negotiations. In this context, Congressional leaders from both parties, along with the White House, continue to be at odds over the size and content of a future legislative package to provide pandemic relief. On Thursday, Speaker Pelosi and White House Chief of Staff Mark Meadows spoke by phone to discuss potentially restarting these negotiations more formally. According to reports, this call was not productive.

The White House, and some in Congress, favor a piecemeal approach which would prioritize smaller pieces of legislation where agreement already exists—such as on extending unemployment assistance—but House Democrats have mostly remained firm in their commitment to a comprehensive package addressing a slew of issues created by the pandemic. While additional emergency K-12 education funding is one area where agreement appears to exist, discussions are still fluid regarding the potential conditionality of this funding. As this delay continues, the 2021 federal fiscal year is fast approaching (October 1, 2020). This deadline has the potential to re-focus stalled efforts to negotiate a new COVID-19 relief package by forcing lawmakers to combine this must-pass legislation with a forthcoming relief package. If no deal is reached, it is likely a continuing resolution would be introduced to prevent the government from shutting down prior to the election.

Administration Update

Courts Again Block USED's Equitable Services Rule

Earlier this year, as the U.S. Department of Education (USED) began to implement the various education provisions in the CARES Act and distribute related funding to states, the agency proposed a new rule that would compel school districts to share a greater amount of their COVID-19 relief funding with private schools. Known as "equitable services," the rule was initially fast-tracked by USED to go into effect more quickly, in interim form, to drive district spending plans as they related to the CARES Act. However, several state's Attorney Generals (AG) sued the department over this proposed rule to block its implementation. Last week, a Washington state judge ruled in the state AG's favor, but it was unclear if this injunction applied nationwide. This week, another U.S. District judge in California specifically blocked the rule from going into effect in Michigan, California, Hawaii, Maine, Maryland, New

Mexico, Pennsylvania, Wisconsin, and several cities such as New York, Chicago, Cleveland, and San Francisco. These rulings are a major setback for the Administration, which prevent USED from enforcing this proposed rule until a final decision, from a higher court, resolves the legal dispute sometime in the future. VSBA remains concerned over these various proposals to direct taxpayer money away from public schools and toward private education.

Recent Legislation

[H.R.8100](#) To provide for emergency education freedom grants, to amend the Internal Revenue Code of 1986 to establish tax credits to encourage individual and corporate taxpayers to contribute to scholarships for students through eligible scholarship-granting organizations, and for other purposes. Sponsor: [Rep. Byrne, Bradley \[R-AL-1\]](#)

[H.R.8077](#) To amend the Child Nutrition Act of 1966 to allow certain participants in the special supplemental nutrition program for women, infants, and children to elect to be issued a variety of types of milk, including whole milk, and for other purposes. Sponsor: [Rep. Keller, Fred \[R-PA-12\]](#)

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