



**VSBA**

Virginia School Boards Association

Leadership · Advocacy · Support

## Federal Advocacy ..... Update



Good Saturday Morning. At the conclusion of this message is the Federal Advocacy & Public Policy Update for September 12, 2020. Members of the United States Congress and White House negotiators remain apart on key elements in relief legislation to address continued economic issues brought on by the COVID-19 pandemic. With the deadline to pass a Fiscal Year 2021 budget, or pass a continuing resolution for government operations until after the November election approaching (September 30), the fate of another supplemental bill is in doubt.

As Congress works through legislation in D.C., the Virginia General Assembly has met in Special Session since August 18. The VSBA Government Relations team has attended each committee meeting and floor session (virtually) and provided legislators and their staff our concerns, support, and opposition to legislation that impacts school boards. Please check out the latest update from the Special Session by [clicking here](#).

If I can answer any questions regarding the debate in the United States Congress or at the Virginia General Assembly, please contact me. As always, thank you for all you do for public education in the Commonwealth.

Have a great weekend!

Best,

J.T.

### **Federal Advocacy & Public Policy Update**

September 12, 2020

#### **Congressional Update**

#### **Congress Grapples with Government Funding Deadline**

Lawmakers began returning to the Capitol this week after spending the past month in states and districts as part of the annual Congressional summer recess. As they return, legislators face a fast-approaching deadline at the end of the month marking the end of the current 2020 federal fiscal year and the beginning of a new one. While the House, which remains on recess until next week, has passed a majority of appropriations bills needed to fund the federal government past September 30, the Senate failed to pass comparable legislation this year. Therefore, lawmakers will need to pass a Continuing Resolution (CR) which is stopgap legislation that extends current funding levels for federal programs, including education, for a still to-be-determined later date.

Congressional leaders from both Chambers, along with representatives of the Trump Administration, have signaled they plan to pass a “clean” CR—legislation that will not contain additional elements beyond simply extending current funding—in the dwindling number of legislative days left prior to the September 30 fiscal year deadline. By structuring the CR in this way, lawmakers hope to reach agreement ahead of this deadline to avoid a shutdown of government operations. Negotiations are underway and are primarily centered on the length of time the CR will cover. Senate Appropriations Committee Chairman Richard Shelby (R-AL) has said he supports passage of a CR until the end of December. Senior House and Senate Democrats, however, reportedly favor extending this temporary funding until early 2021—the start of a new Congress.

## Senate Fails to Advance “Skinny” Pandemic Relief Bill

While the House remains on recess until next week, the Senate formally reconvened on Tuesday, September 8. For the past few months, Senate Majority Leader Mitch McConnell (R-KY) has been working to craft a legislative proposal to address the ongoing pandemic that could garner the support of his caucus. This week, the Majority Leader [unveiled Senate Republicans’ formal pandemic proposal](#)—a counteroffer in response to the House-passed [HEROES Act](#) in May which totals over \$3 trillion in emergency aid. The Republican’s proposed relief package is considerably scaled back from previous proposals floated over the summer and aims to provide approximately \$105 billion in education related aid—in addition to a slew of other relief measures totaling just over \$500 billion—to address the ongoing pandemic. NSBA had concerns over this proposal due in part to its focus on diverting taxpayer funds to private education and away from public schools as well as additional concerns over funding related issues.

On Thursday, September 10, the Senate failed to advance this legislation by a 52-47 margin vote. All Senate Republicans, except for Sen. Rand Paul (R-KY), voted in favor of this procedural motion, while all Senate Democrats opposed the move. This failed vote is yet another setback for pandemic relief negotiations in Congress that have been stalled since the summer. Given that Congressional leaders largely appear committed to passing a “clean” CR, and with the November elections quickly approaching, the likelihood of additional pandemic relief legislation, at least in the near term, is increasingly unlikely. Nevertheless, NSBA’s advocacy team will continue to work to ensure that lawmakers appreciate the significant emergency related funding needs of the K-12 community, particularly as the school year gets more fully underway across the country.

## [Administration Update](#)

### USED Scraps Proposed Equitable Services Rule

Late last Friday, September 4, a [U.S. District court struck down](#) a proposed interim final rule from the U.S Department of Education (USED) that aimed to shift a greater share of CARES Act resources to non-public K-12 schools. This week, USED confirmed that, in light of this ruling, [this proposed rule is no longer in effect](#). Earlier this summer, NSBA strongly challenged this proposed interim rule and applauds the court decision and USED’s reversal on this issue.

## [Recent Legislation](#)

[H.R.8193](#) To require the Secretary of Education to ensure that local educational agencies establish full-time title IX coordinators to improve oversight, data collection on sexual harassment, student survivor support, and for other purposes. Sponsor: [Rep. Meng, Grace \[D-NY-6\]](#)

[H.R.8187](#) To authorize grants to establish a national education protection and advocacy program to enforce the rights and protections under the Individuals with Disabilities Education Act, the Americans with Disabilities Act of 1990, and section 504 of the Rehabilitation Act of 1973, and for other purposes. Sponsor: [Rep. DeSaulnier, Mark \[D-CA-11\]](#)

[H.R.8182](#) To direct the Secretary of Education to establish a grant program to make grants to the parents of students served by local educational agencies that will not provide in-person instruction in a manner consistent with school year 2019-2020, and for other purposes. Sponsor: [Rep. Bishop, Dan \[R-NC-9\]](#)

[H.R.8162](#) 21st Century Community Learning Centers Coronavirus Relief Act of 2020 Sponsor: [Rep. Wild, Susan \[D-PA-7\]](#)

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