

Good Afternoon and Happy Friday! Please find the August 2, 2019 Federal Advocacy & Policy Update below. The United States House of Representatives and the United States Congress is in recess until after the Labor Day holiday. Congress will reconvene on September 6, 2019.

Have a good weekend and thank you for your commitment to public education in Virginia.

Kind Regards,

J.T. Kessler

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

August 2, 2019

### **Congressional Update**

#### **Congress and the White House Cut Two-Year Budget Deal**

This week, the Senate cleared (67-28) a two-year \$2.7 trillion budget agreement (H.R. 3877). The measure increases aggregate spending by \$320 billion over the next two years and lifts the debt ceiling until 2021. As reported last week, the deal provides an aggregate \$57 billion increase for non-defense programs, including education. The package is expected to be signed by the president. With the new budget deal in place, we expect the Senate Appropriations Committee to begin making significant progress on the fiscal year 2020 during September and October and NSBA intends to fight hard in the Senate to encourage appropriators to follow the House's lead in approving significant new education investments.

#### **Department of Homeland Security Hosts Round Table Discussion on School Security**

The Department of Homeland Security held an initial round table discussion this week about the development of a federal clearinghouse to share best practices regarding school security. The clearinghouse was a recommendation from the school safety commission to "assess, identify, and share best practices related to school security measures, technologies, and innovations". These topics were recently the focus of a Senate Homeland Security and Governmental Affairs Committee hearing. With states like Florida implementing new data systems designed to prevent school violence, NSBA urges members to be actively involved in state and local discussions about this topic, so that decision makers fully understand the education, privacy, and safety issues that must be considered in this context. NSBA will continue to closely monitor these discussions at the federal level to ensure that school board members stay abreast of any federal developments in this area.

#### **Senate Confirms Commissioner of the Rehabilitation Services Administration**

On Thursday, the Senate confirmed (by voice vote), Mark Schultz to serve as the Commissioner of the Rehabilitation Services Administration in the Office of Special Education and Rehabilitative Services sector of the Department of Education. Schultz's confirmation fills one of the few remaining political appointments that had been left open on Secretary DeVos's senior leadership team.

#### **House Education Committee Chairman Expresses Concern about SNAP Changes**

House Education and Labor Chairman Bobby Scott (D-VA) sent a [letter](#) to Agriculture Secretary Perdue this week asking the USDA to publicly release the data regarding the estimate that more than 500,000 low-income students that could potentially lose automatic eligibility for free meals at school through the Supplemental Nutrition Assistance Program (SNAP). The [proposed rule](#)'s changes include: (1) To define "benefits" for categorical eligibility to mean ongoing and substantial benefits; and (2) to limit the types of non-cash TANF benefits conferring categorical eligibility to those that focus on subsidized employment, work supports and childcare." The proposed rule would also require State agencies to inform FNS of all non-cash TANF benefits that confer categorical eligibility. The proposed rule is open for comment until September 23, 2019.

## Administration Update

### Department of Education Sends Notices Regarding Newly Formed Disaster Recovery Unit

The Department of Education sent notices to Chief State School Officers this week detailing the creation of a Disaster Recovery Unit (DRU) which will be a five person team responsible for “coordinating the Department’s disaster recovery programs and partnering with federal stakeholders to best assist states affected by natural disasters”. The DRU will oversee and implement the following K-12 disaster recovery grant programs: Immediate Aid to Restart School Operations; Emergency Impact Aid for Displaced Students; Assistance for Homeless Children and Youth; and School Emergency Response to Violence (SERV) as related to natural disasters.

### Department of Education Proposes new Discretionary Grant Priority and Announces Grant Opportunities

Secretary DeVos proposed an additional priority for discretionary grant programs to align the department’s future competitive grants with the Administration’s Opportunity Zones initiative. The purpose of the initiatives is to spur economic development and job creation in distressed communities. This priority would expand the opportunities available to individuals in Qualified Opportunity Zones by “(1) encouraging applicants to plan projects in Qualified Opportunity Zones; (2) soliciting applications from eligible entities who are located in Qualified Opportunity Zones; or (3) soliciting applications from eligible entities that have received investments, including accessing real estate that has received investment from Qualified Opportunity Funds for a purpose directly related to their proposed projects.” Comments are due by August 28, 2019 and further information is available [here](#).

### The Department also published the following grant announcements:

**Office of Special Education and Rehabilitative Services “Applications for New Awards: Educational Technology, Media, and Materials for Individuals with Disabilities** – National Center on Accessible Educational Materials for Learning” – The purposes of this program are to: “(1) improve results for children with disabilities by promoting the development, demonstration, and use of technology; (2) support educational activities designed to be of educational value in the classroom for children with disabilities; (3) provide support for captioning and video description that is appropriate for use in the classroom; and (4) provide accessible educational materials to children with disabilities in a timely manner.” The purpose of the priority in this award notice is to fund a cooperative agreement to establish and operate a National Center on Accessible Educational Materials for Learning. The estimated available funds for this cooperative agreement total \$1,200,000. Applications are due by September 3, 2019 and further information is available [here](#).

**Office of Elementary and Secondary Education “Applications for New Awards: Expanding Opportunity Through Quality Charter Schools Program (CSP) – Grants to Charter School Developers for the Opening of New Charter Schools and for the Replication and Expansion of High-Quality Charter Schools”** – The notice inviting applications for new awards for this grant program was published on July 3, 2019 in the Federal Register. This notice corrects a footnote to add “Massachusetts” to the list of States that have approved amendment requests that authorize SEAs to make subgrants for replication and expansion, so developers in that state are ineligible to apply for this competition. Further information is available [here](#).

**Office of Special Education and Rehabilitative Services “Applications for New Awards: Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities** – Planning Grants for Increasing Instructional Time and Reducing Administrative Burdens” – The notice inviting applications for new awards for this grant program was published on July 15, 2019 in the Federal Register. This notice corrects the application period – the application period should be 45 days instead of 30. The award size is adjusted to a range of \$150,000 to \$250,000, and this notice updates the estimated number of awards from 10 to a range of 6-10. Further information is available [here](#).

### Notable New K-12 Legislation

[H.R.4108](#) To direct the Secretary of Education to make grants to support early college high schools and dual or concurrent enrollment programs. Sponsor: [Rep. Espaillat, Adriano \[D-NY-13\]](#)

[H.R.4107](#) To authorize funding for section 619 and part C of the Individuals with Disabilities Education Act. Sponsor: [Rep. DeSaulnier, Mark \[D-CA-11\]](#)

[H.R.3512](#) Preventing Risky Operations from Threatening the Education and Career Trajectories of Students Act of 2019 Sponsor: [Rep. Lee, Susie \[D-NV-3\]](#)

[H.R.3959](#) To direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes. Sponsor: [Rep. Cohen, Steve \[D-TN-9\]](#)

[S.2395](#) A bill to direct the Secretary of Education to make grants to support early college high schools and dual or concurrent enrollment programs. Sponsor: [Sen. Markey, Edward J. \[D-MA\]](#)

[S.2367](#) A bill to support the preparation and retention of outstanding educators in all fields to ensure a bright future for children and youth in under-resourced and under served communities in the United States, and for other purposes. Sponsor: [Sen. Smith, Tina \[D-MN\]](#)

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