

Washington Update January 6, 2017

Dear Colleagues:

Welcome to the New Year! This is going to be an action packed January so let's fasten our seatbelts!

1. The 115th Congress Reconvenes in High Gear

Wasting no time the 115th Congress reconvened on Jan. 3. Republicans are eager to flex their muscles and demonstrate results, given that they now control the Senate, the House and shortly the White House.

A first order of business is confirming President-elect Trump's cabinet nominees. January may be explosive with back to back nomination hearings on controversial candidates. Multiple hearings for multiple nominees are scheduled on the same day (e.g on Jan. 11, six different hearings are scheduled for 6 nominees in 6 different committees) as part of a strategy to confound Democratic opposition, which is building for some of the most controversial nominees, such as Sen. Jeff Sessions (R-AL) for Attorney General. While Democrats will move to slow down the process by seeking additional disclosure information from nominees and asking lengthy questions at hearings and for the record, it appears that most nominees in the end will be confirmed. Republicans are hoping to have many nominee's confirmed by the full Senate prior to the Jan. 20th swearing in.

The three policy priorities for the first 100 days look to be repealing Obamacare, eliminating many Obama era regulations (including in education) and beginning restructuring the tax code. This week the House began the process by passing a budget bill that sets the stage to roll back Obamacare.

Both the Senate and the House have confirmed their leadership for the 115th Congress with the most notable change being the election of Sen. Chuck Schumer (D-NY) to be Senate minority leader, taking the place of retired Sen. Harry Reid (D-NV). Committee memberships are still falling into place and will sort themselves out over the next month.

2. Senate HELP Committee Hearing on Sec. of Education Nominee Betsy DeVos Set for January 11

One of multiple confirmation hearings set for Jan. 11 in the Senate is that of controversial Betsy DeVos, President-elect Trump's pick for Secretary of Education. Democrats on the committee and many in the education community are working overtime digging into her background and raising concerns. She will likely be portrayed as an enemy of public education lacking the qualifications for the job of Secretary. Democratic and related developments include:

- Six Democratic Members of the HELP Committee (Whitehouse, Casey, Baldwin, Sanders, Franken and Warren) issued a letter to nominee DeVos asking for detailed clarification on her past political and financial activities related to a range of organizations;
- Two progressive groups, End Citizens United and Every Voice called on the five Republican members of the HELP Committee who received campaign donations from DeVos to recuse themselves from the nomination vote; (DeVos allies responded that all Democratic Senators on the Committee who received campaign contributions from teacher unions should be asked to recuse themselves as well);
- 33 civil rights groups and unions issued a statement of concerns about the DeVos nomination noting that her record “demonstrate{s} a lack of respect and appreciation for the diversity of our nation’s classrooms and fail{s} to recognize a long and pernicious history of discrimination against groups of students.”
- The NEA and the AFT have crafted “Open Letter: A Commitment to Student Success in Public Schools” voicing dissatisfaction with the nomination and urging people to sign on.

Senate Republicans appear united in their support of DeVos. Chairman Alexander (R-TN) noted early on that she was an “excellent choice” to lead the Department and that the Committee would move swiftly on her confirmation. Former Presidential candidate and education reformer Jeb Bush has been an active supporter of Betsy DeVos and will likely continue

to play a role if she is confirmed. At least two organizations have submitted letters of support for DeVos:

- The Home School Legal Defense Association noted that she “is dedicated to building an education system that will effectively support and facilitate the education of all students, everywhere, no matter their background, interests or personal needs.”
- The National Alliance for Public Charter Schools noted that “As a result of her work with organizations dedicated to education reform, countless children throughout America are now able to access a higher quality education.”

Reports are that Senators on the HELP Committee are receiving multiple calls both supporting and opposing DeVos. Calling your Senator to voice your opinion always makes a difference, as the offices keep tallies of how many are for and against, thus taking the temperature of their constituents. These calls do matter as Senators make up their minds how to vote.

Note that three new members of the HELP Committee have been announced: For the Democrats Tim Kaine (VA) and Maggie Hassan (NH) and for the Republicans Todd Young (IN).

You can watch the hearing live (link below) Wednesday January 11 at 10 AM. I will be there so follow me on twitter @janewestdc.

To watch hearing: <http://www.help.senate.gov/hearings/nomination-of-betsy-devos-to-serve-as-secretary-of-education>

See: http://blogs.edweek.org/edweek/campaign-k-12/2016/12/civil_rights_groups_blast_devos_diversity.html

For NEA/AFT letter: <https://preaprez.wordpress.com/2016/12/07/nea-and-aft-call-to-action-against-devos-nomination/>

3. Trump’s Education Team Grows

The Trump team has announced that Rob Goad will serve as the education policy leader on the White House Domestic Policy Council, a role held for the last 8 years by former Kennedy staffer Roberto Rodriguez. Goad was a top staffer to Rep. Luker Messer (R-IN), a prominent school choice champion in the Congress. Messer founded the Congressional School Choice Caucus, a group where Goad served as director. Goad also worked with the Trump team to devise the \$20 billion choice proposal that has become the centerpiece of Trump's education policy.

Trump's landing team at the Department of Education has been joined by Kent Talbert, former general counsel for the department under George W. Bush, and Kathleen Madigan Rebarber, co-founder and president of the American Board for Certification of Teacher Excellence (ABCTE), a controversial teacher certification program.

See: <https://greatagain.gov/agency-landing-teams-54916f71f462#.2m9ocnqoj>

4. Obama Ed Department Securing Legacy in Final Days

On December 28 at 2:23 AM the Department of Education issued 25 emails (!) with a range of announcements including new regulations, guidance, reports, fact sheets and grant competitions. The topics of the emails range from early childhood to higher education to literacy to research to Title IX violations. Among the announcements were three sets of guidance related to the civil rights of students with disabilities. Included is a parent and educator resource guide, a Dear Colleague letter and a question and answer document on the rights of students with disabilities in charter schools.

Still pending is the issuance of the final supplement not supplant regulations under ESSA which were quite controversial in draft form. With only two weeks left before the end of the Obama term, we may be at the end of the road.

See: https://www.ed.gov/news/press-releases/fact-sheet-equity-idea?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=

5. Teacher Recruitment Strategies Lacking

The Center for American Progress released a report examining the teacher recruitment strategies of school districts. They determined that strategies are "hyperlocal, untargeted, or nonexistent." The Center surveyed 108 districts and found that many are lacking in offering mentoring new teachers and recruiting diverse candidates. The report notes that an average district has "1.8 employees assigned to recruitment and a student population of 3,721." Few travel to college or university job fairs and even fewer travel out of state for recruitment.

See:

<https://www.americanprogress.org/issues/education/reports/2016/12/22/295574/to-attract-great-teachers-school-districts-must-improve-their-human-capital-systems/>

Wishing you a relaxing weekend with good weather and good health! See you on twitter @janewestdc

Best,

Jane