

**What will the Trump Administration hold for education?
What does the new leadership in the 115th Congress tell us about the future of education spending?**

Washington Update November 18, 2016

Dear Colleagues:

Washington Update is pleased to be back with you as we navigate through the end of the 114th Congress and the Obama Administration as well as the transitions to President Trump and the 115th Congress, which will begin in January, 2017. There is a lot to consider in this new terrain!

1. The 114th Congress Reconvenes for the Final Lame Duck Session: Education Spending on the Table

Congress adjourned before the election with a Continuing Resolution (CR) in place funding the government temporarily until December 9. Since the election and the resulting strengthening of Republicans, there have been daily shifts in possible strategies regarding the next step in appropriations for FY 2017 (which we are in now and ends September 30, 2017).

Yesterday, House and Senate Republican leadership, in apparent consultation with the Trump team, determined that they will pass another CR which will take spending through the spring, possibly to March 31, 2017 or even later. In the spring, when the Trump team is installed, they will have an instant vehicle for addressing the spending priorities of the new administration and policy riders which they favor. At that time they will finalize the remaining 11 appropriations bills (including education) for the last half of the 2017 fiscal year.

This second CR, which will likely be completed by the December 9 goal, will likely not include policy riders but may include across the board cuts to every education program and/or some funding changes for specific programs (called anomalies). Negotiations are underway now and when they are complete the CR is likely to move very quickly and Congress is likely to adjourn shortly after that. In general, Republicans in the House, the Senate and the Administration are eager to focus their efforts strategizing for 2017 when they will control both bodies of Congress and the Administration.

See: <http://thehill.com/policy/finance/306529-gop-opts-for-short-term-spending-bill>

2. Congressional Leadership for 115th Congress

Below are lists of Members of Congress who will serve in leadership positions in the 115th Congress. All are important to education! Some positions are still undetermined and will flesh out in the next weeks.

U. S. House of Representatives:

Republicans:

Speaker of the House: Rep. Paul Ryan (R-WI) | @SpeakerRyan
Majority Leader: Rep. Kevin McCarthy (R-CA) | @GOPLeader
Majority Whip: Rep. Steve Scalise (R-LA) | @SteveScalise
Conference Chair: Rep. Cathy McMorris Rodgers (R-WA) | @cathymcmorris
NRCC Chairman: Rep. Steve Stivers (R-OH) | @RepSteveStivers
Policy Committee Chairman: Rep. Luke Messer (R-IN) | @RepLukeMesser
Conference Vice-Chair: Rep. Doug Collins (R-GA) | @RepDougCollins
Conference Secretary: Rep. Jason Smith (R-MO) | @RepJasonSmith
Sophomore Representative: Rep. Mimi Walters (R-CA) | @RepMimiWalters
Freshman Representative: Rep. Paul Mitchell (R-MI)

In terms of Education and Appropriations leadership in the House, Rep. Virginia Foxx (R-NC) remains the likely new chair of the Committee on Education and the Workforce and Rep. Rodney Frelinghuysen (R-NJ) will likely be the new chair of the full Appropriations Committee.

Democrats:

House Democrats have not yet voted on their leadership for the 115th Congress. A vote for minority leader, the role in which Rep. Nancy Pelosi (CA) currently serves, was postponed last week as Rep. Tim Ryan (OH) indicated his interest in the job. The vote is now scheduled for November 30.

U. S. Senate:

Republicans:

Leader: Sen. Mitch McConnell (KY)
Whip: Sen. John Cornyn (TX)
Conference Chair: Sen. John Thune (SD)
Policy Committee Chair: Sen. John Barrasso (WY)
Conference Vice Chair: Sen. Roy Blunt (MO)
National Republican Senatorial Committee Chair: Sen. Cory Gardner (CO)

It is expected that Sen. Lamar Alexander (R-TN) will continue to chair the HELP Committee and that Sen. Thad Cochran (R-MS) will continue to chair the Appropriations Committee.

Democrats:

Senate Democratic Leader and Chair of the Conference: Senator Charles Schumer (NY)
Democratic Whip: Senator Dick Durbin (IL)

Assistant Democratic Leader: Senator Patty Murray (WA)
Chair of the Democratic Policy and Communications Committee: Senator Debbie Stabenow (MI)
Vice Chair of the Conference: Senator Elizabeth Warren (MA)
Vice Chair of the Conference: Senator Mark Warner (VA)
Chair of Steering Committee: Senator Amy Klobuchar (MO)
Chair of Outreach: Senator Bernie Sanders (VT)
Vice Chair of the Democratic Policy and Communications Committee: Senator Joe Manchin (WVA)
Senate Democratic Conference Secretary: Senator Tammy Baldwin (WI)

In terms of Committee leadership, Sen. Patty Murray will remain ranking on the Committee on HELP as well as the Subcommittee on Labor/HHS/Education Appropriations; Sen. Patrick Leahy (VT) will now be ranking on the Appropriations Committee and Sen. Bernie Sanders will remain ranking on the Budget Committee.

See: <http://www.speaker.gov/press-release/house-republicans-elect-leaders-115th-congress>

See: <http://www.rollcall.com/news/policy/mcconnell-re-elected-senate-gop-leader>

3. The Trump Education Team

President-Elect Trump has named the following individuals to serve as education advisors on the transition team:

For agency action: **William Evers as the lead and Jim Manning as the Deputy.**

For Policy Implementation: **Gerard Robinson as the lead and Townsend McNitt as the Deputy.**

The education transition team is expected to be at the Department of Education early next week.

The list of possibilities for the Secretary of Education changes by the day! As of press time, the following individuals were or are in the mix as possibilities. They are not in any particular order.

Note that several are from or have served in Indiana, undoubtedly the influence of VP-Elect Mike Pence, former Governor of Indiana and school choice champion. Note that Indiana is home to the largest voucher program in the country serving 33,000 students who attend private schools supported by public funding.

Rep. Luke Messer (R-IN): leader in the House on school choice, member Committee on Education and the Workforce

Tony Bennet: Former Superintendent of Education in Indiana

Mitch Daniels: Former Governor of Indiana and President of Purdue Univ.

William Evers: on the Trump transition team for education, research fellow at the Hoover Institution, was sr. advisor to Bush's Sec. of Education Margaret Spellings

Gerard Robinson: Fellow at AEI on education policy, former Education Chief in VA and FL

Tony Zeiss: former President of Central Piedmont Community College in NC

Michelle Rhee: Former chancellor of DC Public Schools

Betsy DeVos: American Federation for Children

Kevin Chavous: American Federation for Children, former member of DC City Council

Jerry Falwell Jr. : President of Liberty University

Scott Walker: Gov. of Wisconsin

Lisa Graham Keegan: former Arizona Education Superintendent

Hanna Skandera: Secretary of Education for New Mexico

Eva Moskowitz: CEO of Success Academy Charter Schools (She has met with

Mr. Trump and indicated that she will not serve as Sec. of Education; Ivanka

Trump is scheduled to tour a Success Academy Charter School in Harlem today.)

Interestingly, the Democrats for Education Reform posted a letter urging fellow Democrats not to work for President-elect Donald Trump. Shavar Jeffries, President of Democrats for Education Reform noted that a Trump Sec. of Education “would become an agent for an agenda that both contradicts progressive values and threatens grave harm to our nation’s most vulnerable kids.” Note that at least three candidates on the list above – Michelle Rhee, Kevin Chavous and Eva Moskowitz – are Democrats.

See: <https://www.washingtonpost.com/news/answer-sheet/wp/2016/11/14/will-donald-trump-destroy-u-s-public-education/>

See: https://www.washingtonpost.com/pb/news/education/wp/2016/11/17/advocacy-group-warns-fellow-democrats-dont-become-trumps-education-secretary/?outputType=accessibility&nid=menu_nav_accessibilityforscreenreader

4. Education Policy in the Trump Era

Three key areas of likely focus in education policy are emerging as the Trump team considers education appointments and Department changes. The first is the promotion of school choice, a feature during his campaign and a position which all potential appointees for Secretary of Education share. President elect Trump recommended a \$20B school choice block grant which would expand charter schools and private school options for low income students. He proposed that the block grant program come from redirecting existing federal funds and that states would decide how the dollars would follow children to public, private, charter or magnet schools. Both Sen. Lamar Alexander (R-TN) and Rep. Luke Messer (R-IN) have proposed expansive choice provisions, neither of which was adopted during the consideration of ESSA.

A second focus has been on cutting back the Department of Education, either eliminating it (which would likely prove difficult) or diminishing its funds and functions. A target area could be the Office of Civil Rights, which has been very active under President Obama in enforcing Title IX, processing complaints related to disability and race discrimination in schools and working with the Department of Justice on matters such as rectifying bias in school discipline. The Civil Rights Data Collection has also provided critical information related to the inequitable distribution of experienced teachers in terms of low income and minority students. Many Republicans believe the Department has overstepped its authority in the Office of Civil Rights. Civil Rights groups are on alert to defend Obama accomplishments in this area.

A third focus is likely to be deregulation of both higher education and PK-12 education. Regulations such as the teacher preparation regulations and the gainful employment regulations (intended to reign in for-profit higher education) are at risk in the higher education realm. Controversial proposals under ESSA such as the “Supplement not Supplant” regulations will certainly be on the chopping block in the PK-12 arena, in addition to guidance which may be rescinded. Sen. Lamar Alexander (R-TN), HELP Committee Chair, has long been a vocal opponent of over-regulation and has spearheaded opposition to the Department’s “Supplement not Supplant” proposal.

Regulations could be rescinded or revised in a number of ways. Either the Congress could take action through legislation or the Department could begin what might be a long and arduous process of revising regulations. This could require reposting notice, issuing a draft, collecting comments, analyzing comments and re-issuing new regulations. It might require new rounds of negotiated rulemaking, though that is unclear. Suffice it to say that a quick signature on an executive order would not likely be an option to eliminate multiple education regulations instantaneously. If the Congress considers legislation to repeal regulations, a number of questions arise, such as what the vehicle might be for such repeal; a stand-alone bill or a policy rider on appropriations bills are options. Dates of adoption of regulations and cost of regulations also factor into what congressional actions might be chosen.

See: <http://www.politico.com/story/2016/09/donald-trump-school-choice-proposal-227915>

See: <http://www.theatlantic.com/education/archive/2016/11/donald-trump-on-education/507167/>

See: <https://thinkprogress.org/drastic-education-cuts-could-be-coming-under-trump-650c1ed6e807#.vrq39pctw>

5. **Join Us on November 22 for a Webinar on Implications of the Election Results**
TITLE: DECONSTRUCTING THE PRESIDENTIAL ELECTION: RESULTS, POLICY IMPLICATIONS, AND DISABILITY ADVOCACY IN THE NEW TRUMP ERA

How will the Presidential Election results affect P-20 public education, special education, and disability advocacy? Over the next four years, new Washington leadership is likely to change many federal and state programs and policies including the role and responsibilities of the U.S. Department of Education. In addition, ESSA, the Common Core, IDEA, school vouchers, higher education policy, and the scope of multiple education regulations will likely be reconsidered. What are emerging signs about these anticipated changes? Who might serve in key education roles in the Trump Administration? How will the 115th Congress work with the Trump Administration? How do these changes affect the ongoing work of education advocates To learn more about these questions and related topics, please join us for a FREE webinar on **November 22, 2016 4:00-6:30 p.m. (EST)** hosted by two leading Washington education policy experts: Dr. Michael Gamel-McCormick and Dr. Jane West.

Dr. Michael Gamel-McCormick is the Associate Executive Director for Research and Policy at Association of University Centers on Disabilities (AUCD). Before joining AUCD, Michael was the Disability Policy Director for the Senate Committee on Health, Education, Labor and Pensions under the chairmanship of Sen. Tom Harkin. He was also senior education policy advisor for Sen. Harkin. Prior to joining Senate staff, Michael was the professor in the Department of Human Development and Family Studies for 17 years, dean of the College of Education and Public Policy, and Director of the Center for Disabilities Studies, Delaware's UCEDD, all at the University of Delaware.

Dr. Jane E. West is a federal education policy expert who provides consulting services to a range of national teacher education and special education organizations. She specializes in assisting professionals in informing and participating in the policy making process in Washington DC. She served as a Senior Vice President at the American Association of Colleges of Teacher Education (AACTE) for eight years where she led AACTE's advocacy and policy efforts. Prior to her AACTE appointment, she was a founder of Washington Partners LLC, a government relations firm. Jane began her policy career on Capitol Hill as senior education advisor on the US Senate Committee on Health, Education, Labor and Pensions.

This is free webinar sponsored by the Virginia Commonwealth University Department of Counseling and Special Education, *and is supported by U.S. Department of Education grant #H325D150077-15 as part of VCU's Research to Policy Advocacy (RTPA) doctoral leadership training project.*

TITLE: DECONSTRUCTING THE PRESIDENTIAL ELECTION: RESULTS, POLICY IMPLICATIONS, AND DISABILITY ADVOC

Tue, Nov 22, 2016 4:00 PM - 6:30 PM Eastern Standard Time

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Washington Update will be on pause next week for Thanksgiving. Expect your next edition on Friday December 2. Wishing you all a wonderful Thanksgiving filled with great friends, family, food and blessings!

Best,

Jane

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