

Washington Update August 2, 2019

Dear Colleagues:

The Senate left town yesterday following on the heels of the House bringing the five-week summer recess into full bloom. Congress will reconvene in September, and thanks to the passage of the budget deal, move forward in adopting 12 appropriations bills, including one with education spending. But obstacles remain.

1. Senate Passes Two Year Budget Deal; Funding Bills to Follow in September

Yesterday the Senate passed the \$2.7 trillion two-year budget agreement – H.R. 3877 -- and sent it to the White House where the President has said he will sign it. The agreement represents a \$24.5 billion increase in spending for Non-Defense Discretionary (NDD) spending, which includes education. The bill also includes a two-year extension of the debt ceiling (maximum the government can borrow). The House passed the bill last week.

The vote in the Senate was interesting – 67-28 – with some Republicans and Democrats opposing it. Considerable energy was spent whipping up Republican support, as those concerned with too much government spending were groaning. The President is reported to have made numerous calls urging Republican senators to support the deal, thus decreasing the likelihood of a government shutdown and extending the resolution beyond the 2020 election. Before the vote he tweeted “Two year deal gets us past the Election. Go for it Republicans, there is always plenty of time to CUT!” Five Democrats opposed the bill, including two presidential contenders – Michael Bennet (D-CO) and Amy Klobuchar (D-MN). Senators left town with mixed feelings, including Sen. John Kennedy (R-LA), who noted that the budget vote “will create as many problems as it solves.”

The next hurdle is the divvying up of so-called “302-b” allocations. These are spending caps for each of the 12 appropriations bills which the Senate will need to create and pass. Education advocates are hoping for a significant increase for the Labor/HHS/Education spending bill. These allocations are under discussion now. When they are agreed upon, the 12 funding bills will begin to move. Appropriations chair, Sen. Richard Shelby (R-AL) hopes that the Committee can move all 12 bills before the end of the fiscal year (Sept. 30), but he’s not making any promises. “Well that would be a worthy goal. That would be a hard thing to do...but we’ll do the best we can,” he said.

It is likely that the Senate will adopt the successful strategy used last year – to package the Labor/HHS bill with the Defense spending bill for floor consideration so that members will take one vote on the package. Since Labor/HHS is the most contentious bill, paring it with the less contentious defense bill pulls in more support than moving them separately. It’s possible that the Senate Labor/HHS appropriations subcommittee could mark up its bill the week of September 9 when the Senate reconvenes.

See: <https://thehill.com/homenews/senate/455534-senate-passes-sweeping-budget-deal-sending-it-to-trump>

2. New Resources for Educators

- **The Third Way** is out with recommendations **for accountability for higher education institutions and programs** in relation to the reauthorization of the Higher Education Act: See: <https://www.thirdway.org/report/accountability-for-institutions-and-programs-striking-the-right-balance-in-hea>
- **The Fordham Institute** issued *Teachers Get Real about Discipline Reform* which reports on a survey of 1200 teachers and finds that 41% report suspensions declining at their schools. Of those, only 23% were attributable to improved student behavior and 38% were attributable to a higher tolerance for misbehavior. Eighteen percent said underreporting by administrators is completely or mostly responsible for the decline and 48% said it's somewhat responsible. See: <https://fordhaminstitute.org/national/commentary/teachers-get-real-about-discipline-reform>
- A new study published in **Educational Researcher, an AERA Journal**, found Latinos became more segregated in schools across the United States from 1998 to 2010. See: <https://phys.org/news/2019-07-school-segregation-worsens-latino-children.html>
- **The Center for American Progress** is out with a report documenting the **lax protection of the civil rights of LGBTQ students under Sec. DeVos**. See: <https://www.americanprogress.org/issues/lgbt/reports/2019/07/29/472636/secretary-devos-failing-protect-civil-rights-lgbtq-students/>
- **The National Academies of Sciences, Engineering, and Medicine** released a report and webinar on how to capitalize on the adolescent brain's capacity to change. Titled *The Promise of Adolescence: Realizing Opportunity for All Youth*, the report offers a range of recommendations including that children from disadvantaged households likely need more resources if society is to reduce disparities in educational outcomes. Among its recommendations: rectifying disparities in resources for the least-advantaged students, fostering culturally sensitive learning environments, and teaching practical skills such as decision-making, adaptability and psychosocial skills. See: <http://sites.nationalacademies.org/DBASSE/BCYF/Adolescent-Development/index.htm>
- **The National Center on Learning Disabilities**, along with 10 partner organizations, has issued a set of principles to guide the **IDEA eligibility process**

for students with specific learning disabilities. See: <https://www.nclld.org/wp-content/uploads/2019/07/Eligibility-for-Special-Education-under-a-Specific-Learning-Disability-Classification-Final.pdf>

- **The New America Foundation** released *English Learners with Disabilities: Shining a Light on Dual Identified Students*. See: <https://www.newamerica.org/education-policy/reports/english-learners-disabilities-shining-light-dual-identified-students/>
- **The New York Times** published an article documenting disparities in access to accommodations for students served under Section 504, with those who are more affluent being more likely to purchase extensive evaluations, and thus, more likely to secure accommodations. See: <https://www.nytimes.com/2019/07/30/us/extra-time-504-sat-act.html>

Washington Update will be signing off until September when the Congress returns. Wishing you a wonderful summer that leaves you refreshed and reinvigorated and ready for the fall -- where plenty of action awaits.

Best,

Jane