

Washington Update July 27, 2018

Dear Colleagues:

The fumes from National Airport blanketed DC as Members of the House hit the road to begin a long recess which will end after Labor Day. Senators are left behind for a week to be followed by a week of recess and then back to DC to slog through appropriations bills, the Kavanaugh SCOTUS nomination, immigration matters and whatever else pops up in the dog days of summer.

1. Appropriations Bills Keep Moving; Strategy to Avoid Shutdown on the Radar

As Republican legislators look toward the November mid-terms, they are increasingly promoting a strategy to avoid a government shutdown. Looming large is \$5 billion in funding for the border wall with Mexico which President Trump has prioritized for appropriations for FY 2019. This funding will be part of the House Homeland Security Appropriations bill, but only \$1.6 Billion is likely to make it through the Senate bill. Of all the issues and all the funding in the federal government, this seems to be the pivotal one in terms of a possible shutdown.

Senate Majority Leader Mitch McConnell (R-KY) and Speaker Paul Ryan (R-WI) met with President Trump urging him to support funding for most individual appropriations bills and save the Homeland Security bill and the border wall funding fight for after the election in November. Reports indicate that the President was receptive, though last year the President's veto threat of appropriations bills took everyone by surprise.

The status of the Labor/HHS/Education appropriations bills remains unchanged; however, Senate movement is on the horizon. It appears likely that the bill will be coupled with the Defense appropriations bill in a "minibus" and head to the floor the week of August 13. The Senate continues to hold a bi-partisan approach to its appropriations bills and it is hoped that this minibus may move off the floor with bi-partisan support. Since the Senate bill includes more funding overall for education than the House bill, it would be good news for education advocates to head into conference with a higher number in the Senate bill. If the Labor/HHS/Education bill does go to the Senate floor, it would be the first time in about a decade, so a back log of amendments may be offered. Since the House is out of session, it will not have an opportunity to take up the Labor/HHS/Education spending bill until after Labor Day.

Budget watchers still tend to believe that we won't make the Sept. 30 deadline for completion of the Labor/HHS/Education funding bill and that a short term Continuing Resolution is likely.

2. President Trump Expected to Sign Career and Technical Education Bill into Law

After years of wrangling, the Congress finally crossed the finish line with the unanimous bi-partisan adoption of a rewrite of the Carl D. Perkins Career and Technical Education Act, H.R. 2353. The bill is on the President's desk and he has indicated that he will sign it. President Trump said that the White House was led by Ivanka Trump and "strongly engaged every step of the way to ensure passage of this critical legislation to provide students and workers the training necessary to succeed in a 21st Century economy." The bill was praised by Senate and House Democrats and Republicans, as well as business and education organizations.

The bill authorizes over \$1 billion to support states for secondary and post-secondary skill training. It is designed to allow for targeting of funds to in-demand jobs. The bill eliminates the requirement that states negotiate with the Secretary of Education in determining goals. Instead it requires states to make "meaningful progress" toward their goals and to work with state and local stakeholders to determine those goals and performance targets. The Association for Career and Technical Education and Advance CTE, the national organizations representing teachers and state leaders in CTE, are hoping to clarify some technical requirements of the law through a manager's statement. They have noted concerns about the possibility of new burdensome administrative requirements on states and locals.

See: <https://democrats-edworkforce.house.gov/media/press-releases/scott-foxx-praise-final-house-action-on-bipartisan-cte-legislation>

See: <https://blogs.edweek.org/edweek/campaign-k-12/2018/07/congress-technical-education-bill-president-trump-sends.html>

See: <https://www.politico.com/newsletters/morning-education/2018/07/25/career-and-technical-education-bill-rockets-to-trumps-desk-296554>

3. House Democrats Offer a Counterpoint to the PROPSER Act for Higher Education: The Aim Higher Act

This week House Democrats, led by Ranking Member of the Education and the Workforce Committee Bobby Scott (D-VA), introduced the Aim Higher Act. Praised by a range of education and related organizations, the bill represents a strong commitment to supporting the pipeline of new teachers and calls for continuation and expansion of key programs which will address teacher shortages. These include the TEACH grants, three loan forgiveness programs, Title II and the Teacher Quality Partnership Grants, and a program to support the development of new teacher preparation faculty in teacher shortage areas. The bill promotes access and affordability to higher education and aims to provide every student with an opportunity for a debt-free degree.

House Democrats and House Republicans have now offered dueling visions for the reauthorization of the Higher Education Act. The Republican bill (PROSPER Act) has been reported out of Committee and awaits floor action where it would undoubtedly run headlong into the Aim Higher Act. To date, Chairwoman of the House Committee on Education and the Workforce, Virginia Foxx (R-NC) has been unable to garner the votes from her colleagues which she would need to assure floor passage. It is doubtful that any consideration of the bill would take place before the November elections; however, it is still a possibility that it may move to the House floor after the elections, depending on the politics of the time.

The Senate has deferred any action on moving a comprehensive reauthorization bill until next year when the new Congress will begin in 2019.

See: <http://democrats-edworkforce.house.gov/aim-higher>

See: <http://diverseeducation.com/article/120739/>

See: <https://democrats-edworkforce.house.gov/media/press-releases/the-aim-higher-act-what-people-are-saying>

4. Most States Found Lacking in IDEA Compliance

On July 24, the Department of Education posted its 2018 determination letters on state implementation of IDEA. The letters indicate that 22 states and territories meet the requirements of the law; 7 states and territories are in their first year of needing assistance; 26 states and territories are in the category of needing assistance for two or more years; three states and territories are in the category of needing intervention for the first year; and the Bureau of Indian education is in its seventh year of needing intervention.

States are evaluated annually on compliance data and results data. The results data include the percent of 4th and 8th graders with disabilities participating in state assessments, the percent of 8th graders participating in NAEP and the percent of 4th and 8th graders scoring basic or above on the NAEP, the percent of students with disabilities who dropped out of school and the percent who left with a regular diploma.

States falling in the “needs assistance” or “needs intervention” categories trigger a range of responses from the Office of Special Education Programs at the Department of Education, including a referral for technical assistance or a direction to target funding.

See: <https://www2.ed.gov/fund/data/report/idea/ideafactsheet-determinations-2018.pdf>

See:

<https://mobile.edweek.org/c.jsp?cid=25920011&item=http%3A%2F%2Fapi.edweek.org%2Fv1%2Fblog%2F58%2Findex.html%3Fuuid%3D76962>

5. New Resources for Educators

- The PEW Research Center has issued the results of a survey which indicate that most Americans believe higher education is headed in the wrong direction.

See: http://assets.pewresearch.org/wp-content/uploads/var/www/vhosts/cms.pewresearch.org/htdocs/wp-content/blogs.dir/12/files/2018/07/25164824/FT_18.07.26_highered_toplevel.pdf

- **Teach Plus** has issued the results of a survey of its members: *Taking Stock: A Teacher Prerspective on Informing and Improving Teacher Preparation Programs*.

Findings include:

- Teachers want teacher prep programs to be measured by the performance of graduates in the classroom, and
- Teachers believe programs should be rated and held accountable for program graduates' impact on student learning and their demonstrated teaching skill.

See: <https://teachplus.org/news-events/publications/taking-stock-teacher-perspective-informing-and-improving-teacher>

- **National Education Policy Center** has issued a number of reports related to teacher quality, teacher development and teacher preparation. A recent newsletter asks: *What Do We Know about Teacher Quality?*

See: <https://nepc.colorado.edu/topics/312>

- **The Alliance for Early Success** issued *Three Practices and Three Policies* outlining three “indispensables” for high quality pre-K. See: <https://qualitypre-k.earlysuccess.org/>

- **The Urban Institute** has issued a report *How Would the President’s Proposed 2019 Budget Affect Spending on Children?* The report determined that if the Trump administration's fiscal 2019 budget were to be fully adopted, federal spending on children

would be 6 percent lower over the next 10 years, compared with spending projections under current law.

See: <https://www.urban.org/research/publication/how-would-presidents-proposed-2019-budget-affect-spending-children-0>

I was nostalgic this week reflecting on the 28th Anniversary of the Americans with Disabilities Act and the good ole bi-partisan days where problem solving could routinely trump (woops) ideology. I was lucky to be a part of that process and it remains a standard bearer for what the federal government can do in partnership with its citizens. It was good to see a little bi-partisanship breakout with the passage of the CTE bill noted above, so hope remains alive!

On that note, Washington Update goes into hiatus for August. I'll be back after Labor Day. Wishing you all an August filled with glorious R and R!

Best,

Jane