

Washington Update May 10, 2019

Dear Colleagues:

I'm downright excited to have some GREAT news to report from Washington! Some of our leaders want to increase the federal INVESTMENT in public education! Hallelujah.

1. **House Moves Expansive Education Funding Bill through 8 Hour Marathon Markup**

This week Chair of the House Subcommittee on Labor/HHS/Education Rosa DeLauro (D-CT) successfully moved her spending bill out of the full Appropriations Committee. The bill retains its overall 6% increase for education from last fiscal year, bringing the Department of Education to \$75.9 Billion, and features significant increases for key education programs.

The bill was voted out of Committee on a partisan basis (30-23) with all Democrats supporting it and all Republicans opposing it. The all-day markup featured multiple partisan clashes over long standing partisan issues including abortion, fetal tissue research and Obamacare. An additional \$103 million in education funding was added to the bill -- for Career and Technical Education, magnet schools, preschool and an open textbook pilot.

Funding levels for key programs of interest to educators include:

Program	FY 2019 Current level	FY 2020 President's Proposal	FY 2020 House Appropriations Committee Bill
Title I ESSA	\$15.86B	\$15.86B	\$16.86B
Title II ESSA	\$2.056B	\$0	\$2.556B
IDEA Part B	\$12.364B	\$12.364B	\$13.364B
IDEA Personnel Preparation	\$87M	\$87M	\$98M
HEA Teacher Quality Partnership Grants	\$43M	0	\$53M
HEA Program for students with Intellectual Disabilities	\$11.8M	\$11.8M	\$11.8M
Office of Civil Rights	\$125M	\$125M	\$130M
Special Education	\$56M	\$54M	\$61M

Research - IES			
IES Total	\$615M	\$522M	\$650M

Ranking member of the Labor/HHS/Education Appropriations Subcommittee Tom Cole (R-OK) noted his skepticism about the bill ever becoming law as the substantial increases in funding would be vetoed by the President, result in a continuing resolution or another government shutdown.

The next step for the bill is consideration on the floor of the House. The Senate has not yet begun its consideration of the Labor/HHS/Education funding bill for FY 2020. That process is expected to begin in the coming weeks.

See: <https://appropriations.house.gov/news/press-releases/appropriations-committee-approves-fiscal-year-2020-labor-hhs-education-funding>

Committee draft report with funding tables:

https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/FY2020%20LHHS_Report.pdf

2. House Labor/HHS/Education Appropriations Bill Takes on School Safety, Charters and Higher Education Issues

The draft Committee report for the Labor/HHS/Education funding bill marked up in Committee this week includes a number of provisions related to hot topics in education.

School Safety:

- The draft Committee report directs the Secretary of Education to issue guidance clarifying that funds under Title IV of ESSA (a \$1.3 billion program providing grants to states and districts for student support and academic enrichment) cannot be used to buy guns and arm teachers. Sec. DeVos has previously refused to clarify whether Title IV can be used for this purpose, while many Democrats in Congress (including subcommittee Chair Rosa DeLauro) believe the statute is clear in prohibiting such a use of funds.
- Rep. Mario Diaz-Balart (R-FL), a member of the Appropriations Committee, offered an amendment which would have allowed the Title IV funding to be spent on things like bulletproof glass and alert systems in schools. After heated discussion he withdrew the amendment. Rep. DeLauro said she did not believe the statute allow Title IV funds to be used for such school-hardening measures.

Charter Schools:

- The Committee report notes that “The Committee is deeply concerned that the Department does not intend to be a responsible steward of taxpayer dollars when it comes to (Charter School Program) funding....”

- Recommending a \$40 million cut in funding for the Charter School Program, the Committee report noted that the Department of Education rejected multiple recommendations made by the Office of the Inspector General in an audit of the program. The Committee report directs the Department of Education to brief Members of Congress on plans for implementing those recommendations within 30 days of the enactment of the bill.
- The Committee report directs the Department of Education to provide information on the extent to which state entities are using funds to ensure that charter school grant recipients are equipped to serve students with disabilities.
- Noting “widespread findings of waste and abuse,” the Committee report requests information on the amount of federal funds allocated to the for-profit virtual charter school sector.

Higher Education:

- The Committee report notes concerns about the slow pace of relief for borrowers who claim they were defrauded by higher education programs. Such claims have been brought against multiple for-profit programs. The Committee directs the Secretary to provide monthly updates on the status of claims.
- The report notes the Department has made “inadequate” use of the tools at its disposal to prevent closure of for-profit colleges. The Committee orders a plan “to prevent precipitous closures in the for-profit sector.”
- The Committee report holds that Sec. DeVos’ proposed rewrite of rules for how colleges and universities handle allegations of sexual assault and harassment go directly against Congressional intent of Title IX and the mission of the Office for Civil Rights.

That’s it for this week! Wishing you a great spring weekend!

See you on twitter @janewestdc

Best,

Jane