

Washington Update December 11, 2020

Dear Colleagues –

Welcome to Washington's "end of the semester" sprint. Will that FY 2021 spending bill cross the finish line by the end of the year or be pushed into next year for the new Congress to grapple with? Will the President refuse to sign the bill and cause a government shutdown? Will there be another COVID relief bill any time soon? And how about the Biden agenda?

1. Congress Punts FY 2021 Funding Bill and COVID Relief Package until Next Week

They say there is nothing that focuses the mind like a deadline. In Washington that means moving the deadline to the edge of the cliff before acting. This week the House and Senate agreed to extend the December 11 deadline for funding the government to next Friday, December 18, giving them an additional week to negotiate and finalize the \$1.4 trillion bill. President Trump is expected to sign the bill, called a continuing resolution, but he is a hard one to predict.

Consensus on a bi-partisan COVID relief bill seems to be growing on one day and shrinking the next. Many appear hopeful that another week could bring them to closure so that the COVID relief bill and the FY 2021 spending bill could be packaged together and delivered to the White House as an early Christmas present. There could also be a further extension of the deadline, even through Christmas. Speaker Pelosi (D-CA) has said she is not leaving town without a deal on both.

The [bipartisan COVID relief bill](#) that is in play appears as if it would provide an additional \$82 billion for education. There is also a push to include \$160 Billion for state and local government – some of which could also be used for education. Republicans are not keen on the state and local government funding. Their priority is liability shields (which appear to involve waiving civil rights laws, including the ADA), a provision opposed by the Democrats. Whether or not this impasse will doom the negotiations remains to be seen.

2. Speculation Over Biden's Secretary of Education Nominee Grows

President-elect Biden continues to name his nominees for Cabinet posts at a rapid clip. Speculation over who will be the Secretary of Education mounted this week. Lilly Eskelsen Garcia has garnered considerable attention with an [endorsement from the Congressional Hispanic Caucus and over 40 national Hispanic organizations](#). First-lady to be Dr. Jill Biden is a longtime member of the union Eskelsen Garcia used to lead, the National Education Association, and has noted her indebtedness to the union in supporting her husband's victory. Eskelsen Garcia is reported to have been in contact with outgoing chair of the Senate HELP Committee, Lamar Alexander (R-TN), who reportedly spoke positively about her candidacy. But backlash has taken shape too. [The disability community](#) was quite vocal in responding to a 2015 speech she made referring

to “chronically ‘tarded and the medically annoying.” She has since apologized saying she mis-spoke, but disability advocates remain concerned. Nine national disability organizations issued a [letter](#) this week expressing serious concerns about her candidacy noting that during her tenure the NEA took a number of policy positions that “were detrimental to the success of students with disabilities.” The University Centers on Disabilities, the National Center for Learning Disabilities and the National Down Syndrome Congress were among the organizations signing the letter. In addition, the anti-union group Union Facts.com took out a [full-page ad](#) in the Wall Street Journal opposing her because of her dislike for charter schools and the use of student test scores in evaluating teachers.

This week a [letter from 1000 black women](#) was released urging Biden to pick more black women for cabinet posts. Four women were listed as possibilities for the position of Secretary of Education:

- Dr. Johnnetta Betsch Cole (former president of Bennett College and Spelman College)
- Dr. Leslie Fenwick (Dean in Residence at the American Association of Colleges for Teacher Education (AACTE), Dean Emeritus Howard Univ School of Education)
- Dr. Lily McNair (president of Tuskegee Institute)
- Dr. Charlene Mickens Dukes (First Female President of Prince George's County Community College, Board Member, American Association of Community Colleges)

This week the Washington Post released a [list](#) of who is under consideration for a range of cabinet posts. For Secretary of Education the following four individuals were listed:

- Dr. Leslie T. Fenwick, AACTE Dean in Residence
- Lilly Eskelsen Garcia, formerly with NEA
- Rep. Jahanna Hayes (D-CT), 2016 National Teacher of the Year
- Randi Weingarten, AFT

Multiple other candidates have been mentioned including state education chiefs, big city superintendents and former Sec. of Education under Obama John King. President-elect Biden has said he will choose someone who has public school teaching experience. The Leadership Conference on Civil and Human Rights issued a [statement](#) about the qualities needed in the next Secretary of Education.

Personally, I am a fan of Dr. Leslie Fenwick. I know Leslie and I can't think of a more ferocious and wickedly smart advocate for students and public schools. The fact that Leslie brings experience in both K-12 and higher education and a strong track record in racial justice and equity are additional pluses. Just sayin!

3. Biden Announces Goal of Reopening Schools After His First 100 Days

President-elect Biden [announced](#) that he wants to bring the virus under control enough to open most of the nation's schools during the first 100 days of his Presidency. He also noted that this is depending on Congress providing the funding to appropriately protect students and staff from virus transmission. He said he will also ask Americans to wear masks for 100 days and distribute 100 million vaccines during that period. "It should be a national priority to get our kids back into school and keep them in school," he said. Both teachers' unions supported his announcement as well as AASA, the superintendents' Association. All underscore that this cannot be done without sufficient funding from Congress.

4. Leadership in the New Congress in January

The 117th Congress convenes in January with most of the leadership likely to remain in place from the current Congress. With the Democrats retaining control of the House, Rep. Nancy Pelosi (D-CA) will likely continue as Speaker and Rep. Kevin McCarthy (R-CA) Minority Leader. Rep. Bobby Scott (D-VA) will continue as chair of the Committee on Education and Labor and Rep. Virginia Foxx (R-NC) will continue as ranking Republican. Rep. Rosa DeLauro (D-CT) won her bid to chair the all-important Committee on Appropriations – a promotion from her chair of the Subcommittee on Appropriations for Labor/HHS and Education. The new chair of the Subcommittee is not yet known; this is a critically important position for education as this panel writes the bills which annually fund the Department of Education. As the House continues to organize itself, additional appointments will be announced in January.

The Senate awaits the results of the [two Senate runoff in Georgia](#) to determine which party will control the body. If Democrats win both seats, they will be in charge. Otherwise, Republicans will continue to be the majority party. Key Senate positions look to be as follows. For the Democrats, Sen. Schumer (D-NY) will remain leader and Sen. Durbin (D-IL) will remain Whip. For the Republicans Sen. McConnell (R-KY) will remain leader and Sen. Thune (R-ND) will remain Whip. The biggest change will come with the Republican leader of the HELP Committee, where longtime chair Sen. Lamar Alexander (R-TN) is retiring. In line to take his place are Sen. Richard Burr of NC or Sen. Rand Paul of KY. For the Democrats, Patty Murray of WA is likely to remain the leader on the Committee. These decisions will likely be made in January after the new Congress convenes and the results of the Georgia Senate races are known.

5. Resources for Educators

- **The Office of Special Education and Rehabilitative Services of the U.S. Department of Education** published a series of blogs acknowledging the 45th Anniversary of IDEA (which was Nov. 29). I was pleased to share my thoughts in [*IDEA45: The Personnel Who Deliver the Promise.*](#)

- **The Center for American Progress** issued [*An Overview of the Alternative Education Sector Outside of Higher Education*](#). The report concludes that non-IHE alt. cert. programs exist in 32 states and DC; that individual schools, districts and regional education service agencies run the most of these; that for-profit organizations manage these in 9 states but enroll 68% of students in this sector; and that these programs enroll a higher percentage of students of color than traditional prep programs, but white students are still in the majority.
- **The Center on Great Teachers and Leaders of the American Institutes for Research** released [*Examining the Impact of COVID 19 on the Teaching Workforce*](#) finding that pandemic-inspired budget cuts may hit school systems with high minority and low-income students the hardest.
- **The Center for Responsible Lending and the National Consumer Law Center** issued [*Road to Relief Supporting Federal Student Loan Borrowers During the COVID-19 Crisis and Beyond*](#).
- **TNTP** is out with [*A Broken Pipeline Teacher Preparation's Diversity Problem*](#)

Wishing you a peaceful and joyful weekend,

Jane