

Washington Update December 13, 2019

While the impeachment proceedings are sucking up most of the oxygen in DC, and will continue to do so through January, bipartisan outbursts are also underway! Christmas miracles are upon us.

Dear Colleagues:

1. Funding Agreement on the Horizon! No Shutdown Anticipated

December 20, a week from today, is the deadline for Congress to pass funding bills to keep the government in business and avoid a government shutdown. After weeks of handwringing, a bipartisan \$1.3 trillion deal seems to have been brokered whereby all appropriations bills will be passed in the House and the Senate next week. While no details of the bills are yet available, it appears that one of the breakthroughs was an agreement to keep the amount of funding for the border wall (President Trump's priority) at the current level of \$1.375 billion.

Of course, a lot can happen over a weekend. It is reported that there are "a few details" to be worked out, but the four appropriations leaders from the House and Senate, Republicans and Democrats, appear optimistic. Senate Chair of Appropriations Committee Sen. Richard Shelby (R-AL) and ranking member Sen. Pat Leahy (D-VT) announced the agreement together. Rep. Nita Lowey (D-NY), chair of the House Appropriations Committee, said a vote will be scheduled in the House for next Tuesday.

If the Congress does pull off this miracle, it would mean that government funding would flow until the next fiscal year begins, October 1, 2020. Of course, that will be right before the election, setting up an interesting dynamic at the most partisan of times. The time-honored tradition of punting until after the election (passing a short-term funding bill) will likely be the favored option.

Education advocates are eager to see if any of the significant increases in the House bill will be retained in the final package. All fingers are crossed in anticipation of next week.

See: <https://www.npr.org/2019/12/12/787589564/congressional-negotiators-reach-tentative-deal-on-1-3-trillion-spending-package>

2. Higher Education Mini Bill Enacted: Are There Implications for Reauthorization?

The second surprising bi-partisan deal emerged as a bill to amend the Higher Education Act. Passed by both the House and the Senate with overwhelming bi-partisan support on the same day (Tuesday), this bill represents just the sort of Christmas present education advocates hope for. The bill, dubbed the FUTURE Act (HR 5363), restores over \$250 million in funding for historically black colleges and universities and simplifies the

student financial aid application by allowing data sharing between the Department of Education and the IRS.

House Democrats passed the HBUC funding component of the bill several weeks ago, but it was hung up in the Senate. Not until the student financial aid application component (which was a stand-alone bill called the FAFSA Act) was added to it, did Republicans come on board. Sen. Lamar Alexander (R-TN), Chair of the Senate HELP Committee has long been a staunch proponent of simplifying and reducing the questions on the Free Application for Federal Student Aid (FAFSA) form. The provision which passed will automate how borrowers enroll in and stay enrolled in income-based repayment plans, which currently require annual provision of tax information by the borrower. Some Republicans, such as Rep. Kevin Brady (R-TX) noted that while he supported the HBUC provision he objected to the “dangerous precedent set by the tax provision” which he noted represents a privacy risk for citizens.

The bill is expected to generate about \$3 billion over the next decade as it would make it would ease data sharing between the IRS and the Department of Education. President Trump is expected to sign the bill.

Meanwhile, the Congressional Budget Office released its estimate of the cost of the House’s broad Higher Education Act Reauthorization bill, H.R. 4674, which passed out of Committee and is headed to the House floor for a vote in 2020. The bill is estimated to cost \$331.9 billion over the next decade in mandatory spending and \$148.9 billion in discretionary spending in the next five years. When the bill goes to the floor some way to pay for it will need to be determined. Many speculate a roll back in the Trump tax cuts for higher income citizens will be that provision. You will recall that this bill is supported only by Democrats to date, and the spending off-set – if this is what it is-- is likely to keep it that way.

There is some speculation as to what the victory with this mini-higher education bill means for the broader reauthorization of the Higher Education Act. Has some momentum been lost? Does this foreshadow positive bi-partisan working relations that could continue momentum toward a broader bill? We will all have to stay tuned! We will be looking to 2020 to see if the House passes their version of the reauthorization bill and if the Senate puts forward a bipartisan version for consideration.

See: <https://www.insidehighered.com/quicktakes/2019/12/10/future-act-passes-house>

3. New Proposed Regulations for TEACH Grants Released

Secretary of Education DeVos has proposed a new rule-- which is open for comment until Jan. 10, 2020—and which would update the TEACH grant regulations. According to DeVos, “This proposed rule ensures educators who received TEACH Grants and who are meeting their service requirements do not have their grants converted to loans improperly or as a result of confusing bureaucratic paperwork.”

The proposed regulation also addresses religious liberty for faith-based higher education institutions and their students. The proposed regulation is the result of a negotiated rule-making process. The Department plans to publish final regulations by November 1, 2020 so that they will be effective July 1, 2021.

See: <https://www.federalregister.gov/documents/2019/12/11/2019-25808/federal-perkins-loan-program-federal-work-study-programs-federal-supplemental-educational>

4. New Resources for Educators

- December 10 marked the 4th Anniversary of the enactment of ESSA. Several national education organizations sent a letter documenting progress to Congressional leaders. See:

<https://ccsso.org/sites/default/files/2019-12/EMBARGOED%20Education%20Groups%20ESSA%20Anniversary%20Letter%20121019.pdf>

- **The Learning Policy Institute** is out with *Interactive Map: Understanding Teacher Shortages in California*. A few key findings:

- The number of substandard credentials issued—a key indicator of shortages—has nearly tripled across California since 2012. In 2017-18, they accounted for nearly half of all new credentials
- in 42 districts—mostly small and in rural communities—not a single new hire for the 2017-18 school year was fully credentialed. See:

https://learningpolicyinstitute.org/product/interactive-map-understanding-teacher-shortages-california?utm_source=LPI+Master+List&utm_campaign=d4d19cd741-LPIMC_CATeacherShortageInteractive_20191205&utm_medium=email&utm_term=0_7e60dfa1d8-d4d19cd741-42314823

- **The Center for American Progress** has published *What to Make of Declining Enrollment in Teacher Preparation Programs*. Key findings include:

- From 2010-2018, nine states have experienced an enrollment decline of over 50%; Oklahoma's decline is 80%
- There is a 28% decline in students completing teacher prep programs
- Alternative route programs outside of higher education have experienced a 42% increase; Texas's enrollment in these programs is greater than any other state

See: <https://www.americanprogress.org/issues/education-k-12/reports/2019/12/03/477311/make-declining-enrollment-teacher-preparation-programs/>

- **The Fordham Foundation** released *The Supplemental Curriculum Bazaar: Is What's Online Any Good?* See: https://fordhaminstitute.org/sites/default/files/publication/pdfs/20191210-supplemental-curriculum-bazaar0.pdf?mc_cid=782d397873&mc_eid=ed90bdcdfd
- **The Network for Public Education** released *Asleep at the Wheel* in April, but I missed it. It documents the millions of federal dollars spent on charter schools noting that over 35% of charter schools funded between 2006 and 2014 either never opened or were shut down. See: <https://networkforpubliceducation.org/asleepatthewheel/>
- — **The Manhattan Institute** is out with a new issue paper: "*Risk Sharing: How to Hold Colleges Accountable for the Education They Provide.*" See: <https://www.manhattan-institute.org/how-to-hold-colleges-accountable-for-education-they-provide>

5. Education Debate with Democratic Presidential Nominees Saturday December 14

You might want to tune in tomorrow for the education forum which will feature the following Democratic candidates for President:

- Former VP Joe Biden
- Sen. Cory Booker (D-NJ)
- Sen. Michael Bennet (D-CO)
- Mayor Pete Buttigieg
- Sen. Amy Klobuchar (D-MN)
- Sen. Bernie Sanders (D-VT)
- Sen. Elizabeth Warren (D-MA)
- Billionaire Tom Steyer

MSNBC's Ali Velshi and Rehema Ellis will host the forum. Discussion participants will include Chicago activist Jitu Brown, NEA President Lily Eskelsen Garcia, NAACP CEO Derrick Johnson and AFT President Randi Wiengarten.

MSNBC.com will be livestreaming the event, as will NBC News Now and NBC News Learn.

I sure hope the teacher shortage crisis comes up! How could it not? Hmmmm...

In closing, I'd like to offer a hearty congratulations to Joan McLaughlin who will begin her second term as Commissioner of the National Center for Special Education Research at IES!

See you on twitter @janewestdc

Best,

Jane