

Washington Update January 24, 2020

Dear Colleagues:

As you know, all eyes are focused on the Senate impeachment trial this week. And with the House being in recess, there is no Congressional business underway directly related to education. This may be the case next week as well, since the trial will continue in the Senate. We will keep our eyes peeled. But meanwhile there is a lot going on over at the Department of Education.

1. Secretary DeVos Announces new Civil Rights Compliance Center

The Department of Education is launching a new unit in the Office for Civil Rights which is intended to assist schools and universities in “proactively” complying with federal civil rights laws before complaints are filed. Dubbed the Outreach, Prevention, Education and Non-discrimination (OPEN) Center, the initiative will provide targeted support to schools, educators, families and students in relation to federal non-discrimination laws.

Kenneth Marcus, assistant Secretary of Education for civil rights, said the Center “is all about strengthening civil rights compliance through voluntary, proactive activities.” Christian Corrigan – currently senior counsel in the Office for Civil Rights – will lead the Center as acting director.

House Democrats have criticized DeVos for her lax enforcement of civil rights laws, sending a letter in October, 2019 signed by 59 Representatives citing findings from a Center for American Progress Report which determined that under DeVos OCR was 9 times less likely to take corrective action on sexual orientation and gender-identity complaints than the Obama Administration.

See: https://www.ed.gov/news/press-releases/secretary-devos-announces-new-proactive-civil-rights-compliance-center-within-office-civil-rights?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=

Democrats letter:

https://bonamici.house.gov/sites/bonamici.house.gov/files/documents/FINAL_DeVos_OCR_LGBTQ_Letter_signatures.pdf

2. American Federation of Teachers Sues Sec. DeVos

Last year Sec. DeVos decided to rescind the Obama era regulations intended to curb abuses of for-profit colleges, the so called “gainful employment” regulation. The regulation was intended to cut off federal funds to career college programs when graduates leave with large debt relative to their earnings. DeVos argued that the rule unfairly targeted for-profit colleges and was too punitive.

The AFT lawsuit claims DeVos illegally eliminated the rule doing so in an arbitrary and capricious manner in violation of the Administrative Procedures Act. AFT president, Randi Weingarten, said the DeVos decision was based on misstatements of academic research and that it sides with profiteers, not borrowers. The Department will fight the lawsuit and defend its decision to eliminate the regulation.

<https://www.washingtonpost.com/education/2020/01/22/teachers-union-sues-betsy-devos-rescinding-career-training-regulation/>

3. New Resources for Educators

- The **Congressional Research Service** has released a report summarizing the College Affordability Act, HR 4674, the House Democratic proposal to reauthorize the Higher Education Act: <https://crsreports.congress.gov/product/pdf/R/R46176>
- **The Washington Monthly** is out with *Master's of None* which challenges the efficacy of Masters Degrees for teachers: <https://washingtonmonthly.com/magazine/january-february-march-2020/the-education-masters-degree-scam/>
- **Educators of Excellence** issued *Voices from the Classroom A Survey of America's Educators* which reports that two-thirds of teachers have had a second job to make ends meet: https://e4e.org/sites/default/files/voices_from_the_classroom_2020.pdf
- **National Public Radio** hosted an interview with disability rights leader Rebecca Cokley of the Disability Justice Initiative at the Center for American Progress: *Disability Rights Policy Takes Center Stage in 2020 Democratic Presidential Primary*: <https://www.wbur.org/hereandnow/2020/01/16/disability-rights-2020-democrats>
- **Ed Source** reports *Amid Shortages, Schools Settle for Underprepared Special Education Teachers* highlighting that in California 800,000 special education students are being taught by teachers who are only partially prepared. Sixty percent of first year special education teachers in California are working without a full teaching credential: <https://edsource.org/2020/amid-shortages-schools-settle-for-underprepared-special-education-teachers/621656>
- **Ed Week** highlights a report from the Center for American Progress in *Teacher Prep Needs More Focus on Students with Disabilities, Report Says*: http://blogs.edweek.org/edweek/speced/2020/01/teacher_prep_needs_focus_on_students_with_disabilities.html

- **The National Education Association** has issued its **2019 Report Card** for the first session of the 116th Congress. While Democrats clearly outshine Republicans, there are a few exceptions. Sen. Susan Collins (R-ME) received an “A” rating and Sen. Lisa Murkowski (R-AK) received a “B.” In addition, 9 House Republicans received an “A:” <https://educationvotes.nea.org/about-neas-report-card/>
- **EdChoice** released a 2020 edition of its annual report *The ABC's of School Choice* which offers a guide to every state-based private school choice program in the country and defines four types of school choice. Program participation, funding and eligibility data are provided: <https://www.edchoice.org/research/the-abcs-of-school-choice/>

That's it for now. Are you watching the impeachment trial? I find it hard not to!

See you on twitter @janewestdc

Best,

Jane