

Washington Update July 16, 2021

Dear Colleagues,

It's been a week for celebration for education advocates. The House Appropriations Committee delivered on President Biden's goal of a 41% increase for education for next year. This unprecedented investment is beyond gratifying. It feels like the decades of advocating that we have all been engaged in has really paid off! We still have a long way to go, but we are out of the gate with great momentum!

1. House Appropriations Committee Approves FY2022 Education Spending Bill

On Thursday, the House Appropriations Committee [approved](#) the FY 2022 Labor, Health and Human Services, Education, and Related Agencies [appropriations bill](#). The Committee voted in favor of the bill by [vote of 33 to 25](#), a party line vote. No substantial amendments were made to any education provisions during the full committee markup.

The bill includes historic increases for education from the FY 2021 level – a 41% increase for the Department of Education which would bring the Department's total budget to \$102.8 billion. The increase matches President Biden's education request. The bill is clear evidence that the President's historic request is in alignment with the thinking of House Democrats. In a statement, Chairwoman Rosa DeLauro (D-CT) said, "This bill touches people at every stage of their lives, and the massive funding increase will create a society that provides people with the help they so desperately need."

But, the road to getting a final bill to President Biden is far from over, with Republicans questioning federal agencies capacity to manage such funds. Rep. Tom Cole (R-OK), the top Republican on the Subcommittee, said a bipartisan spending deal would include less domestic spending, more defense spending, and Democrats abandoning their effort to repeal the Hyde Amendment, a provision that prevents federal funds from paying for most abortions.

"The alternative is a fight, and a fight means a continuing resolution," Cole said.

"That would mean we would end up passing the budget of the last president and last Congress instead of working together to find common ground."

It is nearly impossible to overstate what this bill could mean [for education](#).

The bill includes \$36 billion for Title I, \$2.3 billion for Title II, \$1.3 billion for Minority Serving Institutions, \$1 billion for new Mental Health personnel, and \$17.2 billion for IDEA. In the critical area of addressing the distressing state of the pipeline of educators, the bill delivers significant infusions of funds, more than we have ever seen in an appropriations bill. For IDEA Personnel Preparation, the bill provides for \$250 million -- a nearly 177% increase to the FY2021 level. Other preparation programs received significant increases also. The alignment between the House Bill and the President's FY2022 discretionary request is reflective of the synergy between the Administration and

House Democrats in their commitment to addressing the challenges related to the shortage of diverse and well-prepared educators ready to meet the needs of all students.

Key Programs Related to Educator Support and Preparation

Program	Current level FY 2021	2022 President’s Request; Discretionary	House Recommended FY 2022 level
IDEA Personnel Preparation	\$90.2 M	\$250 M	\$250M
Teacher Quality Partnership Grants	\$52.1 M	\$132 M	\$132 M
Hawkins Centers of Excellence	\$0	\$20 M	\$20 M
Title I	\$17 B	\$37 B	\$36 B
Title II	\$2.143	\$2.149 B	\$2.3 B
IDEA Part B	\$12.9 B	\$15.5 B	\$15.5 B

House Majority Leader Steny Hoyer (D-MD) wrote in a letter to colleagues Thursday that the full House will take up the Agriculture, Energy-Water, Financial Services, Interior-Environment, Labor-HHS-Education, Military Construction-VA and Transportation-HUD measures in one bundle the week of July 26. Together, the bills represent about 40 percent of the proposed operating budgets for federal agencies next year.

If you recall, the President’s full Budget request included funding for a range of new programs and additional mandatory spending through the American Families Plan for a number of programs across the Department of Education---none of which were included in the House Bill. But, that doesn’t mean those programs or funding are off the table This week, top Democratic lawmakers announced they had reached an [agreement](#) on a \$3.5 trillion top line budget number for a reconciliation bill. The reconciliation bill is expected to contain some of the funding for programs President Biden requested by way of the American Families Plan and can be passed with the support of all Democrats, even if all Republicans oppose it. Advocates are pushing to ensure that the \$9 billion in the American Families Plan to support teachers and address the educator pipeline is included in the reconciliation bill. Stay tuned for next steps.

2. Biden Appointees to the Department of Education Move Forward

On Tuesday, the Senate Committee on Health, Education, Labor, and Pensions (HELP) held [hearings on the nominations](#) of Catherine Lhamon as Secretary for Civil Rights at the Department of Education, Elizabeth Brown to be General Counsel, and Roberto Rodriguez to be Assistant Secretary for Planning, Evaluation, and Policy Development of the Department of Education. Although the full committee hearing focused on the three nominations, a [majority of the committee's questions focused on Lhamon](#) -- an outspoken critic of the Trump administration's positions on those issues and a force behind several Obama-era directives that sparked national debates.

"It's crucially important to make sure that the [Education Department's office for civil rights] returns to evenhanded enforcement that is consistent with the law," she told members of the Senate education committee Tuesday

Democratic lawmakers and several education and civil rights organizations have praised Lhamon's experience and positions on issues like racial equity. But, Republican lawmakers have been critical, pushing her on her previous criticisms of the former Administration's directives and her reliance on nonbinding guidance that didn't go through a formal public comment process when she previously held the same position under the Obama Administration from 2013 to 2017.

"I am not convinced Ms. Lhamon understands, or at least appreciates, the limits of her authority," said ranking member Sen. Richard Burr (R-NC) during the hearing on Tuesday.

In her previous time at the Department, Lhamon signed off on two key pieces of guidance: a directive that ensured transgender students had the right to access school facilities that matched their gender identity; and another that said schools may be in violation of federal civil rights laws if they have significant racial disparities in discipline rates. Both pieces of guidance were overturned during the former Administration; President Biden has said he will reinstate them.

The Department also [announced](#) the appointment of several other political appointees who do not require Senate confirmation. Notably, [Katherine "Katy" Neas was announced](#) as the new Deputy Assistant Secretary and Acting Assistant Secretary of the Office of Special Education and Rehabilitative Services (OSERS). A long-time disability rights ally, Neas began her career on the Senate Subcommittee on Disability Policy during the development and enactment of the Americans with Disabilities Act. In a statement, Neas highlighted the challenges faced by students with disabilities and students of color during the pandemic. "The pandemic has been hard on all of us, but children with disabilities and specially those of color experienced great challenges. I am over the moon to be at the Department of Education at this historic time and to be part of the team of individuals who are working to ensure all students succeed in the upcoming school year." Neas most recently served as senior vice president of public affairs at the American Physical Therapy Association (APTA).

3. New Resources for Educators

- [AERA](#) announced the selection of 19 exemplary scholars as the 2021 AERA Fellows. AERA Fellows are selected on the basis of their distinguished and sustained research achievements. The 2021 Fellows, were nominated by their peers, selected by the Fellows Committee, and approved by the AERA Council, the association's elected governing body.
- [The Learning Policy Institute](#) released three fact sheets outlining ways school districts can use their American Rescue Plan Act funding. The following categories are outlined: [Accelerating Learning Through Expanded Learning Time](#), [Expanding Early Childhood Education](#), [Investing in Community Schools](#) and [Supporting the Educator Pipeline](#).
- [New America](#) is out with a report that describes some of the ways in which higher education succeeded and fell short during the remarkable 2020–21 year of distance learning. It proposes a trio of federal policy changes to build the ecosystem needed for online learning to ensure it is more equitable for students of color and low-income students, and to improve the quality for everyone
- [The UC Hispanic- Serving Institutions Initiative](#) released a report on the University of California's role as a Hispanic Serving Research Institution System.

Wishing you a wonderful weekend.

Best,

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