

Washington Update March 26,2021

Dear Colleagues,

Washington is abloom with the cherry blossoms set to peak April 2-5. While visitors to the tidal basin will be limited, the delight of welcoming spring after a long hard winter is unlimited! Just in time for spring, the Biden team has launched into action featuring a massive rollout of unprecedented education funding.

1. Biden Administration: COVID Funds, School Reopening, FY 2022 Budget Proposal

This week, on the heels of the [National Safe School Reopening Summit](#), President Biden [announced](#) that \$81 billion of American Rescue Plan Act (ARPA) funds would be released to all 50 States, the District of Columbia, and the Commonwealth of Puerto Rico. The funds will support efforts to get students back in the classroom safely for in person learning, keep schools open once students are back, and address the academic, social, emotional, and mental health needs of all students.

Ahead of the Summit, Secretary Cardona announced the launch of a new [Summer Learning & Enrichment Collaborative](#), a partnership between the Department, the Council of Chief State School Officers, and the National Governors Association. The partnership is intended to help states use ARPA funding to develop high-quality summer learning and enrichment programs for all students, with a focus on addressing the needs of student groups disproportionately affected by COVID-19. The announcements are part of the Biden-Harris Administration's broader [effort](#) to provide states, schools, and communities with the resources and support they need to return to in-person learning safely and quickly, and achieve the President's goal of reopening the majority of K-8 schools within the first 100 days of his Administration. Secretary Cardona also [announced](#) that as part of this effort, he will travel to local school districts over the coming weeks to listen and learn from them, and to help more schools and districts in their efforts to reopen and stay open. The Secretary will then report back to the White House on what he learns.

The announcements from the Department come after a group of 11 Senate Democrats asked the Department to help guide the creation of summer enrichment programs that will be eligible for a share of billions of dollars in federal pandemic recovery aid, saying many states could miss an opportunity to help children recover from COVID-19's trauma without government assistance. "With summer approaching quickly and significant resources now available to states and districts, ... it's critical that the Department take a leading role in both prompting and guiding the state-level conversations and decision-making required to maximize the reach of these resources," the lawmakers, led by Sen. Chris Murphy (D-Conn.), [wrote in a letter](#) to Secretary Cardona on Monday.

This week, in their continued efforts to provide ongoing relief from the COVID-19 pandemic and implement provisions in the ARPA the [U.S. Department of Education](#)

announced additional benefits, outreach, flexibilities, and guidance to assist students, federal student aid applicants, and institutions of higher education. The new [guidance](#) for the Higher Education Emergency Relief Fund ([HERF](#)) reflects a change in the Department's prior position, which previously only allowed funds received under the *Coronavirus Response and Relief Supplemental Appropriations Act, 2021* (CRRSAA), to be used for costs incurred on or after Dec. 27, 2020, the date of the enactment of the CRRSAA. "The comprehensive and clear guidance on the use of HEERF grants will enable colleges and universities to better address the academic needs of their students, as well as ensure the safety and well-being of all members of the campus community," said Secretary of Education Dr. Miguel Cardona. "One of my first priorities is to ensure that institutions of higher education have the financial support and resources needed to support their students and mitigate the challenges brought on by the COVID-19 emergency. Our latest actions will help campuses address those challenges." The new flexibility and guidance from the Department also emphasizes support for students with exceptional needs, empowers institutions to use their grants to discharge student debts and support student services, and expands flexibilities for student and institution needs brought on by the pandemic.

President Biden will release his [discretionary funding request](#) next week, allowing lawmakers to get started on annual spending bills for the upcoming fiscal year. The request, which the administration is now calling a "skinny" budget, will be followed by a more complete budget later this spring that includes proposals for mandatory spending and tax reform in fiscal 2022, which begins on October 1. "Our priority is to provide Congress with early information about the President's discretionary funding priorities, which is what they need to begin the appropriations process," Rob Friedlander, a spokesperson for the Office of Management and Budget, said in a statement. "As is standard during transition years — and given the significant obstruction we faced during the transition — we will be releasing the President's budget later this spring, which will show how his full agenda of investments and tax reforms fits together in a fiscally and economically responsible plan to address the overlapping crises we face," Friedlander said. As part of the discretionary funding request, the White House plans to release a breakdown of proposed funding levels for each federal agency, while outlining certain investments in areas like clean energy, education, public health and elevating historically disadvantaged communities.

2. Senate Hearing on Deputy Secretary for Education Nominee: Republicans Look for Answers on Testing Waivers

San Diego Unified Superintendent Cindy Marten – who is nominated to become the Deputy Secretary of the U.S. Department of Education – faced a relatively painless confirmation hearing before the Senate HELP committee on Wednesday. During the hearing, Marten backed summer learning programs that are eligible for a chunk of federal funding and extended school year as methods to help students recover from a year of classroom time upended by the pandemic. Marten also supported the Biden

administration's position on standardized testing and promoted her school district's plans to reopen for in-person learning by April 12.

Marten's nomination does not come without controversy as the San Diego branch of the [NAACP](#) described Marten's nomination as "troubling", given the city's disproportionate rates of suspensions and expulsions for Black students. The city school district's [treatment](#) of students with disabilities and handling of sexual misconduct complaints have also prompted scrutiny, according to [local media reports](#), while local journalists have also called the school district's transparency into question.

Despite questions surrounding her record and experience, Sen. Richard Burr (R-NC), the HELP Committee's top Republican, said he's leaning toward supporting Marten's nomination. "Despite any reservations, I believe your passion for education and for kids to learn in the classroom will enable you to succeed in the position of deputy secretary of Education. I very much want you to succeed. I'm inclined to support your nomination."

Rep. Virginia Foxx (R-N.C.) and Sen. Richard Burr (R-N.C.) submitted a [request](#) to the Department for answers about state standardized testing waivers. The ranking members of their chamber's education committees are asking about the process states can use to request flexibility under the Biden administration's plans to keep up state exams this year. Specifically, states would have to report data on chronic absenteeism as well as information on student and educator access to laptops, tablets and high-speed internet at home as a condition of getting waivers from federal requirements. Foxx and Burr said federal law doesn't allow the Education Department to add those requirements. "The Department of Education received the letter and will be in touch directly with these members of Congress," department spokesperson Kelly Leon said in a statement. "As previously stated, the Department remains committed to reviewing each waiver application on a case-by-case basis and working directly with the states on this matter."

3. New Resources

- [The Collaboration for Effective Educator Development, Accountability and Reform \(CEEDAR\) and the Council for Exceptional Children \(CEC\)](#) have developed and published a set of high-leverage practices (HLPs) for teachers of students with disabilities. The HLPs are organized around four aspects of practice: collaboration, assessment, social/emotional/behavioral and instruction.
- [The Network for Public Education](#) issued a new report: "Chartered For Profit: The Hidden World of Charter Schools Operated for Financial Gain." The report details how many for-profit management companies (referred to as EMOs) evade state laws banning for-profit charters.
- [Phi Delta Kappan](#) published a brief examining the effects of COVID-19 on teacher preparation programs and what this means for the current cohort of new teachers.

- [The National Education Policy Center](#) this week issued a report critiquing a 2020 review of teacher preparation programs from the National Council on Teacher Quality.

Wishing you all a glorious weekend,

Jane and Kait

See you on twitter @janewestdc @brennan_kait