

Washington Update October 18, 2019

Dear Colleagues:

1. November 21 Deadline Looming to Fund the Government: Will Congress Act?

Just before Congress left town for their two-week recess, they passed a short-term funding bill to keep the government open, but only until November 21. As that deadline comes closer, the pressure to act increases. The ball is in the Senate court, as the House has passed 10 of its 12 funding bills. A key hold-up is the vastly different allocation amounts for the bills provided by the House and the Senate. Typically, the overall amount is agreed to in advance by both bodies, and the amount allocated to each of the 12 subcommittees is also agreed to. Since the budget agreement was adopted after the House had passed 10 of its 12 funding bills – the result is far more liberal spending figures in the House than the Senate.

The House has made an offer to revisit the overall spending levels for each bill. It's not clear how those negotiations might be proceeding; however, Sen. Richard Shelby (R-AL), chair of the Appropriations Committee, noted that spending negotiations remain in a “prolonged slump.” But late this week Senate Leader Mitch McConnell (R-KY) indicated that the Senate will begin to move its versions of the spending bills next week.

Reportedly, the bills will be put forward on the Senate floor in two packages. The first, and least controversial package will include 5 domestic spending bills. This package may well secure enough bipartisan support to pass. The second package, however, will be a different story. That package will include both the Labor/HHS/Education bill and the Defense bill. Hot-button Issues related to the border wall, homeland security and abortion will likely crop up, as well as significant funding level differences between the House and the Senate. Bipartisan hope for that second package is slim.

Possible outcomes include another short-term spending extension (perhaps through December), a long-term extension through September 30, 2020 or a government shutdown for the agencies left unfunded. Given the significant congressional activity underway in relation to impeachment and the Syria/Turkey situation, the Congress may find less and less room to act decisively on funding bills. The only thing that is certain is that uncertainty prevails.

2. House Democrats Introduce Higher Education Act Reauthorization Bill

House Committee on Education and Labor Chairman Bobby Scott (D-VA) introduced his bill to reauthorize the Higher Education Act this week. The College Affordability Act, H.R. 4674, is the first comprehensive reauthorization bill to be offered this Congress. He described it as “a responsible, comprehensive overhaul of our higher education system that would mean students can spend less and earn more.” Scott also noted that the bill was intended to be realistic. “We believe that this more modest proposal can actually pass

in this Congress,” he said. Several Democratic contenders for the Presidency have called for free college and elimination of student debt. The Scott bill does not go that far. The estimated cost for the bill is \$400 billion over 10 years.

The first link below to the Committee website provides extensive information about the 1200 page bill, including a fact sheet and a Title by Title summary. Below are a few key provisions related to teacher preparation.

- Reauthorization of Title II, the teacher preparation title, including the Teacher Quality Partnership Grants with a \$500 million authorization level, a new “Grown Your Own” program, and additional institution and state-wide data collection about teacher preparation programs;
- A new “Elevation of the Teaching Profession Study” which would authorize the Secretary of Education to establish an advisory committee to conduct a feasibility study “on the elevation of the education profession by examining State policies related to teacher and school leader education and certification, produce a comprehensive set of expectations that sets a high bar for entry into the profession and ensures that all entering teachers and school leaders are profession-ready, and develop recommendations to Congress on best practices with respect to elevating the education profession that are evidence-based, reliable and verified by the field;”
- Reauthorization of new programs in Title II B, including programs which would support dual certification for teachers in general education and special education and address the shortage of higher education faculty in teacher preparation, such as special education;
- Strong provisions in Title VII and more related to expanded access to higher education for students with disabilities;
- Inclusion of three loan forgiveness programs used by teachers, including the Public Service Loan Forgiveness program;
- Inclusion of the TEACH grants with the following changes: eligibility for freshmen and sophomores in four-year institutions is eliminated (though the amount for juniors and seniors is increased to \$8000 per year) and allowing eligibility for students in two-year terminal AA programs in early childhood;
- Authorization of Teach for America at \$30 million.

It appears that Chairman Scott’s intention is to mark up the bill in the Committee on Education and Labor by the end of October and bring it to the floor of the House before the end of the year. The bill will not likely have any Republican support, as it is dramatically different from the PROSPER Act, which was introduced by Ranking Member Virginia Foxx (R-NC) in the last Congress and opposed by all Democrats.

As you will recall, shortly before recess, Sen. Alexander (R-TN), introduced a bill with portions of HEA reauthorization provisions, the Student Aid Improvement Act – S. 2557 - but not a full-throated reauthorization. So while there is movement on HEA reauthorization in both chambers, the likelihood of a completed reauthorization before the end of the Congress in December 2020 seems remote.

<https://edlabor.house.gov/the-college-affordability-act-facts>

https://www.washingtonpost.com/local/education/house-democrats-unveil-higher-education-plan-to-lower-college-costs/2019/10/14/9c8aadb6-eed2-11e9-89eb-ec56cd414732_story.html

<https://www.congress.gov/bill/116th-congress/senate-bill/2557?s=1&r=3>

3. Assistant Secretary Johnny Collett Suddenly Leaving Department of Education

In a move that seemed to take everyone by surprise, Assistant Secretary for the Office of Special Education and Rehabilitation Services (OSERS) Johnny Collett announced his resignation as of today. He has indicated that he is returning to Kentucky to spend more time with his family. Collett has served as the head of the agency since his 2017 nomination to the post. Mark Shultz, who has been commissioner of the Rehabilitation Services Administration since August, will take on the role as Assistant Secretary in an acting capacity.

Collett is known for his initiative to “rethink special education.”

<https://www.disabilitycoop.com/2019/10/17/trump-special-ed-chief-calling-it-quits/27318/>

4. New Resources for Educators

- **Axios** reports on the shift in higher education funding over the years from states to the federal government; for example, general appropriations for state spending on higher education dropped by 20% from 2008 to 2013. See:
<https://www.axios.com/higher-education-funding-federal-state-governments-52f58e89-7f03-438c-859b-20c7717b71cc.html>
- **NPR** featured the University of Iowa’s College of Education’s Belin Blank Center on Gifted Education with a focus on the work on twice-exceptional students. See:
<https://www.npr.org/sections/health-shots/2019/10/16/769397697/gifted-students-with-autism-find-an-intellectual-oasis-in-iowa>.
- For a heretofore untold story about the undermining of the “highly qualified” provision in No Child Left Behind, read this intriguing story ***Bernie Sanders Stood up to Teach For America When Congress Wouldn’t*** from Rachel Cohen in **Axios**. Advancing warning: I was interviewed for this piece!

See: <https://theintercept.com/2019/10/16/bernie-sanders-teach-for-america/>

Wishing you a gloriously colorful fall!

See you on twitter @janewestdc

Best,

Jane