



FEDERAL EDUCATION UPDATE

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FISCAL YEAR 2019 FUNDING (19/20 SCHOOL YEAR)

The final bill provided a \$581m increase in funding for USED, bringing the total to nearly \$71.5 billion.

The bill rejected the Trump administration's proposals to fund vouchers and privatization priorities, as well as proposed program eliminations and the proposal to consolidate USED with the Department of Labor.

Tracking a few key programs, here are some that received increases:

- Title I, \$100m;
- Title II I is level funded;
- IDEA, \$87m
- Title IV, \$70m
- 21st Century, \$10m
- Impact Aid, \$32m
- Perkins Career & Technical Education, \$95m; and
- Head Start, \$200 m

BUDGET YEAR 2020 (FOR 20/21 SCHOOL YEAR)

President Trump released his FY20 budget on March 11. It is built on a premise of cuts to non-defense discretionary funding. Eliminates 29 education programs (incl. Title II and IV), and cuts education by more than 10%, but has \$5b for a new tax credit voucher program.

House-passed appropriations bill exceeds caps and provides an increase of \$4b to education.

October 31, the Senate advanced package of bills to fund Departments of Agriculture, Commerce, Justice, Science, Interior, Environment, Transportation, and Housing and Urban Development. But Defense, Labor, HHS and education appropriations are still in limbo.

The process has broken down over funding levels and defense spending. GOP only wants 1% increase to US D (compared to 10% increase proposed in House bill), IDEA and Title I to be level-funded. Dispute over spending for construction of border wall.

Continuing Resolution (CR) passed in September until November 21, 2019. This week legislators will need to work on another CR to continue temporary funding for the US DOE.



US DEPARTMENT OF EDUCATION

- We are on the look out for:
 - ESSA Fiscal Transparency Guidance
 - Title IX Regulation
- Recently Released
 - Federal Commission on School Safety Recommendations
 - School Discipline Guidance decision
 - Supplement, Not Supplant (proposed guidance)
 - Equitable Services interpretation
 - ESSA Report on Title I Equity



PUBLIC CHARGE REGULATION

Was to be effective October 15, 2019, but now nationwide injunctions due to court orders in NY, CA, WA, MD and until final resolution of cases.

What is it? A public charge is a term used by U.S. immigration officials to refer to a person who is considered primarily dependent on the government for subsistence.

Who does the regulation impact? Children in mixed-status families where one family member may not have a green card but is here legally on a visa.

How does it impact them? Intended to disrupt access to federal healthcare, food and housing programs.

What is the goal? To deter people from accessing public benefits.

Impact:

- Parent may not consent to Medicaid services
- Child may not have access to SNAP benefits during nights/weekends
- Child may lose affordable housing and become homeless

Note: Accessing public benefits by a family member will not impact a person's public charge determination.



FCC: THE BATTLE OVER E-RATE

E-Rate is the fourth largest stream of federal support in the nation's public schools

Proposed Rulemaking from the Federal Communications Commission (FCC), under the leadership of Chairman Ajit Pai (Republican), would place limits on the amount of money the E-Rate program could make available to support school and library efforts to improve internet access. The FCC's proposal would set a cap for the overall Universal service Fund (USF). The proposed cap is nearly \$2 billion above current levels. Specific to E-Rate, the proposal would pair E-Rate with Rural Health Care under a single cap.

Even if connectivity prices continue to fall, the reality of increasing demand and skyrocketing costs with Rural Health Care create a scenario whereby USF programs are pitted against each other, with rural schools competing with rural health care for connectivity needs. This should not be an "either, or" funding approach

This establishes a troubling precedent of one program taking from another that may lead to a permanent change in the E-Rate's cap level

Talk to your representatives and senators about the importance of the E-Rate program and how much more you can accomplish with the program in its current format and at its current funding level.



INFRASTRUCTURE

2 goals: 1) ensure that the nation's public schools have an explicit path of engagement and support in any broad infrastructure package and 2) to address tax extenders, school construction, and tax credit bonds.

Our nation's public schools are one of the oldest and largest forms of public infrastructure in the U.S., and as such, any plan coming out of Congress must include an explicit provision to support school

Ask your senators and representatives to support efforts to reinstate Qualified Zone Academy Bonds (QZABs) as part of a broader tax extenders package. QZABS may be issued to rehabilitate or repair the public school facility in which the academy is established. In the House, the bill to advocate support for is H.R. 3301, the Taxpayer Certainty and Disaster Tax Relief Act of 2019.

Ask all your elected officials to sign on to the Rebuild America's Schools Act (H.R. 865 / S. 266) which would fund \$70 billion in grants and \$30 billion in bonds to help address critical physical and digital infrastructure needs in schools across the country.

SCHOOL NUTRITION

Reauthorizing the Healthy Hunger Free Kids Act of 2010 has been stalled since 2015. Should be reauthorized every 5 years.

In July, USDA released a Notice of Proposed Rulemaking (NPRM) that will revise and limit the Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP). More than 500,000 students will lose the automatic eligibility for free school meals as a result of the change.

Priorities for Child Nutrition Reauthorization:

- (1) Return to a Five-Year Administrative Review Cycle,
- (2) modify the Smart Snacks in Schools Rule
- (3) increase USDA Foods (Commodities) support for the School Breakfast Program, and
- (4) oppose any effort to block grant the School Meals Programs



HIGHER EDUCATION REAUTHORIZATION

The Higher Education Act (HEA) is supposed to be reauthorized every 6-7 years but last updated 2008.

Senator Lamar Alexander (R-TN) announced retirement so negotiations began with bipartisan negotiations with Sen. Patty Murray (D-WA) with hopes of resolution as his final move.

Outstanding issues include Title II (teacher prep), Title IV (student aid) and Title IX (sexual assault and harassment guidance). Negotiations stalled.

Alexander introduced The Student Aid Improvement Act- simplify FASFA, increase transparency of college costs, extend Pell, and funding for minority serving institutions. Murray will not support piecemeal approach.

End of October- House Ed Committee marked up and voted along party lines a comprehensive partisan reauthorization H.R. 4674- The College Affordability Act. GOP opposed to cost. Not sure if it will come to floor vote before end of year.

FEDERAL ADVOCACY ISSUES

- ESSA
- Perkins Career/Tech
- School Nutrition
- IDEA
- Rural Education (REAP, Forest Counties, Impact Aid)
- School Vouchers
- E-Rate/Lifeline/EBS
- School Safety
- Student Data & Privacy
- Medicaid/CHIP
- Higher Education Act
- Early Education
- Affordable Care Act
- Regulations: DoL and EPA
- Immigration / DACA- Supreme Court Arguments Today
- Taxes



QUESTIONS?

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