



## **Federal Advocacy & Public Policy Update**

May 1, 2020

### **NSBA Weekly Update**

#### **Congressional Update**

##### **Senate Returns to the Capitol**

The Senate is scheduled to reconvene on Monday, May 4, while the House does not plan to return to Washington, D.C. until the week of May 11 at the earliest. Once back in session, the Senate is anticipated to balance its regular work – including returning to confirming judicial and Executive Branch nominees – with beginning discussions around additional COVID-19 stimulus measures. In the last week, Senate Majority Leader Mitch McConnell (R-KY) has begun staking out his negotiating position for any future stimulus package, in addition to sounding concerns over unprecedented deficit spending. NSBA is continuing to call on Congress to provide additional emergency relief for school districts, including dedicated funding to help schools connect their students and teachers to broadband.

##### **House Speaker Established COVID-19 Oversight Panel**

House Speaker Nancy Pelosi (D-CA) announced the creation of a COVID-19 response oversight panel. The panel will be chaired by Majority Whip Jim Clyburn (D-SC). In addition to Rep. Clyburn, the Speaker tapped the following members to serv on the panel: Oversight Committee Chairwoman Carolyn Maloney (D-NY), Financial Services Committee Chairwoman Maxine Waters (D-CA) Small Business Committee Chairwoman Nydia Velázquez (D-NY), Rep. Jamie Raskin (D-MD), Rep. Bill Foster (D-IL) and Rep. Andy Kim (D-NJ.). House Republicans have not yet indicated if they will participate in the oversight panel.

##### **House Labor, HHS, Education Appropriations Subcommittee Plans COVID-19 Hearing**

In recent weeks, Congress has set-aside work on the fiscal year 2021 appropriations process to focus attention on responding to the COVID-19 emergency. The Senate and House spending committees are eager to turn their attention back to the annual budget, but COVID-19 remains their top priority. Next week, the House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies is holding a hearing on “The COVID-19 Response”. The hearing is scheduled for Wednesday, May 6 at 10:00 AM (EDT). Witnesses have not yet been announced. The livestream will be available [here](#).

## Administration Update

### **Department of Education Sends Waiver Authority Report to Congress**

The Department of Education released a [report](#) to Congress titled “Recommended Waiver Authority Under Section 3511(d)(4) of Division A of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act)”. The CARES Act (H.R.748) required the Secretary to report on whether the agency needed additional waiver authority, including IDEA authority, to help states and school districts navigate the pandemic. NSBA recently wrote the Department urging the Secretary to provide temporary limited and narrowly tailored waiver authority over IDEA to help school districts serve their students during the pandemic. The report to Congress asks for additional waiver authority from the Carl D. Perkins Career and Technical Education Act’s provisions on unexpended funds and professional development, and from certain provisions of the Adult Education and Family Literacy Act. The request seeks only two waivers from IDEA; allowing a delay of Part B initial evaluations and a continuation of Part C services until that time, and a waiver from the service or repayment obligations from IDEA personnel preparation grants if a recipient’s employment was interrupted because of the health crisis.

### **Department of Education Releases FAQs Around Equitable Services in Non-Public Schools**

The Department of Education released FAQs titled, *Providing Equitable Services to Students and Teachers in Non-Public Schools under CARES Act Programs*. The document provides information about delivery of equitable services for non-public school students and teachers under the CARES Act. The Governor’s emergency relief fund and the elementary and secondary relief fund require school districts to provide equitable services. The information is available [here](#).

### **Massachusetts Innovative Assessment Demonstration Authority Application Approved**

[Massachusetts](#) gained approval from the U.S. Department of Education to take part in the Innovative Assessment Demonstration Authority for the 2020-2021 school year. According to the Department, the “objective of Massachusetts’ new innovative science assessment is to build a new form of assessment incorporating technology-enhanced performance tasks that are more engaging for students and signal the state’s focus on deeper learning in classrooms.” The state’s new science assessments will be for grades 5 and 8 and will combine a streamlined version of the current state science assessment with interactive, engaging, and authentic science performance tasks. Note that Georgia and North Carolina were granted this flexibility in 2019 and Louisiana and New Hampshire were granted this flexibility in 2018.

### **Department of Education Announces Discretionary Grant for Creation of Innovative Learning Opportunities**

Secretary of Education DeVos has [announced](#) more than \$300 million in discretionary grant funds that states can use to “create adaptable, innovative learning opportunities for K-12 and postsecondary learners in response to the COVID-19 national emergency.” This grant will be funded through the Education Stabilization Fund authorized under the CARES Act; \$180 million will be used for the [Rethink K-12 School Models Grant](#) and \$127.5 million for the [Reimagining Workforce Preparation Grant](#). The Rethink K-12 Schools Models Grant is designed to open new, innovative ways for students to access education and will allow for students’ needs to be met. State education agencies can apply for funds in one of three categories:

- Microgrants for families, so that states can ensure they have access to the technology and educational services they need to advance their learning;
- Statewide virtual learning and course access programs so that students will always be able to access a full range of subjects, even those not taught in the traditional or assigned setting;
- New, field-initiated models for providing remote education not yet imagined, to ensure that every child is learning and preparing for successful careers and lives.

## **NSBA Updates**

NSBA is planning to join with more than fifty other national organizations next week in a special call to action urging Congress to support of \$4 billion in funding for the homework gap that would flow through the E-Rate program. The day is tentatively scheduled for Thursday, May 7, 2020. NSBA will be providing further details on the planned campaign next week.