

# Federal Education Policy: Looking Back and Looking Forward

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# What happened

- Impact Aid voucher proposal
- Perkins
- Tax Reform
- SCOTUS: Janus and Wayfair

# What is happening

- Appropriations
- Farm Bill (implications for SNAP and school nutrition?)
- Immigration: DACA, Public Charge
- IRS Regulations on SALT D/Tax Loophole

# What might happen

- Higher Education Act
- Student Data/ Privacy (fall out from Facebook?)
- Consolidation Plan
- ESSA: Will we see a Title I report?
- E-Rate changes

# Midterm Scenarios

- Don't quote me!

# Perkins CTE Reauthorization

- ▶ In July the House and Senate passed Perkins V, the newest reauthorization of the Perkins CTE Act
- ▶ It was a bipartisan process, but not one that contained a lot of sound policy changes
  - ▶ The House had twice passed a bipartisan reauthorization of Perkins that contained all but one of the top priorities for AASA
  - ▶ The Senate version did not contain our two top priorities—reducing administrative paperwork and streamlining the accountability system
  - ▶ The Senate version prevailed due to extreme pressure from the White House

# Perkins V

- ▶ New: uniform definition of CTE concentrator for purposes of accountability
- ▶ New! 5 measures of performance for accountability system, including one state picked measure.
- ▶ New: needs assessment requirement for districts to complete every 2 years to ensure collaboration and alignment with business/industry and higher-education.
- ▶ New: Requirement that you must spend money on area of greatest need as indicated by needs assessment

# FY19 Budget Proposal

- President released his FY19 budget proposal on Feb 12
  - \$63.2 b to USED, a cut of \$3.6 b/5%)
  - Continues prioritization of privatization
  - Budget proposal was modified to reflect cap increases, but those additional dollars went largely to doubling the amount available for choice (from \$500 m to \$1 b)
  - Eliminates: Title II, Title IV, 21<sup>st</sup> Century, Teacher Incentive Grants, Comprehensive Lit Grants, Forest Counties
  - Cuts: Impact Aid, Medicaid, SNAP
  - Freezes Title I, nominal increase to IDEA, freeze REAP, small increase to Perkins, cut to program that would support opioid abuse prevention
  - Includes the infrastructure proposal (\$200 b)

# FY19 LHHS Bill

- For the first time in nearly a decade, the House and Senate passed its LHHS appropriations bill
- Total education spending up more than \$500 million compared to FY18
  - Rejects privatization and consolidation proposals
    - Title I, \$100 million increase
    - Title II I is level funded
    - IDEA, \$87 million increase
    - Title IV, \$70 million increase
    - 21<sup>st</sup> Century, \$10 million increase
    - Impact Aid, \$32 million increase
    - Perkins Career & Technical Education, \$95 million increase
    - Head Start, \$200 million increase
    - \$45 million increase for charters

# Farm Bill

- ▶ House and Senate both passed their own (very different) Farm Bills
  - ▶ House bill increases work requirements for SNAP recipients
    - ▶ Could cause more than 1 million low-income households with about 2 million people to lose their benefits altogether or have them reduced - particularly low-income working families with children
  - ▶ Narrows categorical eligibility - lowering eligibility for SNAP
    - ▶ Directly impacts schools using categorical eligibility to enroll students in lunch and breakfast programs
  - ▶ Senate does not impact nutrition programs, besides administrative tweaks
- ▶ Conferencing the two bills has proven very difficult
  - ▶ Work requirements for SNAP beneficiaries will be very important to House chairman Conaway
  - ▶ Current iteration expired September 30

# Immigration

- ▶ Public Charge
  - ▶ Discouraging legal immigrants from using public services
    - ▶ Proposed including school lunch and breakfast, did not include
    - ▶ Will discourage families from using SNAP, Medicaid, public housing benefits
    - ▶ AASA comment template will be available soon

# IRS Regulations

- ▶ 12 states now have tuition tax credit programs where taxpayers can profit off of donations through using both state and federal tax credits
- ▶ After tax reform, some states created a SALT work-around, going to public schools or other public services
- ▶ The IRS recently regulated that BOTH are to be disallowed

# Student Data and Privacy

- ▶ FERPA was first AND last authorized in 1974
- ▶ Out of date, hard to understand in modern contexts
- ▶ Focus on privacy may lead to changes
- ▶ We are looking for updated definitions, assurances that districts are not responsible for app/service data breaches

# Education & the FCC

- FCC Chairman Pai has advanced a set of policy priorities that demonstrate either a lack of understanding of, or regard for, the importance of connectivity for schools and students
  - E-Rate: proposed policy that would eliminate/cut funding for internal connections
  - Lifeline: reversed policy that would allow the program to help address the homework gap
  - Network Neutrality: NN protections ended on June 11
- Collectively, these changes undermine what should be an obvious focus and priority for these FCC programs: ensuring continued affordable and equitable access to connectivity and related content

# Midterms

VOTE!

# Scenario: House flips, Senate stays Republican

- ▶ House committee will be very active, very progressive
  - ▶ Infrastructure (Rebuild America's Schools Act)
  - ▶ ESSA Oversight
  - ▶ Higher Education (Aim Higher Act)
  - ▶ Title IX/Civil Rights
  - ▶ Early Education (Child Care for Working Families Act)
  - ▶ Farm Bill
- ▶ Oversight of USED will be impactful
- ▶ Passing legislation through the committee will not

# Scenario: House and Senate Flip

- ▶ Similar to House flipping
- ▶ Congress will pass progressive legislation, it will be vetoed
  - ▶ Unlikely to have veto-proof majority

# Scenario: Republicans Keep Control

- ▶ President Trump and Congressional Republicans will be emboldened
  - ▶ Higher Education (PROSPER Act)
  - ▶ Tax Cut 2.0
  - ▶ ACA Repeal - Changes to Medicaid
  - ▶ Farm Bill
  - ▶ Vouchers/School Choice

# AASA Legislative Agenda

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

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