



Federal Advocacy & Public Policy Update

January 7, 2019

Congress

Partial Government Shutdown Continues as New Congress Begins

The 116th Congress convened last week and the House immediately turned attention to approving an appropriations bill designed to end the partial government shutdown, triggered by the White House's budget request for \$5 billion to expand the southern border wall. The House measure, approved Thursday evening, did not include funding for wall. The House vote shifts the budget debate back to the Senate where Majority Leader Mitch McConnell (R-KY) has stated that he will not bring any Fiscal Year 2019 legislation to the Senate floor that does not have the President's support.

This partial closure will not impact the U.S. Department of Education. However, other agencies – such as the Federal Communications Commission and the Office of Management and Budget – will be closed until Congress and the White House negotiate a resolution. The delay in completing the FY2019 funding process will likely impact the release of the Administration's FY2020 budget request to Congress, which typically occurs the first Monday in February. NSBA will provide updates as negotiations continue.

New Members Join Senate HELP Committee

Three new members joined the Senate Committee on Health, Education, Labor and Pensions (HELP) for the 116th Congress: Senators Mitt Romney (R-UT), Mike Braun (R-IN), and Jacky Rosen (D-NV). Departures from the Committee include Senator Orin Hatch (R-UT), who retired at the conclusion of the 115th Congress, and Senator Todd Young (R-IN), who has another Committee assignment.

Chairman Lamar Alexander (R-TN) and Ranking Member Patty Murray (D-WA) will continue to lead the HELP Committee. NSBA expects the Committee's initial work to include the Higher Education Act reauthorization, examining the law's college access and completion programs, educator preparation investments, and incentives for entering the profession. For the House Committee on Education and Labor, the complete membership roster will be announced soon.

The Administration

Secretary DeVos Eliminates School Discipline Guidance

Secretary DeVos recently announced a decision to withdraw non-binding U.S. Department of Education guidance aimed at closing racial disparities in school discipline. Secretary DeVos said, "In too many instances...I've heard from teachers and advocates that the previous Administration's

discipline guidance often led to school environments where discipline decisions were based on a student's race and where statistics became more important than the safety of students and teachers."

Some members of Congress have expressed opposition to this decision. House Education and Labor Committee Chairman Bobby Scott (D-VA) said rescinding the guidance "will undermine access to a quality education for students of color and students with disabilities." The Department of Education and Department of Justice wrote a [letter](#) announcing this policy change. The withdrawn guidance can be accessed [here](#).

E-Rate Implementation Will Continue During Partial Government Shut Down

Although the Federal Communications Commission is closed during the partial government shutdown, program operations for the E-rate program will not be disrupted. Daily administration of the E-Rate is conducted by the Universal Service Administrative Company (USAC). USAC is an independent, not-for-profit corporation, supported by the telecommunications industry through Universal Service Fund (USF) receipts, not federal appropriations. Participating schools and districts should continue regular communications with USAC, as needed. The E-Rate program provides almost \$4 billion annually in subsidies to school districts and libraries to facilitate affordable telecommunications services and Internet access.

NSBA

2019 Advocacy Institute

Join us for the 2019 [Advocacy Institute](#) scheduled January 27-29, 2019 - "*New Congress. New IDEA. New Opportunities.*"

Dr. Norman J. Ornstein, a resident scholar of the American Enterprise Institute, will be a keynote speaker along with Jon Meacham, author of [The Soul of America: The Battle for Our Better Angels](#), and Christopher Graves, President & Founder of the Ogilvy Center for Behavioral Science.

During the Advocacy Institute, we will launch NSBA's campaign for modernization and full funding of the Individuals with Disabilities Education Act (IDEA) and host sessions on "Delivering Workforce Readiness: School Districts & Business Partnerships," "The 2020 Census & Its Impact on Student Counts, Funding and Poverty in School Districts," "School Safety: The Federal Front, State Actions and Title IV," and "Medication Management: Issues and Challenges." Advance materials regarding IDEA are posted [here](#).