Agenda

- Congressional Context
- Funding
  - FFY 2017
  - FFY 2018
- ACA and Medicaid
- School Choice
- ESSA
- Supreme Court Rulings
- Other Bills

1st Session of the 115th Congress

- Convened in January 2017
- Re convene July 11th after July 4th recess
- August district work period) end of July
  - House in session under end of July
  - Senate announced they will work first 2 weeks in July
- Congress reconvenes September 5th
- Scheduled adjournment – TBD
U.S. Senate
52 Republicans
46 Democrats
2 Independents

U.S. House of Representatives
240 Republicans
194 Democrats
1 vacancy

Fiscal Year 2016 Outlays

Source: CEF based on CBO and OMB data
AND NOW THE BAD NEWS

CUTS POSSIBLE …Deeper in FFY 2018

President’s Budget for FFY 2018

- Requests $59 B for Department of Education
- $9 billion (or 13%) cut from the FFY 2017
- Request includes $1.4 B for new investments in public charter schools and private school voucher programs
  - $250 million plus optional portability for new Title I for LEAs
- Generally freezes for IDEA programs
- Includes an $800 B decrease for Medicaid that will directly affect the available funds for IDEA services.
Would eliminate 22 Education programs including:
- Preschool Development Grant;
- 21st Century Program (before and after school and summer programs);
- Title II of ESSA that supports effective instruction; and
- Jacob K. Javits Gifted and Talented Students Education Program

Would cut $72 B over ten years from the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs.

Would also cut the Supplemental Nutrition Assistance Program (SNAP) by more than 25% over those 10 years.

Would eliminate the Social Services Block Grant (SSBG), $1.7 B and Newborn Hearing Screening Program

**TITLE II FUNDING**

The Trump administration proposes scrapping the third-largest federal K-12 program, the $2.3 billion Supporting Effective Instruction State Grants, or Title II. Here’s how those grants were distributed in the 2015-16 school year.

- 52% Professional development
- 16% Class size reduction
- 25% Growth and equity teaching
- 6% Rural Education Achievement Program (REAP)
- 1% Other

**SOURCE:** U.S. Department of Education
### Appropriations for IDEA

<table>
<thead>
<tr>
<th></th>
<th>FFY 2017 Final</th>
<th>FFY 2018 President’s Proposal</th>
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<tbody>
<tr>
<td>IDEA 619 Preschool</td>
<td>$367.5 million</td>
<td>$367.5 million</td>
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<tr>
<td>IDEA Part C</td>
<td>$457.7 million</td>
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<tr>
<td>Part B 611</td>
<td>$12 billion</td>
<td>$11.89 billion</td>
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### Appropriations for Early Learning

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<tr>
<th></th>
<th>FFY 2017 Final</th>
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<tr>
<td>Child Care Development Block Grant</td>
<td>$2.756 Billion</td>
<td>$2.761 Billion</td>
</tr>
<tr>
<td>Head Start &amp; EHS</td>
<td>$9.151 Billion</td>
<td>$9.168 Billion</td>
</tr>
<tr>
<td>21st Century Learning Centers</td>
<td>$1.192 Billion</td>
<td>-0-</td>
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House Appropriations FFY 2018

- LHHS-ED Subcommittee **mark-up** July 13th
- **$5 B cut** from FFY 2017 – little detail
- Bill is **$5 Billion below the 2011 Budget Caps**
- **Cuts** to MH and Sub Abuse, 20th Century, etc
- **Eliminates** Special Olympics, Title II, HIV, new Literacy program, Teen Pregnancy, etc.
- **Small increases** for NIH, ESSA Title IV-A, IDEA Part B-611, Head Start and Child Care
- **Freezes** for Title I, IDEA Part C and 619, Preschool Grants, etc.

Where Are We Now?

- Final Funding must be in place by September 30, 2017
- May end up with a Continuing Resolution (CR) to keep the government in operation
- Unless an Omnibus Bill is agreed to by all
- Very few days left in this session
- These funds will be allocated to states under IDEA in July 2018
IDEA Full Funding Act
Introduced – H.R. 2902

- Introduced in June 2017 by Representative Jared Huffman (D-CA) – 21 co-sponsors
- Chris Van Hollen (D-MD) expected to introduced the Senate version soon
- Provides mandatory funding that puts the federal government on a 7-year glide path to reach the 40% of the additional costs associated with educating students with disabilities.
- Currently, the federal government funding is at 15% of those additional costs.
- Supports Part B 611 increases only - Part C, Preschool 619 and Part C are not included in the bill.

Debt Ceiling Needs to Be Raised

- Ceiling Reached in March
- Treasury has begun taking "extraordinary measures" to delay the U.S. government from defaulting
- Treasury asked House Speaker Ryan to lift the debt ceiling 'at its first opportunity.'
- Summer is expected REAL DEADLINE
Musical Interlude to Put Us in the Right Mood

https://youtu.be/eYE023CrMo4?t=147

The Affordable Care Act Repeal/Replace - House

- Passed in June
- Repeals/replaces ACA and cuts Medicaid by $880 Billion
- Biggest concern is per capita caps and/or block grants – historically, Fed pays approximately 63%
- Repeals mandatory Medicaid coverage for children ages 6-19 over 100% of the federal poverty level – 5 million could lose coverage
- Impact on special education and early intervention is ‘ginormous’
The Affordable Care Act
Repeal/Replace - Senate
- Bill #1 – done secretly – DOA and Bill #2 – nope
- Senate delayed vote until after July 4\textsuperscript{th} recess.
- Bill #3 – maintains tax increase on wealthy and maintains Medicaid cuts and caps
- Senate to stay in two extra weeks in August
- CBO score on Monday & vote expected Thursday
- All Democrats oppose and are definite NOs
- 2 Republicans (Collins and Paul) are Nos
- Need one more NO or bill will pass

School Choice
- When we talk about school choice what are we talking about?
Public School Choice

- Flexible school boundaries
- Magnet schools
- Public charter schools (virtually all charter schools are public)
  - The type of charter school affects its responsibilities
- Flexible programs (e.g., programs only offered at certain schools)

Non-Public School Choice, aka Vouchers

- Tuition tax credits exist in 17 states
  - Process diverts taxes owed to a state to charitable donations that are bundled and given to parents
- Giving voucher outright to parents for child to attend private school (e.g., proposed Title I portability)
- Educational savings accounts
- DC voucher program currently only federal voucher program
Secretary DeVos on Choice

- In House hearing, refused to say that schools accepting vouchers cannot discriminate
- In Senate hearing, she insisted they would have to comply with federal nondiscrimination laws. BUT...
  - What does IDEA say?
  - And which nondiscrimination laws apply?

ESSA Update

- **Now**: States developing ESSA plans, which include:
  - Assessment & accountability systems (Title I)
  - Supporting Effective Instruction (Title II)
  - Well-Rounded Education (Title IV)
- **April/September 2017**: States submit ESSA plans
  - 16 states and District of Columbia submitted state plans
  - Initial feedback to Delaware, Nevada, and New Mexico
- **2017-2018**: Transition year for many States
- **2018-2019**: Full Implementation
ESSA Implementation

- Administration repealed accountability regulation
- Assessment reg still in place
- Biggest special ed issues:
  - 1% cap and
  - 1% alternate diploma

Federal ESSA Webpage

Other Issues to Think About in ESSA

- ESSA eliminated highly qualified teacher provision and changed comparable provision in IDEA
- Socio-emotional issues/school climate
- School rankings
- Title IV-A: new block grant but will it be funded?
What Was That IDEA?

- Repeat after me:
  IDEA reauthorization is not happening any time soon
- But note NASDSE’s Principles for Reauthorization at www.nasdse.org
- ITCA is in process of developing Preliminary Recommendations for IDEA
- Department just published conforming technical changes to regulations (ESSA) and to statute (Rosa’s Law)

Other Hot Button Education Issues

- House has passed career and tech ed reauthorization
- Repeal of teacher preparation regs
- Data privacy was a big issue in the last Congress – FERPA is out of date and out of synch with HIPPA
- Online learning – huge issue
- Personalized learning
ESSA May Impact IDEA Reauthorization

- High standards for SWD
- Stakeholder engagement (apparently no longer important in ESSA)
- More flexibility
- Limitations on Secretary’s authority

Supreme Court Cases

- The Court heard two special ed cases this term:
  - Fry v. Napoleon Community Schools
  - Endrew F. v. Douglas County School District
- Plus
  - Trinity Lutheran Church of Columbia, Inc. v. Comer
Home Visiting

- MIECHV, initially authorized in the ACA, set to expire September 30, 2017
- H.R. 2824, the Increasing Opportunity through Evidence-Based Home Visiting Act, introduced with a five-year extension at the current annual allocation of $400 million.
- Bill also includes modifications to the program.
- An analysis of the modifications in the bill is available here.
- Home Visiting Coalition http://homevisitingcoalition.com

Home Visiting Coalition: National Day of Action

- Wednesday, July 12, 2017
- To demonstrate commitment to seeing the Maternal, Infant, and Early Childhood Home Visiting program (MIECHV) reauthorized for five years, in its current form, with an increase in funding to $800 million a year.
- Home Visiting Coalition sent a letter to members of Congress signed by hundreds of organizations urging MIECHV’s reauthorization, protection, and expansion.
- Politico full-page ad highlighting the letter and its message.
- Called for tweeting and emailing Senators and members of Congress.
Early Hearing Detection and Intervention Act (EHDI)

- Almost completed by last Congress
- Since 1999 funded to provide federal funds for state grants to develop infant hearing screening and intervention programs.
- S. 652 (awaiting Senate action) and H.R. 1539 (referred to Subcommittee) introduced in March 2017
- Leading sponsors are Senators Rob Portman (R-OH) and Tim Kaine (D-VA), and Representatives Brett Guthrie (R-KY) and Doris Matsui (D-CA).

NEW: The First Five Years Fund National Poll for 2017

- 79% of voters (bipartisan) want Congress and the administration to work together to improve the quality of child care and preschool, and make it more affordable for parents.
- 58% of voters say that Congress and the president are not giving early childhood education the attention it deserves.
- 85% of voters say there should be increased funding for child care that directly supports greater access to quality programs for low- and middle-income children while their parents work or attend school.
There is strong support for essential investments in quality early childhood education from birth through age five

- **89%**
  Making early education and child care more affordable for working families to give children a strong start.

- **86%**
  Helping states and local communities build better preschool services for parents and making them more accessible to children from low- and middle-income families.

- **78%**
  Providing voluntary home visiting and parent education programs that help first-time parents support their child’s early learning, health, and emotional development.

- **78%**
  Making available high-quality learning programs for infants and toddlers to give them a strong start on developing school-ready knowledge and social skills.

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Discussion