Federal Update

August 13, 2018
Sharon Walsh
ITCA
The Real World

Washington DC
Agenda

- Supreme Court
- Election
- Executive Branch
- Funding
- Early Childhood
  - Enacted
  - Bills
- What’s Next Besides the Election?
Big Questions - Branches of Government?

- When will a new Supreme Court Justice be approved by the Senate?
- In January, which party will control the House?
- In January, which party will control the Senate?
- Will there be a government shutdown September 30, 2018?
U.S. Supreme Court
The Justices

Judge Brett Kavanaugh nominated
Congress - 115th

51 Republicans
47 Democrats
2 Independents

238 Republicans
193 Democrats
4 Vacancies
Midterm Elections

- All 435 seats in the U.S. House of Representatives
- 35 seats in the U.S. Senate
- 36 State Governors
- 1,000+ state-level officials
OSERS

Office of Special Education and Rehabilitative Services (OSERS)

Johnny Collett
Assistant Secretary
OSERS

Office of Special Education and Rehabilitative Services (OSERS)

Kimberly Richey
Deputy Assistant Secretary
In accordance with Executive Order 13777, “Enforcing the Regulatory Reform Agenda,” the U.S. Department of Education posted a Federal Register Notice: To provide the public the opportunity to submit comments concerning regulations and policy guidance they recommend the agency review, modify, or repeal.

Comments were due on September 20, 2017.
Plan to Reorganize the Government

- Administration reform proposal Delivering Government Solutions in the 21st Century, Reform Plan and Reorganization Recommendations
- Special education would be an area under K-12 education.
- Would move federal nutrition assistance programs from Department of Agriculture to Department of HHS which would be renamed the “Department of Health and Public Welfare”
- Most reforms will need Congressional action.
Federal Actions Need to Ensure Parents Are Notified About Changes in Rights for Students with Disabilities

- Congress should consider requiring states notify parents about changes in federal special education rights when a parent moves a child from public to private school.

- Recommends Education review and correct inaccurate IDEA-related information provided by states.
Department of Education national civil rights data for school year 2013-2014

Patterns of:
- Out-of-school suspensions
- In-school suspensions
- Expulsions
- Referrals to law enforcement
- School related arrests
- Corporal punishments
Significant Findings:

- Students who are Black, boys, and students with disabilities were disproportionality disciplined (e.g. suspensions and expulsions) in K-12 public schools.

- By the Way - This is consistent with race and gender discipline disproportionality in early childhood according to the Office of Civil Rights Data (not disability)
Fiscal Year 2017 Outlays
Source: FY2018 OMB Budget

2017 Outlays by category

- Defense Discretionary
- Non-Defense Discretionary - excluding education
- NDD - just education
- Mandatory - Social Security
- Mandatory - Means Tested
- Other Mandatory
- Mandatory - Net Interest

2%
Congress – FY 2018 Funding

September 2017 – March 2018

- Congress Passed 5 continuing resolutions.
- 2 Government shutdowns.
- March 23, 2018 – Passed $1.3 trillion spending bill – increase of $3.9 billion for ED – slight increase to IDEA Part B, Section 619 and Part C.
FFY 2018 IDEA Funding Increases

- $12.8 million increase for **Part B Sec 619 of IDEA**
- $11.4 million increase for **Part C of IDEA**
- Triggers set-aside under IDEA section 643(e)
- Provides for **15% of the amount over $460 million** to be made available for states who have policies approved for the option to serve children under Part C after age three years,
- This set aside is **$1.5 million**.
- No state can receive more than **$300,000.00** under this provision – DC and MD
- Funds are redistributed
More FFY 2018 Increases

- Child Care Development Block Grant - $2.4 billion increase in FFY 2018
  - Expected to provide services to about 151,000 more children nationally

- Title V Maternal and Child Health Services Block Grant - $651.7 million, a $10 million increase from FFY 2017

- IDEA 611, state special education grants - $12.3 billion, a $275 million increase

- ESSA Title 1 - $15.8 billion, a $300 million increase
More FFY 2018 Increases

- $610 million increase for **Head Start**
- **Child Abuse Prevention and Treatment Act (CAPTA)** - $85.3 million, a $60 million increase
- $20 million increase for **21st Century Community Learning Centers**
- **Child Care Means Parents in School (CCAMPIS)** - $50 million, a $34.87 million increase for this program that funds child care for mothers in college
- **Infant and Early Childhood Mental Health** - $5 million – this is a new program
President’s Budget for FFY 2019

- **Education's budget** cut by approximately 5.4 percent
- Level funds **IDEA** state grant programs and the **IDEA** Part D program at FFY 2017 levels
- $1 billion increase for public and private school choice through the **new Opportunity Grants program**
- **Title II of ESSA** eliminated - currently funded at $2.0 billion
- **21st century community learning centers** eliminated - funded at $1.2 billion
- **Comprehensive literacy development grants** eliminated, funded at $190 million
- **Preschool Grants Program** eliminated
President’s Budget for FFY 2019

- Eliminates the **Community Services Block Grant (CSBG)**.
- Eliminates the **Low Income Home Energy Assistance Program (LIHEAP)**, which provides heating and cooling assistance to about 6 million low-income households.
- Eliminates the **Social Services Block Grant**, which provides child care, senior care and other family services.
- Proposes significant cuts in **Medicaid**. The budget cuts Medicaid and subsidies for private coverage in the marketplace by **$763 billion** over 10 years. It eliminates the ACA’s Medicaid expansion and its subsidies.
- Assumes **Medicaid** revisions as per Graham/Cassidy bill in 2017.
More FFY 2019 Proposals

- Cut of $6 million in UCEDs
- Cut of $17 million in DD Councils
- Freeze in MCH Block Grant
- Increase of $85 million for Head Start
- Increase of $169 million for the Child Care Development Block Grant
- Conversion of the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program funding from mandatory funding to discretionary
- Cuts Temporary Assistance for Needy Families (TANF) by $10 billion over 10 years, including elimination of the TANF Contingency Fund. Currently, 75% of TANF funding goes to children.
FFY 2019 Funding

**Senate**

- **CCBDG** $5.2 B maintains $2.4 B increase in FFY’18.
- **Head Start** $10.1 B includes $250 million increase over FFY’18.
- **Preschool Development Grants** - $250 million

**House**

- $5.2 Billion maintains the $2.4 Billion increase in FFY’18
- $9.9 B includes a $50 million increase over FYY’18
- $250 million
<table>
<thead>
<tr>
<th>Federal Program</th>
<th>2019 House Appropriations Committee</th>
<th>2019 Senate Appropriations Committee</th>
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<tbody>
<tr>
<td>IDEA – Part B</td>
<td>$12.328 B (+ $50 M)</td>
<td>$12.403 B (+ $12.5 M)</td>
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<tr>
<td>IDEA – Part B Section 619 (Preschool)</td>
<td>$395 M (+ $14 M)</td>
<td>$381 M (Level Funded)</td>
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<tr>
<td>IDEA – Part C</td>
<td>$470 M (Level Funded)</td>
<td>$470 M (Level Funded)</td>
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<tr>
<td>IDEA – Part D - State Personnel Development</td>
<td>$41 M (+ $2 M)</td>
<td>$39 M (Level Funded)</td>
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<tr>
<td>IDEA – Part D - Technical Assistance and Dissemination</td>
<td>$44 M (Level Funded)</td>
<td>$44 M (Level Funded)</td>
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<tr>
<td>IDEA – Part D - Special Olympics Education Programs</td>
<td>$0 ($ -16 M)</td>
<td>$18 M ($+2 M)</td>
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<tr>
<td>IDEA – Part D - Personnel Preparation</td>
<td>$89 M ($ +5 M)</td>
<td>$84 M (Level Funded)</td>
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<tr>
<td>IDEA – Part D - Parent Information Centers</td>
<td>$27 M (Level Funded)</td>
<td>$27 M (Level Funded)</td>
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<tr>
<td>IDEA – Part D - Educational Technology, Media, and Materials</td>
<td>$28 M (Level Funded)</td>
<td>$28 M (Level Funded)</td>
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FY 2019 Appropriations

- FY 2018 Funding expires September 30, 2018.
- Will Congress pass a FY 2019 Budget by October 1, 2018?
- Will there be a continuing resolution?
- Will there be a government shutdown?
CHIP Finally Reauthorized

- One of the CRs reauthorized the Children’s Health Insurance Program (CHIP) for 6 years
- Final budget added 4 more years
- CHIP provides healthcare for close to 9 million children
- Program expired September 30, 2017
Home Visiting

- MIECHV, initially authorized in the ACA, expired September 30, 2017
- States had send families letters about expiration
- Home Visiting Coalition
  http://homevisitingcoalition.com
- Finally reauthorized in final FFY 2018 Spending Bill
Early Hearing Detection and Intervention Act (EHDI)

- Since 1999 provided federal funds for state grants to develop infant hearing screening & intervention programs.
- Despite strong support, reauthorization took many years
- President’s signed into law
- Became Public Law No: 115-71
- Leading sponsors were Representatives Brett Guthrie (R-KY) and Doris Matsui (D-CA), and Senators Rob Portman (R-OH) and Tim Kaine (D-VA)
Title IX Preschool Development Grants

Initial grants
• 1 year

Renewal grants
• Up to three years
• State match – 30%

Renewal grants used to:
• Provide preference to rural areas with service gaps
• Implement activities in areas in need of improvement
• Expand access to existing programs
• Address the needs of un-served children and families
• Supplement, not supplant, other public funds
New Preschool Development Grant Birth Through Five

- August 14th funding announcement include infants and toddlers.
- Applications Due October 15th
- Coordination of ACF/HHS and Department of Education
- Through the renamed Preschool Development Grant Birth through Five (PDG B-5), a total of $250 million will be awarded to assist states in coordinating existing early care and learning services and funding streams to provide equal access to more children birth through age five.
- Up to 40 grants will be made from $500,000 to $10 million.
- First Five Years Fund Resource:
  - https://www.ffyf.org/what-you-need-to-know-about-the-new-preschool-development-grant-b-5/?mc_cid=7c5fb4d18c&mc_eid=5489258f22
ESSA and Early Childhood

- **Early Learning in the ESSA Act** U.S. Department of Education, Office of Early Learning, 2016
- **What Early Learning in ESSA Can Look Like for States and Districts First Five Fund** 2017
- **Unlocking ESSA's Potential to Support EL**
- **CEELO ESSA** Center on Enhancing Early Learning Outcomes (CEELO) webpage on ESSA implementation

Child Care for Working Families Act

- Senator **Patty Murray** (WA-D) introduced S.1806 that has 33 cosponsors
  - [https://www.congress.gov/bill/115th-congress/senate-bill/1806?q=%7B%22search%22%3A%5B%22Child+Care%22%5D%7D&r=1](https://www.congress.gov/bill/115th-congress/senate-bill/1806?q=%7B%22search%22%3A%5B%22Child+Care%22%5D%7D&r=1)

- Representative **Bobby Scott** (VA-D) introduced H.R. 3773 that has 126 cosponsors
  - [https://www.congress.gov/bill/115th-congress/house-bill/3773?q=%7B%22search%22%3A%5B%22Child+Care%22%5D%7D&r=2&overview=open#content](https://www.congress.gov/bill/115th-congress/house-bill/3773?q=%7B%22search%22%3A%5B%22Child+Care%22%5D%7D&r=2&overview=open#content)
Outline of the Bill – A Vision for the Future

- Title I – Child Care and Development Assistance
- Title II – High Quality Preschool
- Title III – Head Start Expanded Duration
- Title IV – Appropriations for Supports and Services for Inclusive Child Care for Infants, Toddlers, and Children with Disabilities – Part C and Preschool 619
- Title V – Maternal, Infant, and Early Childhood Home Visiting Program
Our Charge......Our vision

How can these policies and increased funding support our shared vision of full participation for all young children in inclusive early care and learning community settings?
When Will IDEA Be Reauthorized?
- Head Start Act
- Education Sciences Reform Act
- Higher Education Act
What Happens Now?

- Farm Bill (includes SNAP)
- Medical Insurance Leave (FAMILY) Act (S. 337/H.R. 947)
- Immigration
- Health Care
- Medicaid
- Government Reorganization
- Vouchers
• Dept of Education's Early Learning Web Page
  • https://www2.ed.gov/about/inits/ed/earlylearning/index.html
  • Monthly email newsletter available – you can subscribe at the bottom of web page
Thank you!