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Budget and Appropriations

As Congress eyes the July 4 recess, there has been a flurry of activity. Most notably, a group of senators were able to rally support for [a bipartisan bill](#) that aims to keep firearms away from dangerous people and gives communities and schools resources to address mental health and other supports. The bill invests in programs to expand mental health and supportive services in schools (e.g., Project AWARE), including early identification and intervention programs and school-based mental health and wrap-around services. It also gives additional funds to education programs, including the 21st Century Community Learning Centers (\$50 million) and the Title IV, Part A, program (\$1 billion). (A summary can be found [here](#).) The Senate passed the bill Thursday night by a vote of 65-33, with 15 Republicans crossing the aisle. The House followed suit, and President Biden signed the bill into law on Saturday.

In education spending news, the House Labor, Health and Human Services and Education Appropriations Subcommittee [released its FY 2023 spending proposal](#) on Wednesday. The bill provides a total of \$86.7 billion in discretionary appropriations for the Department of Education (ED), an increase of \$10.3 billion above the FY 2022 enacted level. The bill would invest \$50.9 billion in K-12 education — an increase of \$8.3 billion over last year; \$3 billion of that increase would go to Title I spending. Most other K-12 programs would also see significant increases, with \$120 million more for after-school programs, an increase of \$100 million for Title II-A (Supporting Effective Instruction State Grants), and continued support for a comprehensive social and emotional learning (SEL) initiative. Higher education programs also fared well, seeing an increase of \$968 million in FY 2023. Appropriations Committee Chair Rosa DeLauro (D-CT-03) said of the bill, “I am proud that this 2023 Labor, Health and Human Services, and Education funding bill makes transformative investments that help working families with high costs of living, create American jobs, support workers and strengthen our health care infrastructure. This bill touches people at every stage of their lives, and the massive funding increase will create a society that provides people with the help they so desperately need. With this funding, House Democrats are ensuring the American people — our workforce, public health infrastructure and education system — are equipped with the resources needed to allow our communities to thrive.”

The bill was marked up by the subcommittee on Thursday night. Chairwoman DeLauro and Ranking Member Tom Cole (R-OK) presided over a cordial proceeding and paid each other compliments, although Republicans expressed opposition to the measure, citing discomfort with the spending level proposed and various policy riders. The bill was passed via a voice vote. Members are presumably

reserving amendments and partisanship until the June 30 full committee markup. Spending bills will likely be on the House floor in July. The Senate still hasn't said when it might begin consideration of its funding plans.

Also on Thursday, ED [released](#) for public comment proposed changes to the regulations that help K-12 schools and colleges and universities implement Title IX. The release came a day after [ED's celebration](#) of the 50th anniversary of the law. Secretary of Education Miguel Cardona said of the revised regulatory package, "As we celebrate the 50th anniversary of this landmark law, our proposed changes will allow us to continue that progress and ensure all our nation's students — no matter where they live, who they are or whom they love — can learn, grow and thrive in school." Stakeholders have 60 days to comment on the [proposed guidance](#).

Last week was also full of rumors around progress of and prospects for the competitiveness package and ongoing conference negotiations. Democratic leadership has asked conferees to complete their work as soon as possible to facilitate passage of a compromise package by the August recess. They have been encouraged to identify areas of agreement and focus efforts there, versus negotiating points where there is disagreement. STEM education advocates are watching closely to be sure their priorities, many of which are in both bills, are included in the final package.

The Senate will be in recess this week and the House will be engaged in committee work. Both chambers will be in recess the week of July 4 and return the week of July 11. Then, it will be a long slog until the August recess, which is scheduled to begin for House lawmakers on July 29. Senate lawmakers will follow on August 6.

CONGRESS PASSES KEEP KIDS FED ACT, PRESIDENT BIDEN SIGNS BILL INTO LAW

On Thursday, June 23, House Republicans and Democrats reached a final agreement and passed the bipartisan Keep Kids Fed Act of 2022 (H.R. 8150), which provides funding and flexibility for communities to provide children summer meals, as well as support to schools and daycares to respond to supply chain challenges and high food costs for the coming school year. Specifically, the measure provides meal flexibility across the nation without cost increases; allows the use of food program waivers in the summer months; increases reimbursement rates (an additional 15 cents per breakfast and 40 cents per lunch for the 2022-23 school year); and provides support to the Child and Adult Care Feeding Program. In his remarks during floor debate, House Ed and Labor Chairman Bobby Scott (D-VA) said, "As we continue to recover from the pandemic, the Keep Kids Fed Act of 2022 will take a critical step to support child nutrition programs and prevent children from going hungry during the ongoing public health emergency...This is a step well worth taking." On Friday, the Senate amended S. 2089 to include the language of the Keep Kids Fed Act and the House concurred. President Biden signed S. 2089 into law on Saturday, June 25. House Ed and Labor Ranking Member Virginia Foxx (R-NC) commented on the bill's passage, saying that the Keep Kids Fed Act "will empower schools to weather supply chain problems and inflation with targeted and temporary aid to schools." More information on the bill can be found [here](#).

URBAN INSTITUTE EXAMINES TECH-CENTERED REGISTERED APPRENTICESHIPS

On Wednesday, June 22, the Urban Institute hosted a webinar titled, "Expanding Access to Tech through

Registered Apprenticeships.” The virtual event featured Congresswoman Alma Adams (D-NC); Zach Boren, senior policy program manager at the Urban Institute; Devin Corrigan, U.S. government affairs lead at Multiverse; Diana Elliott, a senior fellow at the Urban Institute; Rayanne Hawkins, policy program manager at the Urban Institute; Jorge Marquez, senior vice president for apprenticeship and workforce innovation at Robert Half Government; Nina Ong, apprenticeships lead at Google; Wolf Reese, a software development engineer at Twitch; Nikunja Swain, chair, professor and executive director of the Center of Excellence in Cybersecurity at South Carolina State University; and Lateesha Thomas, chief executive officer and co-founder of Onramp. Participants noted the high demand for high-quality and rewarding tech careers yet underscored the growing tech skills gap. They also highlighted challenges workers face with breaking into the tech industry, voicing a lack of formal credentials and direct job experience. With these issues in mind, webinar participants turned to one promising solution: registered apprenticeship (RA). Representatives from the Urban Institute reviewed lessons learned from a three-year project that helped launch 1,800 apprenticeships and more than 20 new programs in the tech industry. They also elaborated on the Urban Institute’s degree-based [registered apprenticeship program in cybersecurity](#), a collaboration between South Carolina State University, several tech companies, and a consortium of Historically Black Colleges and Universities in South Carolina. “As our nation deepens its relationship with technology, it’s critically important that we build a workforce that is prepared to oversee new and emerging technological infrastructure,” Congresswoman Adams said. “Now, more than ever, we must invest in our workers and talent pipeline,” she continued. She also highlighted her support for the America COMPETES Act, which includes robust support for apprenticeships. Additional panelists were each given the opportunity to highlight their respective company’s recruitment of tech talent through apprenticeship programs, underscoring the importance of applied learning, accessibility, community, diversity, durability and adaptability. An archived recording of the webinar will be posted [here](#).

SENATE HELP COMMITTEE HOLDS HEARING ON SUPPORTING STUDENTS AND SCHOOLS

On Wednesday, June 22, the Senate Health, Education, Labor, and Pensions (HELP) Committee held a hearing titled, “Supporting Students and Schools: Promising Practices to Get Back on Track.” Witnesses included Dr. Dan Goldhauber, director of the National Center for Analysis of Longitudinal Data in Research at the American Institutes for Research; Charlene M. Russell-Tucker, commissioner for the Connecticut State Department of Education; Kurt Russell, 2022 National Teacher of the Year and a high school history teacher; and Erin Wall, the mother of a son with disabilities. Chairwoman Patty Murray (D-WA) began the hearing by highlighting the “valuable time” that students lost in the classroom because of the COVID-19 pandemic. She applauded the \$122 billion in American Rescue Plan funds that went to schools, which helped reopen schools, supported mental health challenges with counseling services, and “provided students with summer learning, tutoring and other opportunities to address the impacts of this pandemic.” She continued by stressing the importance of passing additional COVID-19 relief measures in order to adequately prepare students and families for the 2022-23 school year and “what the pandemic might throw at them next.” Ranking Member Bill Cassidy (R-LA) remarked student learning loss “might take years to overcome,” which he blamed on the closure of schools. He argued that “money is not the issue,” noting that schools stayed closed following the “massive influx of cash” and highlighted that charter schools remained open at higher rates than public schools. He concluded saying, “The decisions made by adults have inflicted tragedy upon an entire cohort of students,” and

emphasized the need to reflect on those decisions and learn from them. A common theme among member questions was the effect of the pandemic on students with disabilities and the value of mental health professionals, as well as teacher compensation, with several witnesses acknowledging the expanded responsibilities educators now face, particularly due to the pandemic and school shootings. An archived recording of the hearing and witness testimony can be found [here](#).

ED RELEASES PROPOSED CHANGES TO TITLE IX REGULATIONS

On Thursday, June 23, the Department of Education (ED) released for public comment [proposed changes](#) to Title IX regulations that aim to strengthen discrimination protections in educational programs on the basis of sex, gender identity and sexual orientation, undoing Trump-era rules governing sexual misconduct allegations at schools and universities. According to ED, the proposed amendments will restore crucial protections for students who are victims of sexual harassment, assault and sex-based discrimination — “a critical safety net for survivors that was weakened under previous regulations,” the department stated in its [press release](#). Current Title IX mandates do not protect students from discrimination on the basis of sexual orientation or gender identity. The changes proposed Thursday would establish those as protected identities, as well as boost protections for pregnant students. The proposed changes would also do away with requirements set by the Trump administration that schools host live hearings and cross-examine students who bring sexual-misconduct claims. Education Secretary Miguel Cardona said the changes, which would apply to elementary and secondary schools, as well as colleges and universities that receive federal funding, would “ensure all our nation’s students — no matter where they live, who they are or whom they love — can learn, grow and thrive in school.”

HOUSE APPROPRIATIONS COMMITTEE MARKS UP FY23 LABOR-H BILL

On Thursday, June 23, the House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies (Labor-H) approved its fiscal year 2023 funding bill by a voice vote. For 2023, the bill provides \$242.1 billion, an increase of \$28.5 billion, or 13%, above 2022, a historic increase; the bill provides a total of \$86.7 billion in discretionary appropriations for the Department of Education, an increase of \$10.3 billion above the FY 2022 enacted level. The bill notably invests in workforce training, apprenticeship programs and education, including significant funding for high-poverty schools and students with disabilities, and strong increases for programs that expand access to postsecondary education, as well as supports for middle class and working families with increased funding for childcare, Head Start and preschool development grants. A summary of the bill is [here](#). The text of the draft bill is [here](#). The bill next heads to full committee for markup.

SENATE AND HOUSE PASS GUN LEGISLATION, PRESIDENT BIDEN SIGNS IT INTO LAW

On Thursday, the Senate passed by a 65-33 vote the bipartisan gun safety legislation in Congress’ most significant response to gun violence and school shootings in nearly 30 years. The bill bolsters gun safety measures through expanded background checks, restricts certain individuals from owning firearms and provides incentives for states to enact “red-flag” programs. On school safety, the bill requires the Homeland Security Department (DHS) to create a federal clearinghouse on evidence-based practices and recommendations to improve school safety. The clearinghouse would have to identify state agencies

responsible for school safety or for states that do not have such agencies, determine grant programs and other funding sources that could be used to implement the evidence-based measures, and help parents identify relevant clearinghouse resources to support its implementation. The bill also provides \$4.64 billion in additional funding (with offsets) for programs at the Department of Justice (\$1.6 billion), Health and Human Services (\$990 million) and the Department of Education (\$2.05 billion). At the Department of Education, the bill authorizes \$1.05 billion in emergency funding for school improvement programs, most of which are allocated for competitive grants to high-need local educational agencies to foster safe school environments, and also provides an additional \$1 billion over five years for states to increase the number of qualified school-based mental health service providers in local educational agencies and to support partnerships to train providers. At the Department of Health and Human Services, the measure invests in community mental health block grants (\$250 million) and Project AWARE (\$240 million), a program to foster partnerships and collaboration between state and local systems to prevent youth violence and promote the healthy development of school-aged youth. The package, negotiated by Sens. Chris Murphy (D-CT), John Cornyn (R-TX), Kyrsten Sinema (D-AZ) and Thom Tillis (R-NC), passed in the House by 234-193. President Biden signed the bill into law on Saturday. For more information, click [here](#).