

JANUARY 2019 PUBLIC POLICY UPDATE

Congress

The 116th Congress Is the Most Diverse Congress in American History

NAPE Senior Policy Advisor **Lisa R. Ransom** congratulates Congresswoman **Karen Bass** (D-CA), Chairwoman of the Congressional Black Caucus (CBC), and Congressman **Ruben Gallego** (D-AZ), Chairman of the Congressional Hispanic Caucus Institute (CHCI), as they take the helm in their respective caucuses. With 55 members in the CBC, 42 members of the CHC and 20 members of the Congressional Asian Pacific Caucus (not pictured), our nation is witnessing the most diverse Congress in American history.



Figure 1. Lisa R. Ransom (left) and Karen Bass (right)



Figure 2. Lisa R. Ransom (left) and Ruben Gallego



Figure 3. Congressional Black Caucus



Figure 4. Congressional Hispanic Caucus Institute

Meet the New Chairman and Members of the House Committee on Education and Labor for the 116th Congress



Figure 5. Robert "Bobby" Scott

Congressman **Robert "Bobby" Scott** (D-VA) is the new chairman of the House Committee on Education and Labor (formerly the House Committee on Education and the Workforce). Under his leadership, the Committee has a total of 28 Democratic (majority) [members](#) and 22 Republican (minority) [members](#), with a total of 24 new members from both sides of the aisle.

Reviewing the Higher Education Act

(Courtesy of American Council on Education)

As the 116th Congress convenes in January 2019, the higher education community is watching to see if and when the process of reauthorizing the Higher Education Act (HEA) will be on the agenda.

The HEA, first signed into law in 1965, is supposed to be renewed every five years. However, the last reauthorization was in 2008, enacted through a bill known as the Higher Education Opportunity Act.

The HEA is the single most important piece of legislation overseeing the relationship between the federal government, colleges and universities, and students. It authorizes various federal aid programs within the Department of Education that support students pursuing a postsecondary education, including grant programs that support efforts to expand and increase access for low-income and first-generation students, such as Pell Grants. The HEA also includes rules and regulations that higher education institutions must comply with to be eligible for Title IV federal student aid programs, including the Clery Act, which requires annual campus crime reports; rules governing the accreditation process; and financial responsibility requirements.

With Sen. Lamar Alexander's (R-TN) announcement in December that he will not seek reelection in 2020, speculation is that Congress might step up efforts to pass a reauthorization bill this year. Alexander chairs the Senate Committee on Health, Education, Labor, and Pensions (HELP) and has been a commanding voice on higher education issues since first being elected in 2003. He also served as Secretary of Education under President George H. W. Bush, as well as president of the University of Tennessee.

House Action

Two HEA reauthorization bills were introduced in the House in 2017 and 2018, one by Republicans and a separate bill from the Democrats. With the Republicans in the majority, their bill—known as the PROSPER Act—was the focus of all the action in the House Committee on Education and Workforce, as well as advocacy efforts by higher education associations and others. Under the new Democratic majority, their bill, dubbed the Aim Higher Act, is likely to be the starting point in 2019.

The Aim Higher Act (H.R. 6543) would be significantly more generous than current programs for students and borrowers, increasing funding levels for Pell Grants, TRIO, and GEAR UP and making loans more affordable. The bill also proposed reviving the Perkins Loan Program, which expired in 2017, and restructuring the Federal Work-Study and Supplemental Educational

Opportunity Grant programs. However, it also would have added significant new requirements for institutions, increasing reporting and regulatory burden.

On the Republican side, House Education and Workforce Chair Virginia Foxx (R-NC) introduced the Promoting Real Opportunity, Success, and Prosperity Through Education Reform (PROSPER) Act (H.R. 4508) in the 115th Congress. The committee marked up and approved the bill along party lines in December 2017 but was unable to advance it to the floor for a vote. ACE, the higher education association community, and veterans' groups are on record opposing the PROSPER Act.

Senate Action

HELP Chairman Lamar Alexander and Ranking Member Patty Murray (D-WA) held a series of hearings on affordability, accountability, access and innovation, and financial aid and transparency throughout 2018. Last February, Alexander and Murray issued a bipartisan call for input from the community on the reauthorization. However, no comprehensive legislation has so far been introduced.

Congressman Anthony Brown Holds Congressional Briefing on the Need for Workforce Training in the Defense and Aerospace Industries

While the Congress and the Administration continues to grapple with the government shutdown, Congressman **Anthony Brown** (D-MD; pictured left) kicked off his new Maryland defense and



Figure 6. Anthony Brown (left); Steve Dewitt (center); Diane Miller (right)

Aerospace Consortium by hosting a congressional briefing on the benefits and potential workforce opportunities associated with Defense and Aerospace industry. Citing the need to begin the process of rebuilding America's military, restoring readiness and modernizing the armed forces, Congressman Brown addressed the need to make investments to improve workforce readiness by addressing critical shortages in the nation's defense industrial workforce by exploring new and innovative public and private sector partnerships that collaborate with secondary and post-secondary academic institutions to strengthen and expand career pipelines thereby fostering comprehensive training

and education programs. The Congressman hopes the Consortium will serve as a conduit in connecting industry with K-12 schools.

Congressman Brown efforts to launch the Consortium means keeping the workforce pipeline full of smart, technically minded people, cultivating small businesses so they can work with the government and thrive and putting industry and colleges together to share ideas. Another concern involves the limited talent pool from which DoD and defense companies have to draw from, something Congressman Brown called a national security issue.

The Hon. **Ryan McCarthy**, Undersecretary of the United States Army provided opening remarks for the session by highlighting the Army's efforts to develop an entrepreneurial approach to funding and fielding technologically advanced weapon systems to our nation's warfighters. Undersecretary McCarthy also shared that the Army is working to increase opportunities to participate in STEM related programs to encourage students at a younger age to pursue technical careers as a pathway to workforce development training.

Both the Congressman and the Undersecretary set the stage for a distinguished panel to address both Defense and Aerospace industries needs and opportunities as well as academic pipelines that can help develop high skilled workers to meet the growing demand. Panelists for the session included: **Steve Dewitt**, (pictured middle) Deputy Executive Director, Association for Career and Technical Education (ACTE); **Diane Miller** (pictured, right), Director, Global Cyber

Education and Workforce Development, Northrop Grumman; **Dulcy O'Rourke**, STEM Program Office and Talent Acquisition Strategy and Solutions, Lockheed Martin; Dr. **Jagadeesh Pamulapati**, Director, Laboratories Office in the Office the Under Secretary of Defense; Dr. **Darryll J. Pines**, Dean and Nariman Farvardin Professor of Aerospace Engineering, A James Clark School of Engineering, University of Maryland; and **Robin Thurman**, Director of Workforce and Industrial Base Development, Aerospace Industries Association (AIA). The session was moderated by Ashley Scott, Senior Policy Advisor to Capitol A and Consultant to The Invictus Group Ltd.

Tim Scott Introduces School Choice Bill

(Courtesy of The BEAT DC)



Figure 7. Tim Scott

Senator **Tim Scott** (R-SC) introduced legislation that he says would give military families, families of students with disabilities, and low-income students access to greater educational opportunity. He says the Creating Hope and Opportunity for Individuals and Communities Through Education Act (CHOICE Act) would give more than 6.2 million students nationwide access to greater educational opportunity. In the public school system, where you live decides where you go to school. School choice adds more options into the mix including charter, magnet, and vocational schools.

Private school choice is the more controversial because opponents claim they take funding away from public schools. These choices include a voucher program, in which the state essentially pays for the tuition of a private school using a portion of the funds that would have been spent educating the student at a public school; a tax credit scholarship program; and an education savings account. Scott says the CHOICE Act would ensure children with disabilities get educational options best suited for them by enabling states that already run disability school choice programs to expand educational options for children with special needs with federal dollars. The measure also, among other things, creates a pilot program under the Department of Defense on at least 5 bases without DoD Education Activity schools to provide scholarships to students in military families on base of up to \$8,000 for elementary and \$12,000 for high school. "In every county, across every zip-code, in every state, access to quality education is the greatest gift we can pass down to the next generation. At the end of the day, it is free thought and a hunger for learning that can never be taken away from a child," Scott said.

Administration

DeVos to Examine the Use of Restraint and Seclusion on Students with Disabilities

(Courtesy of U.S. News and World Report)

Civil rights activists and the Trump administration's Education Department find themselves in the rare position of being on the same side of an issue. Secretary of Education Betsy DeVos is under near-constant criticism from civil rights groups calling foul on the administration's rollback of protections for transgender students, campus sexual assault survivors and students of color who are disciplined at much higher rates.

But on Thursday, she announced that the Department of Education would spearhead an initiative to address another of that sector's longstanding concerns: the use of restraint and seclusion, especially among students with disabilities.

Civil rights groups and special education advocates have cried foul on the practice, which research shows is both physically and psychologically damaging, and they've tried for years to sound the alarm over the mismatch between how often it's used and how scarcely it's reported,

despite the fact that school districts are required to report incidents to the department's Office for Civil Rights.

"This initiative will not only allow us to support children with disabilities but will also provide technical assistance to help meet the professional learning needs of those within the system serving students," DeVos said in a statement. To be sure, the announcement doesn't characterize the move as an investigation and doesn't commit any new funding for new programs related to the issue. Even the press release is worded carefully, specifying, for example, that the initiative will address the "possible inappropriate use" of restraint and seclusion.

DeVos' Deregulatory Agenda

But it comes at a time when the civil rights community has been blasting DeVos and the Trump administration, most recently for its rollback of Obama-era discipline guidance aimed at stemming the school-to-prison pipeline. In this area of discipline, however, it seems DeVos may actually be moving the ball forward. Part of the previous administration's focus on discipline included guidance that put school districts on notice by emphasizing that restraint and seclusion could be considered a violation of a student's rights under the Americans With Disabilities Act.

"We will work to ensure that recipients are aware of their legal obligation," Kenneth Marcus, assistant secretary for civil rights, said in a statement, "and that we have accurate information and data on the use of restraint and seclusion."

The initiative is intended to help schools and districts understand how federal law applies to the use of restraint and seclusion. The Office for Civil Rights will work in tandem with the Office of Special Education and Rehabilitative Services to provide schools with resources and information on the appropriate use of interventions to address the behavioral needs of students with disabilities.

The Office for Civil Rights will also conduct a review of the quality of data it collects from states and school districts – an issue that's recently risen to prominence – and work directly with school districts to provide best practices for collecting and reporting information on seclusion and restraint practices.

"Rethinking special education and challenging the status quo includes examining systems that keep us from making the kind of improvement we know is necessary," Johnny Collett, assistant secretary for special education and rehabilitative services, said in a statement. "This initiative furthers our ongoing efforts to examine any practice that limits opportunities for children with disabilities."

Secretary DeVos Delivers Remarks at 87th Annual United States Conference of Mayors Winter Meeting

(Courtesy of U.S. Department of Education)

Thank you, Mayor Steve Benjamin, for that kind introduction.

It's good to be back with some of you, and to meet so many more. I was active in local politics and policy for many years, so I know first-hand your leadership role is important to your communities and the people you serve.

I've always believed solutions are best developed by those closest to an issue – by states, by communities, and by families. And mayors have a unique role in those ecosystems.

In my current job, I naturally think a lot about all things education. Education is perhaps the most local issue there is. It starts with the family. And yet those closest to their own children and to local schools and teachers seem to be the least empowered. Yet parents know that they need different solutions for their different children. They know we need to rethink education.

We live in some of the most exciting and opportunity-filled times ever. Over the past 100 years, we've seen significant advances in technology, medicine, and travel – just to name a few. But through all these changes in our homes, in our workplaces, and in our communities, approaches to education have largely remained the same for too many American students.

Yet, right now, there are over seven million unfilled jobs in the United States. Last year when I was with some of you, there were six million. The demand for skilled workers has grown. And looking ahead, consider the reality that the majority of the jobs that today's students will do just 10 short years from now haven't been invented.

Despite a booming economy with record-low unemployment, employer after employer reports that they cannot find enough qualified people to hire. I'm sure you've heard the same. There is a disconnect between education and the economy, just as there is often a disconnect between a child and the school they're assigned to.

Too many students are unprepared for successful careers today, and beyond. And too many are treated more like commodities instead of as the individuals they are, each with unique abilities and aspirations.

As mayors, you have an important opportunity to build relationships between employers and educators. Today giant silos exist between educators and employers, between students and success. But students are better prepared for what comes next when their teachers learn from and partner with their community's builders and doers.

In that vein, I was pleased this administration and Congress came together to pass what we call "Perkins V." This new law is good news for those who want to break down those silos.

It gives states, districts, and community colleges more freedom to decide how to use taxpayer dollars to prepare students for success.

And as mayors, this year you have a critical role in helping your state shape its Perkins plan. For the first time, the law urges you and other local leaders to regularly evaluate student needs and how programs are meeting those needs.

Most of you likely work with your community's economic development team. And most of you probably know the business leaders in your community well. And you certainly know your communities better than anyone in this town. You know what kinds of people are needed for the new businesses that are opening or expanding in your city. And you probably know a few folks who, with additional education, could thrive in some of those jobs.

You all want your communities to grow and prosper. So you must play the important role of bringing together education and industry. That demands a "rethink."

And I've talked a lot about that lately. Some ask why that's necessary. Well, education is the least disrupted "industry" in America. And, let's not kid ourselves, it is an industry. The one-size-fits-all approach is a mismatch for too many kids. Every student is different and therefore learns differently. And education is too siloed. "Pre-K," "K-12," "CTE," "community college," "higher ed," etcetera. The rest of the world, we know, is not siloed.

So, by "rethink," I mean this: everyone question everything to ensure nothing limits students from being prepared for what comes next.

Who is “everyone”? Everyone is everyone. Students themselves. Students of every age. Parents. Grandparents. Educators. Faith leaders. Administrators. Business leaders. Servicemen and women. Community leaders. Workers of every kind. Elected officials. Everyone.

And what is “everything”? Everything is everything. Where, when, how, what, and why we do things today – and everything about what we could or should do differently.

Here are a few questions to consider today, and I hope you pose them to your own communities when you get home.

Why limit educators?

Why assign kids to schools based on their address?

Why group kids by age?

Why force all students to learn at the same speed?

Why measure learning by hours and days?

Why suggest a college degree is the only path to future success?

Why believe education stops at graduation?

When it comes to rethinking career and technical education, I urge you to begin by asking why CTE is siloed as “career and technical education” and not just considered “education.” By that, I mean CTE is not a destination nor is it a consolation prize. Career and technical education is as valid and important as other pursuits of study in a student’s lifelong learning journey.

That notion is widely embraced elsewhere in the world. I recently visited a number of enterprises in Switzerland that educate and employ apprentices. And I continue to be inspired by the fact that more than two-thirds of high school students there pursue their learning through apprenticeships. As a person who herself thrives on hands-on or experiential learning, I would have loved those opportunities when I was in formal education.

One important lesson from Switzerland is that business and community leaders don’t ask for approval from government to partner with educators. They identify needs and proactively take steps to address the needs of their communities and their lifelong learners.

You don’t need a permission slip, either. And many communities are already figuring this out. Let me share a couple of examples.

Penta Career Center in Perrysburg, Ohio. The name for the Center comes from the five different counties and 16 districts it partners with to prepare students for regional business needs. Students can graduate with a high school diploma and several certificates in a wide-variety of work-based learning opportunities.

They aren’t limited by location or building – they are given the freedom to grow, explore, and learn in ways that work for them.

I think also of dual-enrollment efforts, like the one at Lorenzo Walker Tech, in Naples, Florida. Students there can earn a high school diploma and an associate’s degree simultaneously through partnership with Florida Southwestern State College. A great head-start toward successful careers.

At Harper College outside Chicago, I was impressed by the non-traditional apprenticeships, like ones in banking, insurance, and supply-chain management. These kinds of apprenticeships are common in other parts of the world, but aren’t yet here. They need to be.

Then there’s Mercedes and BFGoodrich which partner with Shelton State Community College in Tuscaloosa, Alabama, to offer students excellent opportunities to upskill in their current profession or start a new one. Employers and educators working hand-in-hand to develop stronger community – in every sense of the word.

These examples are encouraging. Students need more of them. Many more! Employers need them, as do educators. Most importantly, your communities need them.

Ultimately, we must expand our thinking about what education actually is, as well as resist the urge to expect all students to follow the same track. Many of you may have seen Congresswoman Virginia Foxx's piece in *The Wall Street Journal* last month. "By placing descriptors like 'vocational' and 'technical' in front of the word 'education,'" Congresswoman Foxx wrote, "we generate misleading thoughts" about education.

Perhaps the most misleading descriptor, Congresswoman Foxx wrote – and I agree – is "training." Animals are trained. People pursue education.

So, there should be many education pathways because there are many types of students with many different interests and many kinds of opportunities with varying requirements.

And we can't kid ourselves to think we're supporting multiple pathways if the road to a traditional 4-year-college degree is paved... and other legitimate education opportunities are rutted gravel roads.

Careers are like highways, after all, not one-way or dead-end streets. Highways have off-ramps and on-ramps. Students should be able to exit easily for a time to learn something new, then re-enter the highway at an on-ramp of their choosing, and then change lanes as needed.

I know it's easy to get lost in papers, programs, and plans. But let's not lose sight of why we are here.

I recently met a young woman from Minneapolis named Isabel. Isabel apprenticed at a company called Bühler while she earned her high school diploma, and got paid for it. She worked with engineers and experienced a variety of jobs within Bühler. Isabel's apprenticeship launched her on an early trajectory to success. At age 21, Isabel owns her own home, owns her own car, has her own health care policy and 401K, and she recently earned a job offer to move and work in Switzerland.

We owe students who today don't have opportunities like Isabel's to rethink education, to aim as high as students do, and to be bold for their future – and ours.

Let's keep all students at the center of every conversation and everything we do.

Thank you for everything you do to serve your communities.

NCES Releases Findings and Recommendations from the National Assessment of Educational Progress 2017 Pilot Study of the Middle School Transcript Study

(U.S. Department of Education January 17, 2019)

On January 18, the National Center for Education Statistics will release [Findings and Recommendations from the National Assessment of Educational Progress \(NAEP\) 2017 Pilot Study of the Middle School Transcript Study \(MSTS\)](#). This report summarizes the methodological findings of a pilot study that was designed to test the feasibility of collecting eighth-grade student transcript and course catalog data via electronic submissions. The transcript data of eighth-grade students from Trial Urban District Assessments (TUDA) schools that participated in the NAEP 2017 eighth-grade mathematics and reading assessments were collected.

Other Organizations

Brookings Institute Briefing Sheds Light on the Need for Policy Makers to Develop Legislation to Support 5G Technologies that Promotes Equity in Underserved Communities and Communities of Color

NAPE's Senior Policy Advisor Lisa R. Ransom was pleased to support **Nicol Turner Lee, Ph.D.**, Brookings Fellow for Governance Studies, Center for Technology Innovation with the Brookings Institute's Center for Technology Innovation, who hosted a discussion on the relationship between 5G networks and IoT applications, with an emphasis on why smartphone access and use matters to and benefits communities of color. The session explored how access to affordable and nationwide next-generation mobile networks can broaden economic opportunities in education, workforce training and employment to vulnerable populations and highlighted Turner-Lee's recent white paper titled, [Enabling opportunities: 5G – the internet of things and communities of color](#).



Figure 8. Panelists



Figure 9. Lisa R. Ransom (left) with Nicol Turner Lee (center) and Marie Sylla Dixon (right)

Sponsor **Marie Sylla-Dixon**, Vice President, Federal Government and External Affairs, **T-Mobile USA**, provided opening remarks, and Dr. **Turner Lee** moderated the panel. Panelists included **Doug Brake**, Director, Broadband and Spectrum Policy, *Information Technology and Innovation Foundation*; **Donald Cravins, Jr.**, Senior Vice President for Policy, Executive Director of the Washington Bureau, *National Urban League*; **Mark Hugo Lopez**, Director, Global Migration and Demography, *Pew Research Center*, and **Michael Mandel**, Chief Economic Strategist, *Progressive Policy Institute*.

IEL Launches Its Rise Up for Equity Initiative: Preparing Education and Workforce Leaders to Rise Up for Equity in the 21st Century

NAPE's Senior Policy Advisor **Lisa R. Ransom** was pleased to join the Institute for Educational Leadership (IEL) as it kicked off its new strategic plan, ["Rise Up for Equity."](#) The plan is focused on preparing, supporting, and mobilizing public and private sector leaders who want to eliminate barriers and create policies and practices that allow everyone to access and succeed in education and workforce development. IEL's goal under this new initiative is to improve equity in communities where opportunity is limited or absent due to structural issues including racism, sexism, classism, and ableism.

The forum is the first in a series of sessions designed to support transformational leadership and policies in highest-need schools that ensures that these schools receive the best teachers and technology and that funding is equitable and transparent. The plan also encourages professional development for teachers to explore and address their own biases and beliefs about their students and consults with students for their feedback on how schools and school districts can improve.



Figure 10. Lisa R. Ransom with Johan Uvin

Featured speakers for the launch forum included

- Dr. Talisa Dixon, Cleveland Heights-University City School District
- Alise Marshall, Public Welfare Foundation
- Johan Uvin, Institute for Educational Leadership
- Ronald Marlow, National Urban League
- Michael Yudin, The Raben Group
- Francisco Garcia, National Council of Young Leaders
- Adam Strong, National Council of Young Leaders
- Natalie Gordon, Education Leaders of Color
- Dr. Nancy Lewin, Association of Latino Administrators and Superintendents
- Nikki Pitre, Center for Native American Youth
- Mary Kingston Roche, Institute for Educational Leadership
- Alicia Bolton, Institute for Educational Leadership



Figure 11. Rise Up for Equity Forum Speakers

IEL's President and CEO, Johan Uvin (former Acting Assistant Secretary of Education), summed up IEL's unapologetic stance to achieve equity for all youth, especially those with disabilities, and for our underserved communities: "To us, equity is about creating more success opportunities for education and workforce development, particularly in communities where that opportunity is lacking or super limited."