



JULY 2018 PUBLIC POLICY UPDATE

Administration

Civil Rights Groups to Marcus: Enforce Civil Rights

(Courtesy of the Leadership Conference on Civil and Human Rights)

The Leadership Conference and 23 civil rights groups sent a [letter](#) to Kenneth Marcus, the newly confirmed Assistant Secretary of Education for Civil Rights. Throughout the confirmation process, Marcus gave troubling statements that demonstrated his unwillingness and inability to enforce civil rights law and protect all students in the United States from discrimination. For that reason, civil rights groups urged him to enforce the law on behalf of marginalized communities, to preserve (and reinstate recently rescinded) policy and enforcement guidance, and to maintain the scope, frequency, and public accessibility of the Civil Rights Data Collection. Read the letter [here](#).

The Delay in Implementing IDEA Regulations Harms Children

(Courtesy of Council of Parent Attorneys and Advocates)

In swift reaction to the U.S. Department of Education's final notice delaying the implementation of regulations on significant disproportionality, known as the Equity in IDEA regulations, Denise Marshall, executive director for the Council of Parent Attorneys and Advocates (COPAA) issued the following statement:

"Today's decision to delay the Equity in IDEA regulations is a direct offense to children, especially children of color. By doing so, the U.S. Department of Education abrogates its responsibility and promotes a harmful policy that stalls much needed reform. In short, the Department is now complicit in school and district actions that harm our most vulnerable children."

Marshall continued, "States should not assume this delay will remain on the books long. The Department's actions are both bad policy and legally flawed, and COPAA is considering all its legal options to overturn the delay. We urge every State to comply with the Equity in IDEA regulations now. Compliance with these regulations will address the serious issues of racial disproportionality while ensuring that every student with a disability receives the special education and related services to which they are entitled, regardless of race or ethnicity."

The Equity in IDEA regulations require States to update their method in determining which of their school districts may be engaging in unlawful practices that result in significant disproportionate numbers of students of color being inappropriately identified as students with disabilities, being placed in inappropriate educational settings and being inappropriately suspended, expelled, secluded and restrained.

The final notice will be published Monday, July 3rd in the Federal Register to delay the compliance date for the 2016 final Equity in IDEA regulations implementing the Individuals with Disabilities Education Act (IDEA) requirement addressing significant disproportionality.

Education Department Delays Regulation that Helps Minority Students Access Special Education

(Courtesy of David Card and the National Disability Rights Network)

On June 29, 2018, the Department of Education chose to delay a regulation intended to help prevent racial disproportionality in special education, which was widely supported by students, parents, school administrators, and the civil rights community.

“Rather than support the education of students with disabilities and listen to the advice received from educators working in the trenches, the Administration today has told both groups they simply do not matter,” said Curt Decker, executive director of the National Disability Rights Network.



The Department received hundreds of comments on the significant disproportionality regulations, 83 percent of which opposed the implementation delay, including comments from school districts already in the implementation process.

The Department ignored these comments, despite the fact that the regulations were originally called for in a [U.S. Government Accountability Office](#) (GAO) study, and are already being implemented around the country.

Significant disproportionality refers to a common condition in many schools where students of color are provided fewer special education services than their white peers. They are also more likely to be removed from classrooms, placed in segregated educational settings, and suspended or expelled at higher rates than their white peers.

The compliance date for implementing the significant disproportionality regulations has been postponed by two years, from July 1, 2018, to July 1, 2020. This means that children whose educational needs are not being addressed will be required to wait at least two more years for relief.

“The fact is, because of the delay in these regulations, tens of thousands of students may never get the education they deserve,” continued Decker. “The Department of Education is failing these kids.”

Congress

Senate Subcommittee Moves Forward Bipartisan Spending Bill to Fund Workforce and Education Programs

(Courtesy of the Katie Spiker and the National Skills Coalition)

On June 26, 2018, the Senate Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies (Labor-HHS) moved forward a bipartisan funding bill for Fiscal Year (FY) 2019. Senate appropriators were working with an allocation of \$2.2 billion more in funding than the subcommittee had in FY 2018, unlike the [House process](#) for which appropriators had level funding.

The Senate bill is not yet available online, but a [committee summary](#) describes level funding for state formula grants under the Workforce Innovation and Opportunity Act, increased funding for apprenticeship programs (\$15 million more than in FY2018, up to \$160 million) and Adult Education state grants (\$642 million, \$25 million more than in FY 2018) and an increase to the maximum Pell award of \$100, bringing the max to \$6,195. The Senate bill would level fund Career and Technical Education programs; the House version would increase funding by \$115 million over FY 2018 levels. Earlier this week, a group of bipartisan members of the Senate

Health, Education, Labor and Pensions (HELP) Committee [introduced a reauthorization](#) of the Carl D. Perkins Career and Technical Education Act that advanced through committee and is expected to be considered on the floor in the coming weeks.

The full Senate Appropriations Committee is scheduled to mark-up the bill on Thursday, June 28th. The House appropriations process has stalled this week after the full Appropriations Committee mark-up of the House Labor-HHS bill was rescheduled, for a second time. The House process continues to be more partisan than that in the Senate, in part because of cuts required – including to WIOA Title III – to offset increases in other programming – including increases for National Institute of Health and an opioid response – under the subcommittee’s jurisdiction because the House subcommittee did not receive an increase in their allocation for FY 2019.

Despite the continued negotiations around the House bill, the [House committee report](#) included important recognition of the role of partnerships between industry, the workforce system, educators, and community organizations. In the report, the committee recognized the role of these industry partnerships in closing the skill gap, meeting employer needs and expanding apprenticeship across the country.

Once the both chambers advance their bills, Senate and House appropriators will meet to agree on final funding levels. The final spending on workforce and education programs is likely to be close to those in the Senate version of the bill.

Bipartisan Career and Technical Education Bill Approved by Key Senate Committee

(Courtesy of Andrew and Education Week)

On June 26, 2018 the Senate education committee agreed unanimously via voice vote Tuesday to favorably report a bill reauthorizing the Carl D. Perkins Career and Technical Education Act to the full Senate.

The Senate version, the [Strengthening Career and Technical Education for the 21st Century Act](#), would revamp the Perkins law, which Congress last reauthorized in 2006, by allowing states to establish certain goals for CTE programs without getting them cleared by the secretary of education first. However, it requires “meaningful progress” to be made towards meeting goals on key indicators.

If Congress ends up sending a Perkins bill to the White House, it would represent a notable education policy win for the Trump administration, as well as for business groups. The Trump administration recently [dispatched senior adviser Ivanka Trump to Capitol Hill to push for senators to pass a CTE bill](#).

The administration has put its stamp of approval on the Senate CTE bill. A White House official said Tuesday the legislation “better aligns career and technical education programs with the needs of the business community and careers of today and tomorrow.”

[The House passed Perkins reauthorization last summer](#), also with broad bipartisan support.

Sens. Bob Casey, D-Pa., and Mike Enzi, R-Wyo., co-authored the legislation. Noting that one-sixth of Wyoming districts don’t get Perkins funding due to burdensome federal requirements attached to the money, Enzi said the bill is a piece of a puzzle that includes the Every Student Succeeds Act and other programs that contribute to the labor market and workforce development.

“It’s one that really has a lot of potential to really solve a lot of problems for this country,” Enzi told lawmakers Tuesday before the vote.

And Casey said the bill promotes equity by requiring data on student subgroups to be disaggregated, among other requirements. “I hope that the authorization will be followed by robust appropriations,” Casey said.

Sen. Lamar Alexander, R-Tenn., the committee chairman, said the bill would give the federal government less of a role in state and local CTE decisions. And he noted that Tennessee spent about 10 times as much on CTE as it gets from the Perkins law.

“This is a partnership with states, and states are really the senior partner,” Alexander said, adding that he was pleased to be on the same page as the Trump team with respect to CTE.

And Sen. Patty Murray, D-Wash., the committee’s top Democrat, also praised the bipartisanship behind the bill and stressed how crucial it was for students, businesses, and educators. “We couldn’t just pass the bill for the sake of passing a bill. We needed to get this right,” Murray said.

Other groups threw their support behind the bill.

The National Governors Association, for example, praised the bill’s increased flexibility for state leaders by allowing them to set aside a larger share of federal funds for CTE priorities. And Neil Bradley, the chief policy officer for the U.S. Chamber of Commerce, said in a statement that the legislation from Casey and Enzi would “improve accountability and data transparency to ensure that CTE programs are adequately preparing students for the jobs of today and tomorrow.”

Two organizations focused on career and technical education, the Association for Career and Technical Education and Advance CTE, [shared several concerns on the Senate CTE legislation in a Monday letter to the committee](#).

The two organizations expressed concern about the bill’s requirements for how performance targets for students concentrating in CTE are set. They also said they worried about the bill’s directives governing the use of state and local CTE money, and that the federal funding level authorized by the bill isn’t sufficient.

“Many new state plan requirements were added both in the House and Senate bills,” Advance CTE and the Association for Career and Technical Education Act wrote to Alexander and Murray. “Given how central the state plan is to the Senate bill’s accountability provisions, it is important that the state plan be as focused and streamlined as possible.”

But they also praised the bill for clarifying that federal CTE money can be used in middle schools, and for highlighting achievement gaps between student subgroups as an important issue.

Updates about Federal Student Loan Interest Rates, Origination Fees, and Pell Grant Increases

(Courtesy of the Institute for College Access and Success)

July 1 was an important date for students and families: it’s when most changes to federal student aid—both loans and grants—go into effect. For the year starting July 1, 2018, the maximum Pell Grant will be higher, and new federal loans for undergraduates, graduate students, and parents will have higher fixed interest rates than loans taken out the year before. To help inform college borrowing decisions, we have a new, [easy-to-read chart](#) with 2018-19 interest rates, loan amounts, and other useful information for the most common types of federal loans.

The coming changes include:

- On July 1, the maximum Pell Grant will be increased to \$6,095, up from \$5,920. Pell Grants help 7.5 million low- and moderate-income students pay for college and reduce how much they need to borrow.
 - Even with the increase, the new maximum Pell Grant for 2018-19 will cover less than 30% of the cost of attending a public four-year college, the smallest share in over 40 years.
- On July 1, the fixed rates for new federal loans will be higher than the rates for loans issued last year.
 - Stafford loans for undergraduates, subsidized and unsubsidized: 5.05% for loans issued in 2018-19 (up from 4.45% for loans issued in 2017-18).
 - Stafford loans for graduate students: 6.60% for loans issued in 2018-19 (up from 6.00% for loans issued in 2017-18).
 - Parent and Graduate PLUS loans: 7.60% for loans issued in 2018-19 (up from 7.00% for loans issued in 2017-18).
- On October 1, origination fees will decrease slightly for new federal loans.
 - For loans issued October 1, 2018 through September 30, 2019, fees will be 1.062% of principal for all Stafford loans (down from 1.066%) and 4.248% for all PLUS loans (down from 4.264%).

For more information about federal student loans for the coming school year, see our summary chart, [Federal Student Loan Terms for 2018-19](#).

Senate Farm Bill Would Strengthen SNAP, Support Work

(Courtesy of Nune Phillips and CLASP)

Note: The Senate farm bill was passed by a vote of 86 to 11 on June 28, 2018. Congress will next form a conference committee to address differences between the Senate farm bill and the deeply flawed House version. For more information and analysis, please visit [CLASP's 2018 farm bill resource page](#).

On June 8, the Senate released the [bipartisan Agriculture Improvement Act of 2018](#), also known as the farm bill. The Senate farm bill would strengthen the Supplemental Nutrition Assistance Program (SNAP), ensuring millions of people are able to put food on the table and access pathways to good jobs. This is a stark contrast from the [House farm bill](#), which would rip away SNAP from people in need.

The Senate bill would strengthen the program integrity of SNAP, improve technology, make certification easier for elderly and disabled people, and allow states to try out new ways of verifying eligibility. It would also better connect SNAP participants to training that leads to meaningful jobs.

SNAP [enrollment has declined in recent years](#), in large part because many participants have found jobs and no longer need help. That's exactly how the program is supposed to work. But more investment is needed to make that a reality for everyone. Many employed SNAP participants [still don't earn enough to feed their families](#), even when they have multiple jobs.

The Senate farm bill would maintain [SNAP's existing work requirements](#). Current law requires SNAP participants who are capable of working to seek and accept employment. It also requires them not to quit a job without good reason. Additionally, SNAP's harsh [3-month time limit](#) for unemployed (or underemployed), non-disabled adults without dependent children requires these

individuals to engage in 20 hours per week in a narrowly defined set of activities in order to maintain access to food assistance.

States are also required to operate an [Employment & Training \(E&T\) program](#), which is designed to increase employability and reduce the need for SNAP. The 2014 farm bill included \$200 million for [10 SNAP E&T pilots](#), which are underway now and will tell us a lot about promising employment and training services.

Here are some ways the [Senate bill](#) would improve E&T and support alignment with other workforce programs:

- Provides \$185 million for new E&T pilots that target people with barriers to work. This includes people who are 50 and older, formerly incarcerated, participating in substance abuse treatment, homeless, or disabled.
- Requires E&T programs to coordinate with employers and local workforce boards to align training and services with local labor market needs.
- Requires E&T programs to include job search and at least one additional training activity since job search alone is ineffective at helping most low-income individuals find work that leads to economic security.
- Supports expanded public-private partnerships with employers and nonprofits that offer quality work and training programs. These workforce partnerships give SNAP participants a way to meet the program's participation requirements and access training programs that will help them obtain meaningful jobs.

Additionally, the Senate farm bill consolidates the E&T and time limit provisions, making it easier for states to navigate and implement the rules.

The Senate and House have offered two very different visions. The Senate farm bill would help hardworking people put food on the table and get better jobs. The House bill would kick people off SNAP and destroy their economic mobility. We urge Congress to strengthen SNAP and continue decades of bipartisanship by passing the Senate farm bill.

Upcoming Webinars and Events

Europe's Tough New Data-Privacy Law: Breaking Down GDPR for Companies

July 17, 2018, 2 PM ET

EdWeek Market Brief takes an in-depth look at Europe's sweeping new data privacy regulation, the General Data Protection Regulation, and at the huge implications it carries for K-12 education companies' practices. The webinar is free for *EdWeek Market Brief Enterprise* members. Non-members may participate for a \$195 fee. [Register here](#). Can't attend? Register so you can view the [on-demand webinar](#) at a later date.

World Class: How to Build a 21st-Century School System

July 12, 2018, 3:00 pm EDT, *The Mike Sussman Studio*

In this webinar panelists will discuss the key question behind Andreas Schleicher's new book, *World Class: How to Build a 21st-Century School System*. He writes, "Every economic age has its core asset. In the agricultural age that asset was land; in the industrial age it was capital; and in our times, it is the knowledge, skills and character qualities of people. This core asset remains largely untapped and undervalued. It's time for us to change that." Schleicher examines the many successes from which to learn, looking seriously and dispassionately at good practice in countries around the world, all to understand what works in which contexts. [Register here](#).

Learning Policy Institute: Opening the Gates: Using Deeper Learning to Expand College Access

September 6, 2018, Noon (PT)

Over the last year, the Learning Policy Institute (LPI) and EducationCounsel have convened leaders in k-12 and higher education to explore how both systems might benefit greatly from more authentic and holistic ways of assessing students' competencies and mastery of 21st-century skills. This initiative, [Reimagining College Access](#), begins with the premise that performance assessments can act as a driver of improved teaching and learning in k-12 education systems; provide critical information to advance access and diversity in higher education admissions, placement, and advisement; and advance an array of deeper learning knowledge and skills in both settings.

As a recently released LPI report, [The Promise of Performance Assessments: Innovations in High School Learning and College Admission](#), describes, some leading places in both k-12 and higher education institutions are beginning to use performance assessments in these ways, but much more needs to be done if students' college and life-ready abilities are to be both encouraged in high schools and conveyed to colleges and universities. In particular, higher education systems can incent a wider array of k-12 districts and schools to develop and implement quality performance assessment systems. Performance assessments also have the potential to transform higher education by working with other measures to provide a more holistic view of applicants in college admissions, placement, and advising. Specifically, the information from these assessments can be used as an additional perspective on students' achievements and potential for postsecondary success, and offer a powerful complement to existing measures such as student grades, SAT/ACT scores, and Advanced Placement scores.

In this webinar, LPI's Peter Ross will explore the emerging recommendations from three national RCA task forces that have been working over the past year and engage participants in a discussion of where the work is heading next. [Register here](#).