



FEBRUARY 2018 PUBLIC POLICY UPDATE

Join NAPE in celebrating National CTE Month as we recognize the value of CTE and the achievements and accomplishments of CTE programs throughout the nation!

Congress

States Embrace New Career and Technical Education Policies

(Courtesy of Kimberly Hefling with help from Mel Leonor, POLITICO Pro Education)

Will Congress give career and technical education some love this year? There's at least one indication the answer could be "yes." An aide to Health, Education, Labor and Pensions Committee Chairman Lamar Alexander (R-Tenn.) tells Morning Education that updating the Carl D. Perkins Career and Technical Education Act, the law that dictates how the federal government spends about \$1 billion annually on career and technical education, is a "priority for Chairman Alexander this Congress." The aide, Margaret Atkinson, says Alexander has asked Sen. Mike Enzi (R-Wyo.) to "continue to make progress on the great work he did last Congress" with Sen. Bob Casey (D-Pa.) to "develop a proposal for the Senate to consider."

— Action by the Senate would be celebrated by CTE backers, who cheered when the House in June [passed a bipartisan bill, H.R. 2353 \(115\)](#), but expressed frustration when the Senate didn't immediately follow suit. Supporters say the House bill, which applies to both secondary and post-secondary programs, would make changes such as simplifying requirements states have to follow when applying for federal funds and making it easier for providers to apply to participate.

— Regardless, states have been thinking about CTE — a lot, apparently. Forty-nine states and the District of Columbia enacted 241 CTE-related laws, executive orders, boards of education actions and budget provisions last year, according to a [new report](#). It was produced by the Association for Career and Technical Education and Advance CTE: State Leaders Connecting Learning to Work.

— The implementation of the Every Student Succeeds Act, passed in 2015, is driving much of the change, the report authors say. They say that state plans developed under ESSA show 49 states identifying strategies to support career readiness and 35 selecting specific career readiness measures in their state accountability systems. "This is a watershed moment for states, one that could have lasting impacts for CTE, and ultimately for learners," the report says.

— On the funding front, Arkansas, California, Montana, Nevada, New York, and Rhode Island enacted tuition-free community college programs last year. Similarly, several states including Arizona and Maryland developed grant programs and scholarships to help students attain credentials in high-demand fields.

Administration

NWLC Has Sued Betsy DeVos Over Her New Title IX Policy That Discriminates Against Sexual Violence Survivors

(Courtesy of the National Women's Law Center)

National Women's Law Center (NWLC) just sued the Department of Education. Again. And they did it with some of their favorite organizations.

Let's back up a little bit. You may remember that this fall Secretary of Education Betsy DeVos [rescinded important policies](#) about how Title IX protects student survivors of sexual violence. Her department replaced that guidance to schools with a new confusing, discriminatory policy that essentially encourages schools to set up unfair systems that [disadvantage survivors](#). Title IX, the civil rights law that prohibits sex discrimination in education, requires that schools treat students who report sexual violence and alleged perpetrators equally: schools can't decide they value or believe one side more than the other. But DeVos' new policy lets schools give accused students more rights than survivors. It even allows alleged rapists to directly interrogate their victims.

Perhaps unsurprisingly, the Department's process was also a hot mess. In a speech setting the stage for the new policy, DeVos criticized the Obama administration for releasing policies through "guidance letters," a common practice used during both Democratic and Republican administrations. And then, in a startling show of hypocrisy, DeVos released her new policy in exactly the same kind of letter. The Department claimed, at the time, that they would give the public a chance to comment on new regulations – but so far, nothing.

At the time, DeVos claimed she was issuing a new policy to help all students, but we know that isn't true. In the months leading up to the decision, [DeVos consulted with "men's rights activists"](#) who publish the names and photos of rape victims to encourage harassment. Her Assistant Secretary for Civil Rights, Candice Jackson, told the New York Times that 90% of student rape reports are the lies of women who regret drunken sex. Jackson's [wildly inaccurate claim](#) showed that the Department was making decisions not based on facts but on terrible gender stereotypes.

NWLC recently filed a lawsuit challenging DeVos' discriminatory new Title IX policy in the Northern District of California on behalf of three amazing groups that represent student survivors hurt by the Department's actions: Equal Rights Advocates, SurvJustice, and the Victim Rights Law Center. NWLC has got a pretty all-star legal team, too, if they do say so themselves. The National Women's Law Center serves as co-counsel alongside Democracy Forward, the National Center for Youth Law, and Equal Rights Advocates.

In the lawsuit, NWLC shows how the Department based its decisions on sexist stereotypes and legal mistakes and put forth an illegal policy without following proper procedures. Their message is clear: when the government breaks the law and betrays student survivors, the civil rights community won't let them get away with it.

Where Is the Federal Civil Rights Data? Here's a Work-Around

(Courtesy of Sarah D. Sparks, Education Week)

For many education and equity researchers, the [federal Civil Rights Data Collection](#) is a massive, often messy, trove of information on everything from who gets access to college-preparatory classes to which states have the worst racial disparities in discipline. You might have noticed it's also gotten harder to access.

The [website for the data collection](#) includes lots of great tools to look up some of the indicators for schools and districts, as well as reports of national issues, like [education for English-language learners](#). It also contains access to the full dataset of [information from every public school in the country](#) that spends at least 50 percent of each weekday on educational services, from charter and virtual schools to juvenile justice facilities and alternative schools for students with disabilities.

Unfortunately, that data has been down most of January.

Representatives from the Education Department said that they are having technical difficulties with the [download link](#), and the Education Department's policy is still to make the data available online. For now, researchers and other education watchers can send an official request (You can use this form: [OCR 2013-14 Flat File.pdf](#)) for a DVD of the data to ocrdata@ed.gov, including your name and organization in the subject line. There's no word at this point on when the full data will be downloadable again.

It's an awkward time to have accessibility problems with the data. The Senate is still debating confirmation of Kenneth Marcus, who is now the head of a Jewish civil rights organization and is [President Trump's pick to lead ED's office for civil rights](#). And civil rights groups including the NAACP have raised concerns for some time about the office's push to scale back the data it collects on potential [disparities among students taking Advanced Placement courses and tests](#).

The next collection, for the 2015-16 school year, is expected to be released by the end of the year, according to ED spokesman Jim Bradshaw, but it may be later than previous collections, which have been released in late spring and summer. That may cause problems for [school-rating groups like GreatSchools.org](#) and states that use the civil rights data to provide more context on their [school report cards](#).

DeVos Hits Bush, Obama on Education Policy

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

Secretary of Education Betsy DeVos took to task previous administrations – both Democratic and Republican – for taking too heavy-handed an approach in driving education policy, resulting in stagnant academic achievement despite billions of federal dollars spent.

“Politicians from both parties just can't help themselves,” she said. “They have talked about painting education in new colors and even broader strokes. But each time, reform has not fundamentally changed the system. Each attempt has really just been a new coat of paint on the same old wall.”

The secretary spoke Tuesday at an event hosted by the American Enterprise Institute in Washington, where panels of education policy experts explored the similarities between the Bush and Obama administrations' use of federal authority to prod – and in some cases, require – states and school districts to adopt a host of education reform policies.

“Let me be clear that I'm not here to impugn anyone's motives,” DeVos said. “We won't solve any problems through finger-pointing. I also don't intend to criticize the goals of previous administrations' education initiatives.”

She then went on to do exactly that, criticizing everything from the heavy-handed accountability system included in the Bush-era No Child Left Behind law to the billions of dollars in competitive education grants that the Obama administration relied on to persuade states to adopt its policy preferences.

"We saw two presidents from different political parties and philosophies take two different approaches," she said. "All originated in Washington, and none solved the problem. Too many of America's students are still unprepared."

She continued: "Perhaps the lesson lies not in what made the approaches different but in what made them the same: the federal government.?"

Panelists at the daylong event agreed that the policies of the two prior administrations – including things like increasing charter schools, adopting more rigorous academic standards and aligned state tests, mandating certain school turnaround strategies and more – had an unparalleled impact in driving state-level change, especially among those that had been stubborn to attempt any improvements, panelists said.

Policy Soundbites

SOTU: Last week, President Trump spoke for one hour, 20 minutes to deliver his first State of the Union (SOTU) address. His 19 words on education during the State of the Union, spotlighted disagreements on how to rewrite the Higher Education Act and support for the opening of 'great vocational schools so our future workers can learn a craft and realize their full potential'. The President did not elaborate further on this statement. Congressman Joe Kennedy, III (D-MA) offered the Democratic response to the SOTU from a CTE school, [Diman Regional Vocational Technical High School](#) in Fall River, Massachusetts. ** It is worth noting that despite President Trump's call for more vocational education, the President's first education budget proposal sought to slash \$168 million in grants that fund career and technical education programs in high schools.

William Trachman is now working in the Office for Civil Rights as deputy assistant secretary for policy and development. He's the former counsel for Douglas County School District in Colorado. Trachman was one of the attorneys at the center of a high-profile legal battle over the district's school voucher program. That legal battle, which at one point reached the Supreme Court, is now officially dead after the case was dismissed by the Colorado Supreme Court, the Denver Post [recently reported](#).

Lawmakers in Georgia are considering handing control over the state's career, technical and agricultural education programs to the agency that oversees its technical colleges. The Department of Education and the state education board currently share oversight of such programs, but lawmakers who support the change say it would create a single entity responsible for preparing students for future careers.

UPCOMING EVENTS

A Policy Seminar Featuring John B. King, Jr., with Discussant Michael Feuer

(Wednesday, February 7, 2018)

John B. King, Jr., will present an overview of educational progress and inequities at the national level and demonstrate how the Every Student Succeeds Act (ESSA) can be used as a lever for promoting excellence and equity in U.S. public elementary and secondary schools. Dr. King's presentation will be followed by a discussion with Dean Michael Feuer.

This event will be streamed live on GW's Graduate School of Education Facebook page as well at <https://www.facebook.com/GSEHD>. Hosted by the National Council on Measurement in Education (www.ncme.org) in partnership with the GW Graduate School of Education and Human Development.

Is the Promise of ESSA Being Actualized? Co-Sponsored by the Albert Shanker Institute and the American Federation of Teachers

(Wednesday, February 14, 2018)

On the bleakly polarized landscape of Capitol Hill politics, the December 2015 passage of Every Student Succeeds Act (ESSA) was a brief and exceptional moment of bipartisan consensus. It was a moment of promise for the future of American education, premised on the idea that greater regulatory discretion for states and districts could create the policy space to correct the problems that had emerged during No Child Left Behind (NCLB) implementation. Chief among these problems were excessive standardized testing that was driving, not informing, American education and highly prescriptive federal frameworks for student promotion, teacher evaluation and school accountability that drew primarily upon that testing.

Now that the states have completed and submitted their first ESSA plans, it is an appropriate time to ask if the promise of ESSA is being realized. Which states and districts have used this new freedom to draw back from testing overreach, establishing more balanced approaches to student promotion, teacher evaluation and school accountability? Are states and districts using ESSA to provide the needed resources and supports to struggling schools, almost all of which serve students with the greatest needs? Are the fears that ESSA could diminish the federal government's role as a promotor of educational equity and guardian of student civil rights proving reasonable? And if ESSA's promise is not being realized, why not? What, if any, role has a Trump/DeVos Department of Education played in the first fruits of ESSA?

Panelists will address these questions from the perspective of actors who have been involved in the development of state ESSA plans and of national organizations with a concern for educational equity and excellence.

- Jessica Cardichon, Director of Federal Policy and Director, Washington D.C. Office, Learning Policy Institute
- Daniel Montgomery, President, Illinois Federation of Teachers
- Matthew Stem, Pennsylvania Deputy Secretary of Education for Elementary and Secondary Education
- Marla Ucelli-Kashyap, Assistant to the President for Educational Issues, American Federation of Teachers

Register [here](#).

Increasing Opportunities for Deeper Learning

Thursday, February 15, 2018

The Learning Policy Institute will launch a new webinar series, Achieving Equity Through Deeper Learning, that focuses on why deeper learning is crucial for students in today's innovation economy and how we can achieve greater equity in access to deeper learning.

The first webinar, Increasing Opportunities for Deeper Learning, will address ways that schools and school districts can improve academic achievement, particularly among students who are farthest from opportunity, through engaging students in learning that focuses on meaningful mastery of subjects, critical thinking, problem-solving, collaboration and other skills necessary for college, career, and civic participation in the 21st Century. It will include real-world examples of schools and districts that have successfully expanded access to deeper learning for students from underserved populations.

The webinar will include a discussion of successful efforts to introduce and sustain this kind of learning in schools and districts, as well as potential obstacles to successful implementation.

Speakers:

- Pedro Noguera, Distinguished Professor of Education at the Graduate School of Education and Information Studies and Faculty Director for the Center for the Transformation of Schools at UCLA
- Kent McGuire, Program Director of Education at the William and Flora Hewlett Foundation
- Carlos Moreno, Co-Executive Director of Big Picture Learning
- Linda Darling-Hammond, President of the Learning Policy Institute

[Registration](#) is required.

Value-added Reads of Current Reports and Research

[State Policies Impacting CTE: 2017 Year in Review](#) (ACTE and Advance CTE)

[Good Jobs That Pay Without a BA](#) (Georgetown Center on Education and the Workforce)

[Good Jobs That Pay: State-by-State Analysis](#) (Georgetown Center on Education and the Workforce)

[The Promise of Performance Assessments: Innovations in High School Learning and Higher Education Admissions](#) (Learning Policy Institute)

[The Path Less Taken: Barriers to Providing Career and Technical Education at Community Colleges](#) (American Enterprise Institute)

[Taking Deeper Learning to Scale](#) (Learning Policy Institute)