

FEDERAL UPDATE

Federal Legislation, Policies, and Appropriations That Will Impact The Nation's School Districts

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Reauthorization of the Elementary and Secondary Education Act

The United States House of Representatives

House Committee on Education & the Workforce:

Hearings of the House Committee –

- ▶ Examining the Federal Role In Public School Accountability – 9/14/11
- ▶ Education Reforms: Ensuring the Education System is Accountable to Parents and Communities – 9/21/11

Bills “marked up” in House Committee –

- ▶ H.R. 2445, “State and Local Funding Flexibility Act”
- ▶ H.R. 1891, “Setting New Priorities in Education Spending Act”

Bills introduced on House floor –

- ▶ H.R. 2218, “Empowering Parents through Quality Charter Schools” –Passed 9/13/11

Reauthorization of the Elementary and Secondary Education Act

The United States Senate

Senate Health, Education, Labor & Pensions Committee:

ESEA Hearings of the Committee –

- ▶ 10 hearings conducted in 2010, with the last on 5/25/10

Bills referred to the Committee after introduction by Republican Senators –

- ▶ S. 1571 ESEA Title I – 9/15/11 (Isakson)
- ▶ S. 1569 ESEA funding flexibility (Burr)
- ▶ S. 1568 ESEA waivers – 9/15/11 (Alexander)
- ▶ S. 1566 ESEA charter schools – 9/15/11 (Kirk)

NCLB Waivers from the U. S. Department of Education

- ▶ On 9/08/11, the U.S. Department of Education (USDE) announced the Department will provide a process for states to seek waivers from key provisions of the No Child Left Behind law, provided that states are willing to embrace specific education reform.
- ▶ Details of NCLB waiver process were announced following Presidential remarks on 9/23/11.
- ▶ States will have a few months to submit their waiver applications.
- ▶ If its waiver request is approved, a state could change the metric for what is acceptable growth on student test scores for 2011/12 School Year.

NCLB Waivers from the U. S. Department of Education

- ▶ Schools and districts, however, might not obtain regulatory relief from NCLB targets until the 2012/13 School Year, when things like SES tutoring and School Choice could be eliminated.
- ▶ The waiver plan will be an all-or-nothing, take-it-or-leave-it process. States must address every aspect of the waiver requirements if they are to avoid the 2014 student performance deadline.
- ▶ In exchange for a waiver, states will have to:

- 1) **Adopt college- or career-ready standards,**
- 2) **Propose their own differentiated accountability systems, and**
- 3) **Adopt teacher evaluation systems based, in part, on student growth on state tests.**

Race to the Top – Early Learning Challenge Grants

- ▶ 10/19/11 is the due date for state applications to the new Race to the Top-Early Learning Challenge (RTT-ELC) Program.
- ▶ As in the previous RTT grant competitions, maximum awards will be determined by relative state size. Florida is eligible to apply for \$100M.
- ▶ The RTT-ELC competition is organized around five key areas of reform:

- 1) Successful State Systems
- 2) High-Quality, Accountable Early Learning Programs
- 3) Promoting Early Learning and Development Outcomes for Children
- 4) A Great Early Childhood Education Workforce
- 5) Measuring Outcomes and Progress

Race to the Top – Early Learning Challenge Grants

- ▶ The competition will support states' development of a common set of program standards, used statewide, to align programs such as Head Start, CCDF, IDEA, and Title I Preschool.
- ▶ States are encouraged to implement comprehensive data systems and to use the data to improve instruction, practices, services, and policies.

- 1) **Early Learning and Development Standards;**
- 2) **A Comprehensive Assessment System;**
- 3) **Early Childhood Educator qualifications;**
- 4) **Family engagement strategies;**
- 5) **Health promotion practices; and**
- 6) **Effective data practices;**

- ▶ Governor Rick Scott has indicated that Florida will be submitting a RTT-ELC proposal .

American Jobs Act

Preventing Teacher, Police Officers and Firefighters Layoffs – \$35 billion

- ▶ \$30 billion for Pre-K-12 public school educators and
- ▶ \$5 billion for “first responders”

Districts can use funds only for--

Compensation and benefits and other expenses, such as support services, necessary to:

- 1) Retain existing employees,
- 2) Recall or rehire former employees, or
- 3) Hire new employees to provide early childhood, elementary, or secondary educational and related services.

- ▶ Funds must be obligated no later than September 30, 2013;

American Jobs Act

Modernizing 35,000 Public Schools – \$30 billion

- ▶ \$25 billion for Pre-K-12 and
- ▶ \$5 billion for community colleges

- 1) Funds shall be used by school districts only for modernization, renovation, or repair activities in facilities that are used for elementary or secondary education or for early learning programs including, among many other things:
- 2) Installation or upgrading of educational technology infrastructure,
- 3) Other modernization, renovation, or repair to —
 - Improve teachers' ability to teach and students' ability to learn;
 - Ensure the health and safety of students and staff; or
 - Improve classroom, laboratory, and vocational facilities in order to enhance the quality of science, technology, engineering, and mathematics instruction

FY2012 Spending Deal

The Budget Control Act (S.365) raised the National Debt Ceiling for a period of time, thereby avoiding a national default on August 2, 2011.

Phase I

- ▶ The act allows the President to raise federal borrowing authority immediately and then again through 2012, unless Congress rejects the later increases.
- ▶ The act sets discretionary spending cap savings at some \$900 billion over the next ten years.
- ▶ Most of the "cuts" - *which are not actually cuts, but a reduction in the projected growth of future spending*- will be based on the projected inflationary increases for discretionary spending over the next decade.
- ▶ During this period, Congressional appropriators can decide to allocate the discretionary spending "cuts" among domestic programs as they see fit.

FY2012 Spending Deal

Phase II

- ▶ Another \$1.2 trillion in debt reductions must be accomplished in Phase II of the agreement.
- ▶ A Joint Congressional Committee has been established by party leaders in both Houses of Congress to recommend a debt reduction bill by November 2011.
- ▶ The Joint Committee's bill could include program cuts, new taxes, subsidy reductions, entitlement reform, etc.
- ▶ If the Joint Committee's bill is not enacted, an automatic across-the-board cut in discretionary spending would occur in most Federal programs in January 2013, including elementary and secondary education programs.
- ▶ OMB estimates such a cut would be **6.7%** to all affected domestic discretionary programs, resulting in approximately \$3 billion in cuts to the \$45 billion budget of USDE.