Education Committee Federal Update
August 13, 2013
Lee Posey, Senior Committee Director
D.C. Partisanship

“HOUSE, SENATE MOVING FAST ON DIFFERING STUDENT LOAN FIXES”
CQ Roll Call 5/15

“HOUSE PASSES PARTISAN NCLB REWRITE, BUT ROCKY ROAD STILL AHEAD”
Education Week 7/22

“PRESIDENT ABANDONS HIS OWN STUDENT LOAN PROPOSAL”
House Education and Workforce Committee Republicans (Press Release) 6/7

“VETO THREAT ISSUED AHEAD OF HOUSE DEBATE ON EDUCATION OVERHAUL”
CQ News 7/17

“STUCK ON SEQUESTER”
CQ Weekly 6/3
"I’m shocked, shocked to find that partisanship is going on in here!"
Broad Divides Over Education

“RIFTS DEEPEN OVER ED POLICY IN U.S.”
Education Week 5/7

“CRACKS IN THE COMMON CORE”
The Foundry, Heritage Foundation 7/4

“COMMON CORE SUPPORTERS FIRING BACK”
Education Week, 5/14

“A TOUGH NEW TEST SPURS PROTEST AND TEARS”
New York Times 4/19
### 2013: A Year in the Federal Budget Process

<table>
<thead>
<tr>
<th>January</th>
<th>March/April</th>
<th>August/November</th>
<th>September 30</th>
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<tbody>
<tr>
<td>Tax cuts/hikes (H.R. 8)</td>
<td>Sequestration</td>
<td>Debt Limit</td>
<td>FY 2014 appropriations deadline</td>
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<td>FY 2013 Continuing Resolution</td>
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<td>President’s FY 2014 Budget Request</td>
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• House and Senate passed very different FY 2014 budget resolutions in March
  – $91 billion apart

• President Obama submitted his budget request on April 10
  – *level funding for IDEA and Title 1 grants to states, more funding for competitive grants*
...But Rapidly Stalling

• 4 of 12 appropriations bills to the floor in the House, none in the Senate

• Domestic spending cuts now divide House GOP
  – Transportation HUD
  – Interior

• House will only be in session 9 days in September before the new fiscal year begins Oct. 1
Prospects for Federal Education Funding

Labor, HHS, Education Appropriations

• FY 2013 $157 billion
  – after sequester $150 billion
• House level for FY 2014 $122 billion
• Senate level for FY 2014 $165.6 billion
States and Sequestration

- Uncertainty beyond 2013
- Mixed messages on furloughs, repayments
- States will “eat” inflation, demographic changes that impact discretionary spending
- “shield bills” and carve outs
- Mandate relief???????
<table>
<thead>
<tr>
<th>Date</th>
<th>States Granted NCLB Waivers</th>
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<tbody>
<tr>
<td>Feb. 2012</td>
<td>Colorado, Georgia, Florida, Indiana, Kentucky, Massachusetts, Minnesota, New Jersey, New Mexico, Oklahoma, Tennessee, May 2012 Connecticut, Delaware, Louisiana, Maryland, New York, North Carolina, Ohio, Rhode Island</td>
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<tr>
<td>Summer 2012</td>
<td>Arizona, Arkansas, District of Columbia, Kansas, Michigan, Mississippi, Missouri, Nevada, Oregon, South Carolina, South Dakota, Utah, Virginia, Washington, Wisconsin</td>
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<td>October 2012</td>
<td>Idaho</td>
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<tr>
<td>May 2013</td>
<td>Alaska, Hawaii, West Virginia</td>
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<tr>
<td>June 2013</td>
<td>Alabama, New Hampshire</td>
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NCLB Waiver Status

• Applied but no decision: Bureau of Indian Education, Illinois, Iowa*, Maine, Pennsylvania, Puerto Rico, Texas, Wyoming

• Denied waiver: California**

• Originally applied, withdrew: Vermont, North Dakota

• Have not yet requested waiver: Montana, Nebraska

*US Ed considers “in progress”

**CORE counties application
U.S. ED Offers Additional Flexibility

- Secretary Duncan announced on June 18
- Flexibility in two areas
  - States can delay personnel consequences tied to student growth data until no later than 2016-2017
  - States can avoid double testing students in the 2013-2014 school year
IT’S BACK! ESEA Reauthorization: Senate HELP Committee June 11

• HOUSE: H.R. 5, the Student Success Act
  – committee passage 6/19; House passage 7/19

• SENATE: S. 1094, the Strengthening America’s Schools Act
  – committee passage 6/12

• Both moved on a partisan basis

• Both end AYP accountability system of NCLB
ESEA Reauthorization
(continued)

• House bill also
  – includes Local Academic Flexibility Grants (block grants)
  – assumes sequester level of funding through reauthorization period
  – allows Title I money to follow students in public schools/public charter schools
  – eliminates federal definition of Highly Qualified Teacher
“If she can stand it, I can! Play it!”
Immigration Reform


• “DREAMers” can apply for Resident Provisional Immigrant status. These are individuals who:
  – were brought to the U.S. before age 16
  – have completed high school or a GED
  – have completed a higher education degree (or two years of such a program), or have served 4 years in the military
Immigration Reform (continued)

• Repeals Section 505 of the Illegal Immigration and Reform Responsibility Act of 1996 that prohibited public universities from offering in-state tuition rates to undocumented students on the basis of residence in the state, unless they offered the same rates to nonresidents of the state.
Higher Education: Student Loan Legislation

House and President proposed moving to market-based rate for Stafford loans; Senate agreed to compromise bill

H.R. 1911 as amended

- Stafford loans based on 10-year Treasury notes
- Interest rate fixed, capped
- Applies to loans on or after July 1, 2013
Higher Education: Moving Away from Credit Hours

- U.S. Department of Education encourages schools to award federal financial aid based on competency not credit hours
- Department’s Experimental Sites Initiative
Higher Education: Teacher Preparation Standards

• Drafted by the Council for Accreditation of Educator Preparation
• Establishes minimum admissions criteria
• Requires programs to use value added measures of student achievement to gauge program quality
• Final standards and guidance January 2014
Higher Education: Fisher v. University of Texas

- Affirmative action case
- Supreme Court ruled in June in a 7-1 decision
  - held the lower court failed to apply strict scrutiny to the Texas admission program
  - vacated the lower court decision and remanded the case back for further review
Other Pending Reauthorizations

(with date of last renewal)

• Carl D. Perkins Career & Technical Education Act (2006)
• Child Care & Development Block Grant (1996)
• Education Sciences Reform Act (2002)
• Head Start Act (2007)
• Higher Education Act (2008)
• Individuals with Disabilities Education Act (2004)
• WIA (1998) *House bill, Senate HELP bill*
What to Watch For This Fall

• Will the Senate HELP Committee ESEA bill come to the floor?
• Will there be details on President Obama’s promise to “shake up” higher education?
• Will the Higher Education Act be reauthorized?
The NCSL Education Committee will meet at NCSL’s Fall Forum December 4-6, Washington D.C.

For More Information:

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“SOMETIMES AMERICAN POLITICS, LIKE THE PEACE OF GOD, PASSETH ALL UNDERSTANDING.”

Francis Bartow Lloyd (“Rufus Sanders”) 1898

my great-great-grandfather, Montgomery Advertiser columnist, and Alabama state legislator