

Washington Update:
Same Song, Third Verse:
A Little Bit Louder &
A Little Bit Worse

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This Presentation

- Will take a look back at 2016
- Look forward to 2017



Here's What Congress COULD Do During the Lame Duck Session

- Continuing Resolution (CR)
- Reauthorization of Perkins Career and Tech Ed bill
- Zika funding



Partnering for Government Relations

- NASDSE works with 14 coalitions of national organizations
 - Helps strengthen our presence
 - Allows us to track more issues



1. IDEA Reauthorization

- Repeat after me: IDEA will not come up for reauthorization in 2017
 - But ESSA will impact IDEA reauthorization on issues like:
 - High standards for SWD
 - Stakeholder engagement
 - More flexibility
 - Limitations on Secretary's authority



IDEA Implementation

- Still waiting on final disproportionality regulation – due out before end of the year
- NASDSE's 619 Affinity Group developed a paper on preschool LRE that has been submitted to OSEP



Lots of Guidance

- What's the difference between a regulation, policy statement and guidance?
- Here's a list:
 - Discipline/PBIS
 - Homeless students
 - ADHD
 - FAPE
 - Expulsion & suspension in early childhood programs



There's More

- ❑ Implementing RTI using Title I, Title III and CEIS funds
- ❑ Students with disabilities in nursing homes

And under general ed:

- ❑ STEM
- ❑ Family engagement
- ❑ Stakeholder engagement



Still More...

- Foster care
- Transgender students
- And more coming by the end of the year



2. ESSA Implementation

- Negotiated Rulemaking agreed NOT to propose a definition of students with the most significant cognitive disabilities
- Four sets of proposed regs have been issued: (1) accountability; (2) assessments; (3) demonstration assessments; and 4) supplement not supplant



Key Issues

□ On the accountability regs:

- Summative school ratings
- 'N size' of 30
- Meeting IEP goals should NOT be a determining factor for receiving high school diplomas
- Need clarification on waivers on the 1% cap (should 95% participation rate be required?)



Key Issues

- On the assessment regs:
 - No definition of students with the most significant cognitive disabilities in the regs
 - Need for training on appropriate accommodations for assessments
 - Include measures of academic growth based on portfolios, projects or extended tasks



More on the Assessment Regs

- Suggested language opposing use of IQ to determine who would take an alternate assessment
- Question flagging of accommodations when taking SATs/ACTs



Other Key Issues

- Each State shall develop challenging State academic content standards
- Assessments may include measures of student growth (projects, portfolios, extended performance tasks)
- ;



On Discipline

- ❑ Each State plan shall describe—
.....how the State educational agency will support local educational agencies receiving assistance under this part to improve school conditions for student learning... including the overuse of discipline practices that remove students from the classroom; and use of aversive behavioral interventions



3. Miscellaneous Education Legislation/Policy Issues

- Final teacher prep regs still not released
- Perkins Career and Tech Ed bill
 - Passed the House
 - Discord in the Senate



4. Budget/Appropriations

- Where we are in the budget process?



How the Budget Process Is Supposed to Work – Quick Refresher

- Budget – House
- Budget – Senate
- Budget Resolution
- Individual appropriations bills – House
- Individual appropriations bills – Senate
- \$\$\$\$\$\$ -- you get the money



Yet Again the House Planned on Passing All 12 Appropriations Bills

- ❑ But it couldn't come up with a budget
- ❑ And the Labor/HHS/Education appropriations bill was stuck (as usual)
- ❑ Not sharing numbers because they could change! (House/Senate/President's?)
- ❑ NASDSE supported funding for a number of individual programs
 - Funding for ESSA Title IVA is critical



So Now What?

- Congress passed a Continuing Resolution (CR) through December 9—means stable funding
- Question remains about funding for new programs under ESSA if just a CR
- What happens in December?
 - May depend on the election
 - Or could just punt into 2017



5. Data Issues

- ❑ Still a lot of concern in Congress regarding student data privacy
- ❑ Lots of bills introduced but no action in Congress
- ❑ FERPA is out of date and probably should be updated but no agreement as to how to update it



6. Mental Health Initiatives

- Mental health Reform Act of 2016
 - Passed the House; we signed onto letter asking for floor vote in the Senate
 - Provides flexibility for state and communities to improve mental health care
 - Promotes increased access to mental health care
 - Provides for mental health parity



More on Mental Health

- Senate passed S. 2614 Kevin and Avonte's Law to provide grant funds for education, training and technology to help prevent and reduce harm from wandering



7. Early Childhood

- New early childhood program in ESSA
 - Preschool Development Program
 - Administered by HHS & ED
 - Authorizes \$250 M for competitive state grants
- Final Head Start Performance Standards were just released



8. Technology – Accessibility and Online Learning

- ❑ Language on accessibility in ESSA
- ❑ Issues related to online learning and students with disabilities are not being addressed



9. School Choice

- Anti-voucher coalition has actively urged Congress NOT to reauthorize the DC voucher program, the only federally funded voucher program
- There are no vouchers in ESSA



10. WIOA Implementation

□ WIOA implementation

- Final implementing regs were recently released

- https://www.doleta.gov/wioa/final_rules_resources.cfm

- Lots of issues re partnering with voc ed and schools need to be addressed

- The law established commission on gainful employment, which has just released its report



Pay for Success

- RFP out for early childhood PFS feasibility study – applications were due October 6th
- More information available at:
<http://www2.ed.gov/programs/pfs/index.html>



Looking Ahead to 2017

- ❑ Supreme Court has accepted two special ed cases for this term
- ❑ We need appropriations
- ❑ What's ahead for education legislation?
- ❑ Will the Department of Education be abolished?



What Did I Leave Out? Questions?



You Know Where to Find Me

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