



The Consortium of State School Boards Associations
Weekly Education Report
LAST WEEK IN WASHINGTON

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The COSSBA Education Report, a weekly publication, provides an executive summary of public policy issues affecting American K-12 education and employment. **Because of the upcoming holiday break, the next Education Report will be published Monday, January 15. Please use the bookmarks below to navigate to your area of interest:**

1. **News, Publications, & Updates on COSSBA Policy Priorities**
 - **Broadband Connectivity and E-Rate**
 - **FCC Proposes Rules Addressing Homework Gap Through E-Rate Program:** On Thursday, the Federal Communications Commission published a proposed rule to address the ongoing remote learning needs of students, school staff, and librarians through the E-Rate program and to ensure families benefitting from Emergency Connectivity Fund program support are not left behind and forced back into the digital divide once the program ends.
 - **Funding**
 - **ED Announces \$277M in Innovation Grants for Academic Recovery:** On Tuesday, the Department of Education announced \$277 million in new grant awards to advance educational equity and innovation through the Education Innovation and Research grant program.
2. **Budget and Appropriations Wrap-up**
 - **Impact on State School Board Associations**
3. **In Brief – Last Week in Washington**
 - **Global Education Assessment Shows Student Math Scores Plummeting:** Results for the 2022 Program for International Student Assessment (PISA) were

released on Tuesday, showing students in the United States are still performing worse in math compared to before the pandemic, while holding steady in reading and science.

- **ED Kicks off Webinar Series on Updating English Learner Family Toolkit:** On Tuesday, the Department of Education’s Office of English Language Acquisition hosted its first in a series of webinars celebrating the publication of an updated English Learner (EL) Family Toolkit and the release of the EL Family Toolkit App.
- **House Oversight Panel Examines White House AI Policy:** On Wednesday, the House Oversight and Accountability Subcommittee on Cybersecurity, Information Technology, and Government Innovation held a hearing titled, “White House Policy on AI.”
- **Education Department Again Delays Title IX Rules:** On Wednesday, the Department of Education announced, for the third time, that there will be delays in the release of a pair of Title IX rules addressing sexual misconduct and the rights of transgender athletes.

4. **New Publications**

- **The Change Catalyst: A Guidebook to Support Leaders in Making Lasting Change**
Chiefs for Change (November, 2023)
The Change Catalyst was developed to support education system leaders and their teams through changes big and small. This guide is designed to help leaders use research-backed strategies to lead effective change efforts and engage their stakeholders as they collectively embrace new ways of working.

5. **In the News**

- **Here’s How the Feds Are Spending \$277M for Academic Recovery**
EducationWeek (December 5, 2023)
- **U.S. Students’ Math Scores Plunge in Global Education Assessment**
Axios (December 5, 2023)
- **School Districts Face Growing Competition for Students**
K-12 Dive (December 5, 2023)
- **Threats, Stress and Politics Pushing School Superintendents out the Door**
EdSource (December 4, 2023)

6. **Weekly Calendar - What’s coming up this week?**

- **Benefits of Active Parenting in K-12 Education:** The American Enterprise Institute for Public Policy Research will hold a virtual discussion on the benefits of active parenting in K–12 education. Panelists will discuss the details of successful parent-student relationships, the value of school choice, and broader K–12 issues that would benefit from active parental engagement.
Monday at 4pm ET
- **Senate HELP Committee Markup of the “Advancing Research in Education Act”:** The Senate Health, Education, Labor and Pensions (HELP) Committee will hold a markup of S. 3392, the "Advancing Research in Education Act."
Tuesday at 10am ET

7. On The Floor of Congress This Week

- Senate floor:

- Consideration of nominations
- H.R. 2670 – The National Defense Authorization Act

- House floor:

- H.R. 6570 – Protect Liberty and End Warrantless Surveillance Act (Sponsored by Rep. Biggs / Judiciary Committee)
- H.R. 6611 – FISA Reform and Reauthorization Act of 2023 (Sponsored by Rep. Turner / Intelligence Committee)
- H.R. 1147 – Whole Milk for Healthy Kids Act of 2023 (Sponsored by Rep. Thompson / Education & the Workforce Committee)
- H.R. 357 – Ensuring Accountability in Agency Rulemaking Act (Sponsored by Rep. Cline / Judiciary Committee)
- H.Res. 918 – Directing certain committees to continue their ongoing investigations as part of the existing House of Representatives inquiry into whether sufficient grounds exist for the House of Representatives to exercise its Constitutional power to impeach Joseph Biden, President of the United States of America, and for other purposes.

8. Important U.S. House and Senate Links

9. About BPAG

1. COSSBA Policy Priorities

BROADBAND CONNECTIVITY AND E-RATE

FCC PROPOSES RULES ADDRESSING HOMEWORK GAP THROUGH E-RATE PROGRAM

On Thursday, the Federal Communications Commission (FCC) published a **proposed rule** to address the ongoing remote learning needs of students, school staff, and librarians through the E-Rate program and to ensure families benefitting from Emergency Connectivity Fund (ECF) program support are not left behind and forced back into the digital divide once the program ends. Since its creation, the FCC’s E-Rate program “has supported high-speed, affordable internet services to and within school and library buildings, and has been instrumental in providing students and library patrons with access to the essential broadband services that are required for next-generation learning,” the proposal states. It goes on to suggest how advances in technology have changed how students learn, increasingly utilizing blended online learning tools that help improve digital skills necessary for the 21st Century. “In recent years, the demand for connectivity beyond school and library buildings became a crisis when the COVID–19 pandemic disrupted operations and caused schools and libraries across the country to temporarily close their doors,” the proposal further lays out. “Millions of students caught in the ‘Homework Gap’— *i.e.*, students unable to *fully* participate in educational opportunities because they lack broadband connectivity in their homes—suddenly found themselves unable to participate in education *at all*.” Congress established the ECF to address this critical need by providing funding for connected devices, Wi-Fi hotspot devices, broadband connections, and other eligible equipment and services for students, school staff, and library patrons in need for use at locations

outside of their school or library. Even so, ECF funding is nearly fully obligated, and the program will sunset on June 30, 2024. Ahead of the eventual sunset, the FCC is reexamining the E-Rate program and seeking comment on proposals and potential actions the Commission could take to support E-Rate beneficiaries who are at risk of losing access to essential broadband connections necessary to engage in educational opportunities once the ECF program sunsets. The FCC is accepting comments through January 8, 2024 and reply comments are due on January 22, 2024.

FUNDING

ED ANNOUNCES \$277M IN INNOVATION GRANTS FOR ACADEMIC RECOVER

On Tuesday, the Department of Education (ED) **announced** \$277 million in new grant awards to advance educational equity and innovation through the **Education Innovation and Research (EIR) grant program**. ED’s announcement highlights that state-administered test scores from the 2021-2022 and 2022-2023 school years show early signs of rebounding from the major pandemic disruptions, but are not yet back to pre-pandemic levels—and the recovery is inequitable—with the students most impacted furthest behind. “We have a long way to go, especially for communities and students who have been exposed to longstanding inequality,” ED says. “These new grant awards can help us get there with \$90.3 million for STEM, \$87.2 million for social emotional well-being, including student engagement, and \$76.5 million for projects in rural areas.” Education Secretary Miguel Cardona stated that the \$277 million in grant awards “will fund some of the nation’s most promising efforts to raise the bar for academic recovery, excellence, and equity in education.” The award announcement coincides with the one-year anniversary of ED’s **YOU Belong in STEM initiative**, which supports the implementation and scaling of equitable, high-quality STEM education for all students from PreK to higher education to prepare them for 21st century career readiness and global competitiveness. The Fiscal Year 2023 EIR awardees are listed **here**.

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2. Budget and Appropriations Wrap-Up

As is so often the case, an imminent holiday break is forcing some action on Capitol Hill. On the appropriations front, there was both public activity and behind the scenes progress. Publicly, Senate Majority Leader Chuck Schumer (D-NY) put a comprehensive supplemental appropriations bill on the floor to fund aid for Ukraine, Israel, Taiwan, and other priorities. The package lacked an agreement on border security. As a result, the measure failed on a procedural vote, despite the fact that the White House warned that support for Ukraine would run out by year’s end without new funding, putting the country in peril. The path forward for the supplemental remains unclear, as Senate negotiations about border and immigration policy remain at an impasse. In the House, Speaker Mike Johnson (R-LA) is **insisting** that aid to Ukraine be coupled with “transformative change” to border security, while some House Republicans still want to split the package into smaller pieces and consider aid for Ukraine and Israel separately.

As for the Fiscal Year (FY) 2024 spending bill process, talks continue and Speaker Johnson has said that bills will adhere to the limits of the debt limit deal struck earlier this year versus the lower levels that guided the development of House bills at the request of fiscal conservatives. House Appropriations Committee Ranking Member Rosa DeLauro (D-CT) told reporters last

week that she feels Democrats “cannot give an inch” in negotiations, asserting that the debt limit deal essentially froze spending for domestic programs at a time when Americans are dealing with increased costs. “There’s a budget agreement. You can’t pick and choose what you want to do after the bill has been passed,” she said. In his ["Dear Colleague" letter](#) on Thursday, Speaker Johnson agreed the debt agreement is “the law of the land.” He also said he would not be seeking any additional short-term spending bills, implying that a full-year continuing resolution could be a final solution to the FY 2024 spending process.

In the Senate, Appropriations Committee Chairwoman Patty Murray (D-WA) released a fact sheet on [“the implications of a date-change, full-year CR.”](#) The piece asserts that a full-year continuing resolution would both set funding levels based on outdated priorities and trigger funding caps. Those caps would cut non-defense funding by as much as 9.4 percent—a concerning figure for education advocates. Defense spending could be cut by as much as 4.1 percent.

How does this impact State School Board Associations?

The COSSBA federal relations team and other education advocates suddenly have two bipartisan bills and markups on their lists of issues to watch this week. The Senate Health, Education, Labor and Pensions Committee [is marking up](#) the [Advancing Research in Education Act](#) on Tuesday. The bipartisan bill would reauthorize the [Education Sciences Reform Act](#), which hasn’t been updated since its enactment in 2002. Not to be outdone, the House Education and the Workforce Committee [is marking up](#) two education bills on Tuesday. The [Bipartisan Workforce Pell Act](#) would make participants in certain short-term postsecondary programs eligible to receive Pell Grants. The [A Stronger Workforce for America Act](#) would amend the Workforce Innovation and Opportunity Act. Congress is scheduled for its holiday recess and district work period for three weeks at the end of this week.

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3. In Brief – Last Week in Washington

GLOBAL EDUCATION ASSESSMENT SHOWS STUDENT MATH SCORES PLUMMETING

Results for the 2022 Program for International Student Assessment (PISA) were [released](#) on Tuesday, showing students in the United States are still performing worse in math compared to before the pandemic, while holding steady in reading and science. The results additionally found that American teenagers lost less ground across subjects than most of their international peers. U.S. students saw a 13-point drop in their 2022 PISA math results when compared to the 2018 exam. Furthermore, while the U.S. scored below the Organisation for Economic Co-operation and Development (OECD) average in math, it managed to score above the OECD average in reading and science. In a statement on the recent results, U.S. Education Secretary Miguel Cardona [said](#), “Here’s the bottom line: At an extremely tough time in education, the United States moved up in the world rankings in reading, math, and science – all three categories PISA measures – while, unfortunately, many other countries saw declines. Today’s results are further proof that President Biden’s bold investments, backed by tireless efforts at the Department of Education to support student success and academic recovery, kept the United States in the game.” Secretary Cardona added that the results “also show that we can’t be satisfied with the status quo in education. There’s much work to be done – and we need all hands on deck to accelerate academic success.” PISA is an international comparative study of 15-year-old

students' performance in reading, mathematics, and science literacy. In the 2022 study, eighty-one education systems participated in PISA, including 37 OECD member countries and 44 other countries and subnational education systems. The U.S. math, reading, science and financial literacy results can be viewed [here](#).

ED KICKS OFF WEBINAR SERIES ON UPDATING ENGLISH LEARNER FAMILY TOOLKIT

On Tuesday, the Department of Education's (ED) [Office of English Language Acquisition](#) (OELA) hosted its first in a series of webinars celebrating the publication of an updated [English Learner \(EL\) Family Toolkit](#) and the release of the [EL Family Toolkit App](#). Speakers included Montserrat Garibay, assistant deputy secretary and director of OELA; Melissa Castillo, senior advisor of OELA; and Beatriz Ceja, deputy assistant director of OELA reviewed all six chapters of the toolkit and the available languages (English, Spanish, Chinese, and Arabic) in which the toolkit was published. Garibay explained that the purpose of the EL Family Toolkit is to provide EL families with useful information and resources about U.S. schools and to empower EL families to support their children as they attend and enroll in U.S. schools. This resource can help educators to create a welcoming environment and build relationships for EL families, as well as overcome barriers to EL family engagement. Castillo shared information on the free EL Family Toolkit App, highlighting how it provides families with easy access to the toolkit and features a search bar, an announcements tab, and an option to receive notifications on any updates. A recording of Tuesday's event is [here](#), and upcoming webinars in the series will be posted [here](#).

HOUSE OVERSIGHT PANEL EXAMINES WHITE HOUSE AI POLICY

On Wednesday, the House Oversight and Accountability Subcommittee on Cybersecurity, Information Technology, and Government Innovation held a hearing titled, "White House Policy on AI." Subcommittee Chairwoman Nancy Mace (R-SC) stated that AI is a powerful tool that can provide great benefits but can also be used carelessly by malicious actors. Mace further emphasized that AI has many implications for U.S. national security and critical infrastructure, so the U.S. must be at the forefront of AI governance and innovation to prevent China from advancing the technology for their own geopolitical interests. Witness Kate Goodloe, managing director of The Software Alliance, shared the benefits AI can yield for both students and educators. Goodloe highlighted adaptive learning programs, digital tutoring, and curriculum recommendations as excellent examples of how AI can positively transform classrooms. There are more digital resources available to instructors and students than ever before, and AI is affording them the ability to access relevant tools quickly and easily. Goodloe focused on math education, mentioning IBM's teacher advisor with Watson AI, which gives teachers access to math resources they need in seconds, including proven lesson plans, activities, standards information, and teaching strategies for students with varying degrees of preparation and ability. This can save valuable time for teachers throughout the school year. Witness Dr. Rumman Chowdhury, Responsible AI fellow at the Berkman Klein Center for Internet and Society at Harvard University, emphasized the need to invest in STEM education to develop a workforce of algorithmic auditors that can help to mitigate the risks of machine learning applications. More information about the hearing can be found [here](#).

EDUCATION DEPARTMENT AGAIN DELAYS TITLE IX RULES

On Wednesday, the Department of Education (ED) [announced](#), for the third time, that there will be delays in the release of a pair of Title IX rules addressing sexual misconduct and the rights of

transgender athletes. The rules are to be finalized in March 2024, according to the agency. Title IX is a 1972 law that prohibits sex-based discrimination at schools that receive federal funding. The Trump-Pence Administration axed Obama-era Title IX guidance by making it harder for students who say they have been sexually harassed or assaulted to prove their case. The Trump rules also required live hearings with an opportunity for cross-examination, allowing the accused to confront their accusers. President Joe Biden proposed altering this rule by reversing Trump regulations and lowering the standard to a “preponderance of evidence” as opposed to survivors having to produce “clear and convincing evidence” that alleged sexual misconduct took place. Over the summer, ED took a key procedural step to implement its guidance on athletic eligibility under Title IX. In a notice announced in April, the Administration proposed largely preventing schools from barring transgender and nonbinary students from participating in school sports, with some exceptions. Strengthening Title IX was a Biden campaign promise, yet years later, students are still demanding reform. Earlier this year, ED said it expected to complete the rules by May, and then October. Reforming federal education policy is never simple – ED must review and respond to nearly 250,000 comments submitted in response to the draft rule, which has been perpetuating the delays, compounded by an understaffed and underfunded department. ED has not sent either rule to the Office of Management and Budget (OMB), which reviews any rule before it is published. That review, which can take up to 90 days, includes meeting with stakeholders and other affected parties. Rules typically take effect 60 to 90 days after they are issued; colleges and universities have asked for at least eight months to implement the changes. Sixty House democrats, students, and Title IX reform advocacy groups are demanding an end to the Trump-era guidance by implementing President Biden’s new proposed protections for survivors of sexual misconduct and transgender and nonbinary student athletes. The status quo has left an increasingly vocal number of students and advocates frustrated at the regulatory gridlock, especially as a likely rematch between Trump and Biden looms.

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4. New Publications

The Change Catalyst: A Guidebook to Support Leaders in Making Lasting Change

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5. In the News

Here’s How the Feds Are Spending \$277M for Academic Recovery

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U.S. Students’ Math Scores Plunge in Global Education Assessment

Axios (December 5, 2023)

School Districts Face Growing Competition for Students

K-12 Dive (December 5, 2023)

THIS WEEK IN WASHINGTON

6. Weekly Calendar

Monday, December 11, 2023

Webinar: Benefits of Active Parenting in K-12 Education

Subject: The American Enterprise Institute for Public Policy Research will hold a virtual discussion on the benefits of active parenting in K–12 education. Panelists will discuss the details of successful parent-student relationships, the value of school choice, and broader K–12 issues that would benefit from active parental engagement.

Time: 4:00 p.m.

Registration: Register [here](#).

Tuesday, December 12, 2023

Markup: Senate HELP Committee

Subject: The Senate Health, Education, Labor and Pensions (HELP) Committee will hold a markup of S. 3392, the "Advancing Research in Education Act."

Time and Location: 10:00 a.m.; 430 Dirksen SOB.

Registration: Live stream available [here](#).

7. On The Floor of Congress This Week

Senate Floor:

- Consideration of nominations
- [H.R.2670](#) – the National Defense Authorization Act

House Floor:

- [H.R. 6570](#) – Protect Liberty and End Warrantless Surveillance Act (*Sponsored by Rep. Biggs / Judiciary Committee*)
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8. Links for Up-to-Date Information on Hearings, Legislation, and Events

[U.S. House and Senate 2023 Schedule](#)

[U.S. Department of Education](#)

[U.S. Senate Committee on Health, Education, Labor and Pensions](#)

[U.S. House Committee on Education and Labor](#)

[U.S. Senate Budget Committee](#)

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9. About BPAG

is a full-service government affairs and public relations consulting firm that has built a reputation for producing results. We partner with clients committed to excellence in education and other social services to achieve policy and advocacy success by:

- leveraging our expertise and passion;
- strategizing intelligent solutions; and,
- Creating meaningful impact.

Our team includes long-term insiders in education policy from Pre-K through higher education, innovative thinkers and savvy strategists that provide a comprehensive array of customized client services. We have the knowledge, skills, and relationships that are necessary for successful advocacy at all levels. From grassroots to grass tops and everything in between, our broad-based legislative practice approaches every project with the same degree of determination and professionalism. BPAG provides expertise in a variety of services:

- Government Relations
- Research and Analysis
- Advocacy Training
- Association Management
- Strategic Communications
- Policy Events

For more information, please visit our [website](#).

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