

## Advocacy Institute 2016 Homework

### For Your Capitol Hill Meetings - Tuesday, June 14

NSBA looks forward to your participation at the 2016 Advocacy Institute, June 12-14, 2016. To help you prepare for Hill meetings with your members of Congress, their staff or both on Tuesday, June 14, we have prepared materials and this assignment – “homework” covering issues applicable to your school district.

To prepare, please:

- Review background for :
  - The Every Student Succeeds Act (ESSA) Implementation
  - Child Nutrition Reauthorization (CNR) Act
  - Perkins Career and Technical Education (CTE) Reauthorization
  - Federal Investments in Education
- Complete **homework questions** applicable to your school district and explain how the legislation may impact your district.
- Submit your homework to NSBA either in advance of Advocacy Institute via [kbranch@nsba.org](mailto:kbranch@nsba.org) or when you register, and be prepared to bring a copy for your Hill meetings.

### I. The Every Student Succeeds Act (ESSA) Implementation

#### Background

The historic modernization of the Elementary and Secondary Education Act (ESEA) with the December 2015 signing into law of the Every Student Succeeds Act (ESSA), Public Law No: 114-95, brings a long-overdue and welcomed change to our nation’s public education law and its impact on states and local school districts. This four-year reauthorization restores local governance and offers greater flexibility for states and local school districts in many areas of public education, including the development and administration of state plans and assessments. ESSA fixes many of the onerous, punitive and “one size fits all” components of the No Child Left Behind Act (NCLB) and ends the Department of Education’s controversial waiver system. The new education law reaffirms the importance of local school board governance and local leadership to advance student achievement and school performance. With the passage of ESSA, our collective advocacy efforts are only 50 percent complete; we must pivot and focus our remaining efforts on the rulemaking and implementation process.

To refresh your knowledge of ESSA, please refer to [NSBA's ESSA, Transition Timetable and Frequently Asked Questions: A Local School Board Primer](#). The Department of Education's [Transitioning to the Every Student Succeeds Act](#) may also be helpful during this transition.

## Homework Questions

1. The U.S. Department of Education (ED) is focused on implementing provisions of ESSA through both regulatory and non-regulatory measures. Please identify and address proposed requirements that negatively impact your school district. Identify key concerns you have for your school district.
  - a. **Proposed Assessment Regulations.** The U.S. Department of Education and the negotiated rulemaking committee formed to negotiate assessment regulations reached a consensus on specific assessment issues (listed below) and you can view [the final consensus based language](#) on assessments.
    - i. Exception for middle school (8<sup>th</sup> grade) advanced mathematics (§200.5, subsection (b))
    - ii. Locally selected nationally recognized high school assessments (§200.3)
    - iii. Inclusion of students with disabilities in academic assessments (§200.6, subsections (a) through (d))
    - iv. Alternate academic assessment for students with the most significant cognitive disabilities, including the 1% cap on assessments
    - v. Inclusion of English learners (EL's) in academic assessments (§200.6, subsections (f) through (g))
    - vi. Inclusion of English learners in English language proficiency assessments
  - b. **Supplement, Not Supplant Regulations.** The negotiated rulemaking committee did not reach consensus on the supplement, not supplant regulations proposed by the Department. Because the Department may proceed in issuing regulations that resemble iterations considered by the committee, how would the proposed regulations have affected your district's ability to demonstrate compliance with the overall, minimum requirement that, for State and local funds, per-pupil spending in Title I schools is equal to or greater than per-pupil spending in non-Title I schools?

## II. Child Nutrition Act Reauthorization (CNR)

### Background

The last reauthorization of the Child Nutrition Act - the Healthy, Hunger-Free Kids Act, Public Law 111-296, occurred five years ago. It reauthorized six major nutrition programs—including school breakfast and lunch— and expired on September 30, 2015. However, school meal programs continue to operate at the status quo as long as Congress continues to appropriate funds for the program.

Since 2010, the U.S. Department of Agriculture promulgated numerous policies to implement PL 111-296. Four provisions of the bill already in effect include: 1) national standards for school meals, 2) paid meal pricing requirements, 3) competitive foods standards, and 4) professional standards for education and training for all school food service personnel.

Bills to reauthorize the CNR have been introduced in both the House and Senate. Both bills take steps to 1) increase flexibility for whole grain content and sodium reduction targets, 2) increase stakeholder engagement (including school boards) and 3) reduce fraud, waste and abuse. For these reasons, NSBA supports both bills.

There are also some differences and controversial provisions. The Senate bill - Improving Child Nutrition, Integrity and Access (ICNIA) Act - is bipartisan and was approved by the Senate Agriculture Committee unanimously in January 2016. However, the bill has an estimated cost of \$1 billion and may not advance without modifications to address the cost.

The House bill - Improving Child Nutrition and Education Act - is not bipartisan. It also includes a controversial provision to increase the poverty threshold for school districts to participate in Community Eligibility for school meals and to provide universal meal service. Overall however, flexibility and integration of the school board perspective is greater in the House bill.

### **Homework Questions:**

1. Has your school district experienced any of the following since the Healthy, Hunger-Free Kids Act went into effect in 2010?
  - a. Increased costs to the School Food Authority (SFA)
  - b. Decreased participation by students
  - c. Increased plate waste
2. If yes to any of the above, how has your district responded to ensure compliance with the law?
  - a. Draw down of School Food Authority (SFA) fund balance
  - b. Redirection of other non-federal funds to the SFA
  - c. Delay or cancellation of investments in equipment, staff or other expenditures
  - d. Increase the price of paid meals
  - e. Other
3. If yes to any of the above, how does this impact instruction and other academic/student engagement programs in your district?
4. What steps could the federal government take to help school districts successfully provide healthy appetizing meals without negative impact to the SFA or to other school district services and responsibilities?
  - a. Increase federal reimbursement for school meals
  - b. Include the school board perspective when the U.S. Department of Agriculture establishes national policies for school meals, taking into consideration the impact on the entire school district, not just the SFA
  - c. Evaluate and respond to the particular needs of rural school districts
  - d. Provide more technical assistance from the U.S. Department of Agriculture and state agencies
  - e. Provide school districts with more flexibility. What kind of flexibility would be most helpful?

### III. Perkins Career and Technical Education (CTE) Reauthorization

#### Background

Congress has begun efforts to reauthorize the Carl D. Perkins Career and Technical Education (CTE) Act, exploring options to expand the capacity of programs in school districts throughout the country. Last reauthorized in 2006, this law provides states with more than \$1 billion annually in federal funding for programs designed to prepare students in technical careers. Since the law expired in 2012, education advocates and business leaders have highlighted the importance of aligning career and technical education programs with current and future workforce demands to help prepare students for both college and careers.

Modernizing CTE with strong academic components will help our nation's school districts continue efforts to advance curricula that provide 21st Century skills and knowledge to meet the needs of both students and employers and provide practical training through apprenticeships and other opportunities. According to the Congressional Career and Technical Education Caucus, co-chaired by Representatives Glenn 'GT' Thompson (R-PA) and Jim Langevin (D-RI), skilled trades are the hardest jobs to fill in the United States. The Caucus has cited data indicating 550,000 jobs open in the trade, transportation and utilities sectors and 246,000 jobs open in manufacturing.

#### Homework Questions:

1. What areas of support are needed in your district and community to strengthen CTE programs and the transition for students into career disciplines (such as greater counseling, stronger partnerships with business and industry, additional funding)?
2. CTE reauthorization efforts also involve proposals to support the expansion of public/private collaborations with secondary and post-secondary programs, including alignment with state or locally determined in-demand industries and occupations. Are there successful partnerships in your community among your school district, community colleges and other institutions of higher education and local businesses/industry? If so, please describe this collaboration and the benefits available to students.
3. If your state/district has incorporated flexibility for career and technical education programs to serve all students, including students with disabilities, please describe this effort and the results achieved. Your insight will be useful to help inform the reauthorization efforts.
4. Proposals to change the funding formula for CTE and include competitive grant components have been raised in previous years, along with ideas to garner matching grant funds from local businesses. If such proposals would not be viable in your community and local economy, please state why and indicate the need to maintain CTE as a formula grant program that can benefit more students and schools.

## IV. Federal Investments in Education

The budget and appropriations process for Fiscal Year 2017 is underway, subsequent to Congress abating another round of across-the-board budget cuts for Fiscal Years 2016 and 2017, with the enactment of the Bipartisan Budget Act of 2015. As your members of Congress deliberate FY2017 appropriations, including those for education, priorities to maximize investments in Title I, special education (IDEA), and related programs are essential.

### Homework Questions:

1. The federal investment in special education under the Individuals with Disabilities Education Act (IDEA) state grants is approximately 16 percent of the federal share originally promised. This equates to an estimated \$1,777 per student for 2016, based on the national average per pupil expenditure of \$11,118 for 2016 according to the Department of Education. Inform your members of Congress about the shortfalls in federal funding for IDEA and note the percentage of your school district's budget that is devoted to special education. Note the average cost of an IEP (individualized education plan) among students educated under IDEA in your district. Urge Congress to address this shortfall and make increased investments in IDEA a priority for FY2017, which will help alleviate fiscal pressures in other areas of district budgets, especially with the transition efforts underway for ESSA.
2. What are some of the ways your school district utilizes Title I funds to successfully close achievement gaps and drive greater academic success? For example, how is Title I raising or increasing overall proficiency levels? Has specialized instructional support through Title I improved student achievement in core subjects such as reading and math?
3. What are the additional resources that will help your district (such as additional tutors and intervention for students, investments in professional development and retention of effective teachers and leaders, and greater resources for community partnerships and parental engagement)? As your district and state education agency make changes to assessments, standards of learning, staffing, curricula and student support services, pursuant to ESSA, please state what resources are needed to ensure a successful transition for your school and community.
4. ESSA calls for a national study on Title I funding regarding equitable distribution among states regarding poverty levels and communities with the greatest need. Provide examples and/or data to support the Title I investment in your school district, such as geographic isolation or challenges, poverty levels or per capita income, lack of industry/community engagement to support students and schools. Such data and information can help inform NSBA and your members of Congress as the study is developed.

*If you have any questions, please contact Kathleen Branch, director of national advocacy services and programs, at [kbranch@nsba.org](mailto:kbranch@nsba.org). We look forward to seeing you at the 2016 Advocacy Institute.*

*[www.nsba.org/advocacyinstitute](http://www.nsba.org/advocacyinstitute)*