

# Federal Legislative Report



## **EVERY STUDENT SUCCEEDS ACT (ESSA) IMPLEMENTATION - FEDERAL**

Things continue to change at the federal level regarding how ESSA will be implemented and what that will look like. As mentioned in the last report (115-01), the House voted on February 7 to repeal both the Title I on the ESSA Accountability, State Plans, and Reporting Regulations (HJR 57) and Teacher Preparation Regulations (HJR 58). On March 8, the Senate voted to approve HJR 58, and on March 9, they voted to approve HJR 57. The President has indicated he will sign both resolutions.

The U.S. Department of Education (DOE) announced last week that the Administration will maintain previously announced State Plan application deadlines (April 3 or September 18) that were included in the regulations. The DOE, yesterday, March 13, also just released a new revised State Template for the Consolidated State Plan. Public comment on this document is open for 60 days from the release date. More detailed information will be available on this at a later date.

## **ESSA IMPLEMENTATION – STATE**

The final draft of the State Plan will be presented to the Illinois State Board of Education (ISBE) Board tomorrow, March 15, and includes the following provisions:

- N size of 20
- 4 tiers of school performance: Comprehensive, Targeted, Commendable, Exemplary
- Weighting between Academic (75%) and School Indicators (25%)
- For K-8, Growth is weighted 50% of the 75%. For 9-12, Graduation Rate is weighted 50% of the 75%
- Growth model will be a simple linear regression model
- Inclusion of Chronic Absenteeism and a Climate Survey under School Indicators

## **H.R. 610 – CHOICES IN EDUCATION ACT**

H.R. 610, the *Choices in Education Act of 2017*, introduced by U.S. Rep. Steve King (R-IA), would repeal the Elementary and Secondary Education Act of 1965, and create a voucher program to allow federal funds to be used for

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public and private schools or homeschooling. Additional provisions in H.R. 610 are as follows:

- Limits the authority of the DOE to only award block grants to qualified states.
- Establishes an education voucher program through which each state shall distribute block grant funds among local educational agencies (LEAs) based on the number of eligible children within each LEA's geographical area.
- Each LEA would: (1) distribute a portion of funds to parents who elect to enroll their child in a private school or to home-school their child, and (2) do so in a manner that ensures that such payments will be used for appropriate educational expenses.

In addition to creating a voucher program, H.R. 610 includes provisions to repeal the No Hungry Kids Act to eliminate the requirement that schools increase the availability of fruits, vegetables, whole grains, and low-fat or fat free milk in school meals; and reduce sodium saturated fats, and trans fats in school meals to be in line with caloric and nutritional requirements.

While H.R. 610 is in the very early stages of the legislative process, it could be a sign of what's to come.

### **MEDICAID FUNDING IN PUBLIC SCHOOLS**

On March 6, House Republicans released the *American Health Care Act* to repeal and replace sections of the *Affordable Care Act* (ACA). The bill would dramatically change Medicaid's financing structure and impact the ability of students with disabilities and students in poverty to receive many critical health services in schools that enable them to learn. These services include speech-language pathology, occupational and physical therapy, mental and behavioral health services, vision and hearing screenings, diabetes and asthma management, wheelchairs, and hearing aids. Schools are able to provide these services, and pay for professionals and equipment because they can receive reimbursement from Medicaid to cover the majority of these costs.

Under this plan, every child would receive a capped amount of funding for their healthcare needs regardless of how sick or disabled they are or what services they need to be healthy and learn. School districts may be totally cut out of the Medicaid reimbursement process as states decide how to spend the money and they will have \$600 billion dollars less from the federal government to spend on Medicaid eligible kids. Healthcare experts believe this will lead to rationed health care options for children, and cutting schools out of Medicaid reimbursement is a choice states can make when dollars are scarce and schools are competing with hospitals, primary care physicians, and front-line providers for limited resources.

Last week, the House Energy and Commerce Committee and the House Ways and Means Committee considered the legislation, including respective amendments to the bill. Both

Committees approved of the legislation on March 9. The legislation is scheduled to be considered by the House Budget Committee this week. Republican leadership has indicated that this is the first of three legislative initiatives to rollback provisions of the ACA.

### **JOINT SESSION OF CONGRESS**

President Trump addressed Congress for the first time on February 28. In his speech, he clearly indicated that he intends to pursue a version of school choice that could direct public funds to public, private, charter, magnet, religious, or home schools. The President called for one of the largest increases in military spending in the nation's history. To offset the increase, the President intends to reduce funding for things like education and other non-discretionary domestic spending. He also called for infrastructure improvements to roads, bridges, tunnels, airports, and railways, but did not mention schools. It is important to remember that the President cannot do these things without legislation and support from Congress.

