



Federal Advocacy & Public Policy Team

February 5, 2021

NSBA Weekly Update

Congressional Update

Senate HELP Committee Considers Cardona Nomination

Last month, President Biden formally nominated Miguel Cardona—the former Education Commissioner for the state of Connecticut—to be the next U.S. Secretary of Education. On Wednesday, February 3, the Senate Health, Education, Labor, and Pensions (HELP) Committee held a hearing to formally consider Cardona’s nomination. Senators from both parties largely gave Cardona a warm reception throughout the hearing which focused on a wide array of issues. In his [testimony](#), Cardona highlighted the importance of investing in public schools to “change lives and save lives” in the midst of the ongoing pandemic—a recurrent theme throughout the hearing which Cardona stressed “has exacerbated inequities in our educational system.” Topics spanned the gamut of education policy from those related to the pandemic, such as reopening school buildings, vaccination prioritization efforts, and the appropriate role of assessments, to various other issues such as student disability policy, rural educational challenges, career and technical education, and STEM. Lawmakers, on a seemingly bipartisan basis, appeared to be largely supportive of Dr. Cardona throughout the more than two-hour hearing.

A recording of the hearing can be found [here](#). More recently, Chairwoman Patty Murray (D-WA) announced the HELP Committee will hold a formal vote on Cardona’s nomination on Thursday, February 11.

Senate Adopts Organizing Resolution, Firms Up Committee Assignments

After a full month of disagreement, Majority Leader Chuck Schumer (D-NY) and Minority Leader Mitch McConnell (R-KY) announced, on Wednesday February 3, that they have come to agreement on an [organizing resolution](#). This agreement determines the rules that will govern the evenly split 50-50 Senate during the 117th Congress, including how many and which Senators will serve on various committees. Of significant note, the new agreement will usher in [changes](#) to the Senate HELP Committee. Senator Warren (D-MA) is set to leave the committee for Finance and will be replaced by Senators Luján (D-NM) and Hickenlooper (D-CO). Republican Senators Marshall (R-KS), Tuberville (R-AL), and Moran (R-KS) have also been added to the HELP Committee which, as constituted, will be evenly split. Senator Burr (R-NC) has been named Ranking Member of the HELP Committee, while Senator Murray (D-WA) will once again take the gavel as Chair of the committee.

Congress Takes Steps Towards Reconciliation

On the day President Biden was inaugurated, his administration [released](#) a \$1.9 trillion proposal to respond to the ongoing pandemic. Dubbed the American Rescue Plan, the proposal aims to provide \$130 billion in targeted aid for the K-12 education community to support efforts to reopen schools throughout the nation. While Democrats now control both chambers of Congress, the current filibuster rules in the Senate require most legislative proposals to garner the support of at least 60 Senators to pass the

chamber. To circumvent this requirement, lawmakers can make use of an arcane legislative process, known as budget reconciliation, to pass certain legislation with a simple majority in the Senate. The first step in this process is for both chambers to consider and pass budget resolutions which move this process forward. On Wednesday, February 3, the House passed a budget resolution which seeks to implement President Biden's American Rescue Plan. Action on this proposal centered on the Senate most of Thursday, February 4, where lawmakers had a marathon session of votes before passing their own version of the budget resolution 50-51 (with Vice President Kamala Harris casting the tie-breaking vote).

Controversial Lawmaker Removed from House Education Committee

Recently, inflammatory remarks and public statements made by Rep. Marjorie Taylor Greene (R-GA) have emerged. In response to these and other actions, the House of Representatives voted 230-199 to remove Greene from her committee assignments which included the Education and Labor committee. It remains unclear currently if House Republican leadership plan to fill this newly created vacancy.

Administration Update

FCC Seeks Comment on E-Rate Program

The Federal Communications Commission (FCC) is [seeking](#) public input as it explores the feasibility of making changes to the E-rate program to "allow the use of E-rate funds to support remote learning during the COVID-19 pandemic." At a time when most students have transitioned to remote or distance education, E-rate funds cannot be used to support activities increasing broadband access unless they are on a school or library campus. A recent [petition](#) to the FCC, supported by NSBA and several other organizations, is calling on the agency to allow these funds to be used "off campus" to support remote learning during the pandemic. If granted, this temporary rule change could help an estimated 16 million students who lack internet connectivity at home connect to the internet and close the homework gap. Initial comments are due by February 16 and reply comments are due by February 23. NSBA provided background information and suggested talking points to the state associations this week and encourages states to consider filing their own supporting comments.

Bills

- [H.R.783](#) To amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals. **Sponsor:** [Rep. Young, Don \[R-AK-At Large\]](#)
- [H.R.779](#) To provide for a Federal partnership to ensure educational equity and quality. **Sponsor:** [Rep. Trone, David J. \[D-MD-6\]](#)
- [H.R.764](#) To require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act. **Sponsor:** [Rep. Lee, Susie \[D-NV-3\]](#)
- [H.R.750](#) To establish the Federal Clearinghouse on School Safety Best Practices, and for other purposes. **Sponsor:** [Rep. Diaz-Balart, Mario \[R-FL-25\]](#)
- [H.R.731](#) To direct the Secretary of Labor to make grants to eligible applicants to provide stipends to individuals enrolled in a pre-apprenticeship program, and for other purposes. **Sponsor:** [Rep. Smith, Adam \[D-WA-9\]](#)
- [H.R.729](#) To establish the Strength in Diversity Program, and for other purposes. **Sponsor:** [Rep. Scott, Robert C. "Bobby" \[D-VA-3\]](#)
- [H.R.703](#) To ensure access to apprenticeships for underrepresented groups, eliminate barriers and ensure completion of apprenticeships, and invest in successful apprenticeship intermediaries. **Sponsor:** [Rep. Jayapal, Pramila \[D-WA-7\]](#)
- [H.R.702](#) To direct the Secretary of Labor to award grants to develop, administer, and evaluate early childhood education apprenticeships, and for other purposes. **Sponsor:** [Rep. Guthrie, Brett \[R-KY-2\]](#)

- [H.R.691](#) To expand opportunities for pre-apprenticeships programs. **Sponsor:** [Rep. Cardenas, Tony \[D-CA-29\]](#)
- [H.R.683](#) To promote diversity in the national apprenticeship system. **Sponsor:** [Rep. Adams, Alma S. \[D-NC-12\]](#)
- [H.R.682](#) To encourage local educational agencies to resume in-person instruction at elementary and secondary schools, and for other purposes. **Sponsor:** [Rep. Hinson, Ashley \[R-IA-1\]](#)
- [H.R.676](#) To establish a learning recovery grant program and fund the Institute of Education Sciences for certain purposes, and for other purposes. **Sponsor:** [Rep. Scott, Robert C. "Bobby" \[D-VA-3\]](#)
- [H.R.645](#) To amend the Elementary and Secondary Education Act of 1965 to strengthen school security. **Sponsor:** [Rep. Carter, John R. \[R-TX-31\]](#)
- [H.R.636](#) To promote registered apprenticeships and other work-based learning programs for small and medium-sized businesses within in-demand industry sectors, through the establishment and support of industry or sector partnerships. **Sponsor:** [Rep. Bonamici, Suzanne \[D-OR-1\]](#)
- [S.213](#) A bill to provide for a Federal partnership to ensure educational equity and quality. **Sponsor:** [Sen. Cardin, Benjamin L. \[D-MD\]](#)
- [S.211](#) A bill to prohibit the Secretary of Education from providing Federal elementary and secondary education funds for fiscal year 2021 or COVID-19 relief funds to an elementary school or secondary school that does not offer in-person instruction. **Sponsor:** [Sen. Rubio, Marco \[R-FL\]](#)
- [S.210](#) A bill to prohibit States from suspending, revoking, or denying State-issued professional licenses or issuing penalties due to student default. **Sponsor:** [Sen. Rubio, Marco \[R-FL\]](#)
- [S.200](#) A bill to provide State and local workforce and career and technical education systems the support to respond to the COVID-19 national emergency. **Sponsor:** [Sen. Murray, Patty \[D-WA\]](#)
- [S.186](#) A bill to direct the Secretary of Labor to award grants to develop, administer, and evaluate early childhood education apprenticeships, and for other purposes. **Sponsor:** [Sen. Young, Todd \[R-IN\]](#)

NSBA Update

Public Schools Week and Digital Learning Day: Two major national advocacy events are occurring later in February. [Public Schools Week](#) runs from Monday, February 22 through Friday, February 26, 2021. NSBA is a proud partner in supporting this five-day long campaign helping administrators, teachers, specialists, parents, and school board members to host events for their communities and reach out to lawmakers, businesses, and other community members to discuss the importance of public education. During that same week, on Thursday, February 25, 2021, [Digital Learning Day](#) (#DLDay) will take place. #DLDay is an opportunity for educators to share great ideas, amazing stories, and promising practices through social media and within their own schools and communities. The goal of #DLDay is to show that every day in schools should be a digital learning day using technology and digital content to help teachers and students learn in new environments and instruction models such as personalized learning. NSBA will be actively participating in both celebrations and encourages state associations and local school board members to promote public schools and the students they serve.

NSBA Advocacy Institute 2021 Goes Online in June: This is a reminder that NSBA has decided it is in the best interest of the organization and its members that the 2021 Advocacy Institute be a fully online experience that will take place virtually Tuesday, June 8 and Wednesday, June 9, using a digital platform. Due to continued uncertainty over what the District of Columbia guidelines will be this summer, as well as other unknown issues related to COVID-19 and travel, scheduling an in-person event would be risky for the organization and attendees. Further, in addition to restrictions on capacity at area hotels, setting up in-person visits with members of Congress seems unlikely under the present circumstances. Therefore, NSBA is planning a high-quality online event focused on unifying members around our advocacy priorities and highlighting key policy issues, providing advocacy

training, and bringing in well-known national figures to address the online attendees. NSBA is excited about the potential for this event and is working on refining the agenda and logistics.