



Federal News & Information – May 31, 2022

BUDGET & APPROPRIATIONS

Last week was marked by the tragedy of yet another school shooting. The Robb Elementary School massacre took the lives of 19 children and two adults and as the week comes to an end, the facts around law enforcement response and the detailed timeline of the event remain in question. While the country mourned, the event provoked responses from lawmakers on Capitol Hill during a week filled with education-related hearings.

Secretary of Education Miguel Cardona was scheduled to appear before the Senate Labor, Health and Human Services and Education (LHHS) Appropriations Subcommittee on Tuesday. That hearing was postponed. Wednesday saw a House LHHS Subcommittee hearing on teacher shortages. Chairwoman Rosa DeLauro (D-CT), Ranking Member Tom Cole (R-OK) and their colleagues voiced their anguish about Tuesday's events before discussing the issues that are affecting the teaching workforce. On Thursday, Secretary Cardona appeared before the House Education and Labor Committee to discuss the Department of Education's policies and priorities. That three-hour hearing featured remarks from Democrats about the need for reform of gun control laws. Their Republican colleagues argued that more law enforcement presence at schools and protections such as magnetometers, single point of entry, and bullet proof doors and windows, should be supported by federal dollars. The debate of this year's spending bill that supports the Department of Education could very well be a venue to continue discussing these issues and the varying points of view.

As for progress on the FY 2023 appropriations process, there wasn't much news last week other than rumors that leaders of the House and Senate Appropriations Committees will meet to discuss numbers after the Memorial Day recess. Both chambers will be back in session the week of June 6.

HOUSE ED AND LABOR SUBCOMMITTEE EXAMINES JUVENILE JUSTICE SYSTEM

On Tuesday, May 17, the House Civil Rights and Human Services Subcommittee held a hearing titled, "Examining Ways to Improve the Juvenile Justice System and Support America's Young People." Witnesses included Lisette Burton, chief policy and practice advisor at the Association of Children's Residential and Community Services; A. Hasan Davis, founder and director of Hasan Davis Solutions LLC.; Dr. Karen Kolivoski, associate professor at Howard University School of Social Work; and Alan Loux, president and CEO of Rawhide Youth Services. In her [opening remarks](#), Chairwoman Suzanne Bonamici (D-OR) noted the 2018 federal reauthorization of the Juvenile Justice Delinquency and Prevention Act (JJDP), which she says strengthened core protections for children and addressed racial disparities. However, a lack of coordination between local, state and federal agencies resulted in abuse of vulnerable children at residential facilities, according to a recent Government Accountability Office report, Bonamici stated. She directly asked for additional funding and oversight and urged the Senate to

pass the Stronger Child Abuse Prevention and Treatment Act. Ranking Member Russ Fulcher (R-ID) asserted in his [remarks](#) that working with local partners on prevention is key to reducing delinquency and argued that the JJDPa provided flexible funding to states and local governments for these efforts. Burton noted the links between juvenile delinquency and mental health and encouraged the committee to look at high-quality intervention and aftercare across silos. She stressed that while the JJDPa is critical to transforming the system, it is underfunded. Davis spoke to alarming disparities within the system and testified to the social and emotional supports that enabled him to become a productive adult after being arrested at age 11, and Loux described his organization's faith-based community and residential treatment facilities for at-risk youth and its public-private partnerships. Finally, Dr. Kolivoski discussed research on "crossover kids," intersecting the child welfare and juvenile justice systems and how research can inform policy and practice changes to promote better outcomes. A recording of the hearing and witness testimonies is available [here](#).

ED HOSTS VIRTUAL SUMMIT ON MENTAL HEALTH, STUDENTS WITH DISABILITIES

On Monday, May 23, the Department of Education (ED) hosted a first-of-its-kind virtual summit titled, "Recovery to Thriving: Supporting Mental Health and Students with Disabilities." The summit featured an impressive lineup of presenters, including remarks from U.S. Secretary of Education Miguel Cardona; Congressman Bobby Scott (D-VA); Day Al-Mohamed, director of disability policy for the White House Domestic Policy Council; Assistant Secretary of Labor for Disability Employment Policy Taryn Mackenzie Williams; U.S. Deputy Secretary of Education Cindy Marten, and several more ED leaders. The half-day event highlighted steps schools, colleges and communities can take to support students with disabilities and mental health needs, as well as some of ED's [latest announcements and resources](#). "The department stands ready to help educators, school and program staff, and families thoughtfully design learning experiences — and to ensure students with disabilities continue to have equal access to in-person instruction... Today's summit demonstrates the ongoing commitment of the Biden-Harris administration to protecting our students' social-emotional well-being," said Cardona. The summit additionally featured a TED-style talk with Jeff Deickman, a disabled Army veteran and doctoral student at the University of Colorado, Colorado Springs. During Monday's event, the agency also highlighted the essential partnership between schools and families to ensure effective implementation of the Individuals with Disabilities Education Act and announced the release of new resources to promote mental health and social and emotional well-being, such as an [FAQ document](#) on disability-related rights of student veterans and a new series of "how-to" [videos](#) on website accessibility. Learn more about the ED's efforts [here](#).

SIIA DISCUSSES 21ST CENTURY LEARNERS IN A BROADBAND-ENHANCED WORLD

On Monday, May 23, the Software and Information Industry Association (SIIA) held a virtual discussion titled, "The Diamond in the Rough: Chiseling 21st Century Learners in a Broadband-Enhanced World." Speakers included Senator John Thune (R-SD); Michael Calabrese, Wireless Future Program director and senior research fellow at New America Foundation; Nicole Ferraro, site editor of Broadband World News and host of *The Divide*; Heather Gate, chair of the Federal Communications Commission (FCC) Communications, Equity and Diversity Council (CEDC); Larry Irving, president of the Irving Group; Rosemary Lahasky, senior director of government affairs at Cengage Group; and Ji Soo Song, broadband

advisor at the U.S. Department of Education. The event focused on ways the United States is using Infrastructure Investment and Jobs Act (IIJA) funding to close the digital divide for students. Senator Thune opened the event by saying, "There's a lot of money in the pipeline for building out broadband in this country, and we need to make sure it's spent wisely and well, and that means making sure it's used to serve underserved areas, that we're not over-building with these dollars, and that we're not imposing overly burdensome regulations." Following Thune's opening comments, much of the conversation centered on digital equity, a popular, and certainly important, talking point among today's education policy experts. "40% of rural black southerners don't have access to broadband," Irving stressed. He added that when looking at Tribal lands, "we're looking at 50 to 70% that don't have access to broadband." Ferraro shared additional statistics that highlighted the state of digital divide in America. Ferraro stated that an estimated 16 million students lack access to a broadband connection, yet "it's fair to assume that number is larger" due to outdated data. Lahasky turned to the digital skills gap and its impact on students over time. "There is no question that digital skills are becoming increasingly necessary in all industries," she said. She noted that although industry is seeing massive workforce shortages, automation and technology also bring opportunity for those who have historically been left on the sidelines, such as people with disabilities. In closing the event, panelists addressed their concerns around IIJA and what they hope to see avoided. Calabrese expressed concern for the sustainability of programs once funding runs out, while Lahasky hopes to see more coordination among all levels of government. Learn more about SIIA [here](#).

HELP COMMITTEE ADVANCES ED, EEOC, HHS NOMINEES

On Wednesday, May 25, the Senate Health, Education Labor and Pensions (HELP) Committee held a markup to advance the nominations of Kalpana Kotagal to be a member of the Equal Employment Opportunity Commission; LaWanda Amaker Toney to be assistant education secretary for communications and outreach; Nasser H. Paydar to be assistant education secretary for postsecondary education; and Rita M. Landgraf to be assistant HHS secretary for aging. While the committee vote for President Biden's Equal Employment Opportunity Commission pick was deadlocked, both of Biden's picks for the Department of Education each received a [bipartisan vote](#). Toney currently serves as the director of strategic communications at the National Parent Teacher Association. Paydar has most recently served as chancellor emeritus at Indiana University-Purdue University Indianapolis and executive vice president of Indiana University. President Biden's HHS nomination also received a bipartisan vote from committee. "The nominees we voted on today are highly qualified and ready to hit the ground running to protect workers' rights and foster equal opportunity in the workplace, support older adults and people with disabilities, and help ensure every student can get a high-quality education," said Chairwoman Patty Murray (D-WA).

HOUSE LHHS-ED SUBCOMMITTEE EXAMINES NATIONAL TEACHER SHORTAGES

On Wednesday, May 25, the House Appropriations Labor, Health and Human Services, Education and Related Agencies (LHHS-ED) Subcommittee hosted a virtual hearing titled, "Tackling Teacher Shortages." Witnesses included Desiree Carver-Thomas, research and policy analyst at the Learning Policy Institute; Dr. Lindsey Burke, director of the Heritage Foundation's Center for Education Policy; Randi Weingarten, president of the American Federation of Teachers (AFT); and Dr. Jane West, an education policy

consultant. The hearing came the day after the devastating shooting at Robb Elementary School in Uvalde, TX, that took the lives of 19 children and two adults. The hearing intended to examine the teacher shortages that are affecting schools and districts nationwide, but reactions to the shooting from both the subcommittee and witnesses consumed portions of the hearing. As it relates to teacher shortages, Carver-Thomas noted the importance of diversity in the teaching workforce. She suggested that the increasing debt burden of college might play a role in the declining interest in education careers, particularly for Black students. Weingarten asserted that “the United States falls woefully short in its recruitment, preparation and retention of ...vital staff to meet the needs of all our students.” She suggested that educator school time be restructured, and overall compensation and benefits be improved. West’s testimony focused on the critical shortage of special education teachers, pointing to the Individuals with Disabilities Education Act (IDEA) and the positive effect it has had on the work of special educators. “There is a direct link between well prepared special educators and ensuring that students with disabilities receive the services they are entitled to under IDEA,” she stated. Burke took issue with the premise of the hearing, saying, “Public school districts have been on a hiring spree for decades. Although there has been teacher turnover as a result of the COVID-19 pandemic, there is no shortage of school staff across the country.” The archived video of the hearing and witness testimony can be found [here](#).

HOUSE ED AND LABOR COMMITTEE EXAMINES POLICIES, PRIORITIES OF ED

On Thursday, May 26, the House and Education Labor Committee held a hearing titled, “Examining the Policies and Priorities of the U.S. Department of Education.” The three-hour hearing, which featured Secretary of Education Miguel Cardona, examined the Department of Education’s (ED) budget request for fiscal year 2023 and its priorities to support students, educators and communities. “The president’s fiscal year 2023 request calls for a significant increase in federal support for education from birth through college and career,” Cardona stated. He continued, “The 2023 budget would make historic investments in the nation’s future prosperity by prioritizing funding for five core themes that are at the heart of this administration’s vision for education in America.” According to Cardona, the administration’s themes include: 1) supporting students through pandemic response and recovery over the long term; 2) addressing opportunity and achievement gaps; 3) supporting a talented and diverse educator workforce; 4) making higher education inclusive and affordable; and 5) building pathways through postsecondary education that lead to successful careers. Following Cardona’s testimony, member questions tackled expected and important topics, including school shootings, critical race theory, career pathways, the use of COVID relief funding in schools, and the nation’s student debt crisis, among others. Democrats focused on how the substantial funding increases provided by the proposed budget create the opportunity to remedy inequities in public education, address persistent education achievement gaps, restore access to education for students with disabilities and lower the cost of college. Republicans on the committee focused on issues with student loan repayment and cautioned against teaching critical race theory in schools and the influence of adversarial governments in American higher education. The archived video of the hearing and witness testimony can be found [here](#).