



# NATIONAL ASSOCIATION OF ESEA

STATE PROGRAM ADMINISTRATORS

Ensuring Student Equity & Access

The Government Relations Committee met via conference call on **December 11, 2018** at 1:00PM EST, 12:00PM CST, 11:00AM MST, 10:00AM PST

## ATTENDING

### Committee Members

Pat Kaiser (MO); Jason Harmon (NY); Jeremy Marks (OH); Val Murdock (UT); Lynn Sodat (VA); Shelly Babler (WI); Jonas Zuckerman, Co-Chair (WI)

### Association Management

Bob Harmon – CEO; Jeri Erickson – Membership Director; Julia Martin – Brustein & Manasevit

## Meeting Agenda:

### 1. Potential outreach following reorganization to ensure continued support for states

- We can't be proactive about what we don't know. Bob will reach out to Roberta Miceli to advise her that the Association is willing to be part of communication and wants to be involved.
- Keep lines of communications open with Education Committee staffers.
- Connect with CCSSO and NASDSE on potential communication collaboration.

### 2. Supplement not Supplant discussion

[USDE presentation from the Federal Program's Meeting](#) (Thursday Session):

Supplement, not Supplant begins on slide 27

- Guidance forthcoming, but general consensus from ED is there will not be much more clarification than what was presented on the slides
- Association could come up with suggested templates for how states want to test SNS

### 3. Government Relations Update (Julia Martin - Brustein & Manasevit)

#### I. Congressional updates

##### a. Appropriations, continued

- i. CR passed through December 21<sup>st</sup>
- ii. Lingered issues:

1. Border wall
2. Disaster assistance
3. Farm Bill

##### iii. Farm Bill compromise

1. No work requirements for SNAP
2. Effect on FFVP TBD

##### b. Planning for 116<sup>th</sup> Congress

- i. Rules changes in the House
  1. Procedural rules changes
    - a. Discharge

- b. “member days”
    - c. Length of time for consideration
  - 2. Administrative changes
    - a. “Education and the Workforce” → “Education and Labor”
    - b. Headwear
    - c. Discrimination/ harassment
  - ii. Oversight and investigations
    - 1. Higher ED accreditation and for-profit colleges
    - 2. ESSA State plan approval
    - 3. Title IV funds for weapons and weapons training
    - 4. Personnel conflicts of interest
- II. Administration Updates
  - a. Title IX regulations
    - i. Higher standard for what is assault/harassment
    - ii. Standard of evidence choice for schools
      - 1. Aligned with other infractions
    - iii. Live hearings for Higher Ed
      - 1. Option for K-12
    - iv. Triggers of formal action
      - 1. Formal complaint
      - 2. Knowledge of multiple instances
    - v. “contractual relationship” rather than civil rights law
      - 1. Focus on reaction of entity
      - 2. Standard is “deliberate indifference”
    - vi. Questions
      - 1. Applicability to employees?
      - 2. Applicability to K-12?
  - b. New changes to OCR CPM
    - i. Removed section on “mass filers”
      - 1. Reaction to lawsuits?
    - ii. Added new appeals
    - iii. Changes will be subject of OIG investigation
  - c. Continued reorganization efforts?

Next committee call is scheduled for **January 8, 2019** at 1:00PM EST, 12:00PM CST, 11:00AM MST, 10:00AM PST.