



# NATIONAL TITLE I ASSOCIATION BOARD OF DIRECTORS UPDATE

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# UPDATES ON THE NEW CONGRESS



## NEW COMMITTEE MAKEUP

- Senate Committee on Health, Education, Labor, and Pensions
  - New Chairman: Lamar Alexander (R-TN)
    - Former U.S. Secretary of Education, Governor, college president
    - Focus on HEA reauthorization, FAFSA simplification, reducing higher ed regulations
    - ESEA reauthorization is “top priority”
  - New Ranking Member: Patty Murray (D-WA)
    - Focus on early education
    - Possible action on waivers?
  - 2 New Republican members (Democrats lots 2 slots)

## NEW COMMITTEE MAKEUP

- House Committee on Education and the Workforce
  - Rep. John Kline (R-MN) remains Chairman
    - Focus on ESEA reauthorization, charter schools
    - Wants to reauthorize HEA
  - New Ranking Member is Rep. Bobby Scott (D-VA)
    - Focus on school discipline, boosting minority achievement
  - 8 New Republican members (4 new Democrats replacing retirees)

## NEW CONGRESS ALREADY AT ODDS WITH POPULAR OPINION?

- Why the disparity?
  - Many self-identified Democrats voted for Republicans
  - President's unpopularity a liability for many Democrats
  - Sign that Republicans going back toward mainstream?
- What will it mean for this Congress?
  - Lack of conservative mandate?
  - Some more mainstream/moderate legislation
  - But also confusion about what voters want/find important

## FAR-RIGHT DISSENTION IN THE HOUSE

- Incumbent House Speaker John Boehner (R-OH) expected to win re-election
  - But far-right conservatives wanted to replace him
  - In vote, 25 Republicans did not vote to re-elect Boehner
  - But dissidents could not agree who to vote for instead
- Following failed rebellion, Boehner exacts retribution
  - Members kicked off House Rules Committee
  - Member removed as primary sponsor of energy legislation
- What does this mean?
  - Attempt to steer conservatives back toward middle in order to create legislation that can pass Senate, get President's signature

## MCCONNELL'S WARNING TO THE SENATE: DON'T BE "SCARY"

- “I don’t want the American people to think that if they add a Republican president to a Republican Congress, that’s going to be a scary outcome. I want the American people to be comfortable with the fact that the Republican House and Senate is a responsible, right-of-center, governing majority.”





WHAT'S NEXT?





# THE BOEHNER/MCCONNELL PLAN



- Joint op-ed from November:
  - Simplify tax code
  - Reduce spending by revising entitlement programs
  - Legal reforms, including medical malpractice
  - Regulatory Reforms
  - Reform federal involvement in education

# WHAT ARE EDUCATION PRIORITIES?

- Expanding charter school access
- Reducing college costs
  - FAST Act reintroduced on 2<sup>nd</sup> day of new Congress
- Reforming K-12 education by: (mostly part of H.R. 10)
  - Revamping teacher evaluations
  - Giving States/districts more control over use of federal funds
  - Increasing school choice options

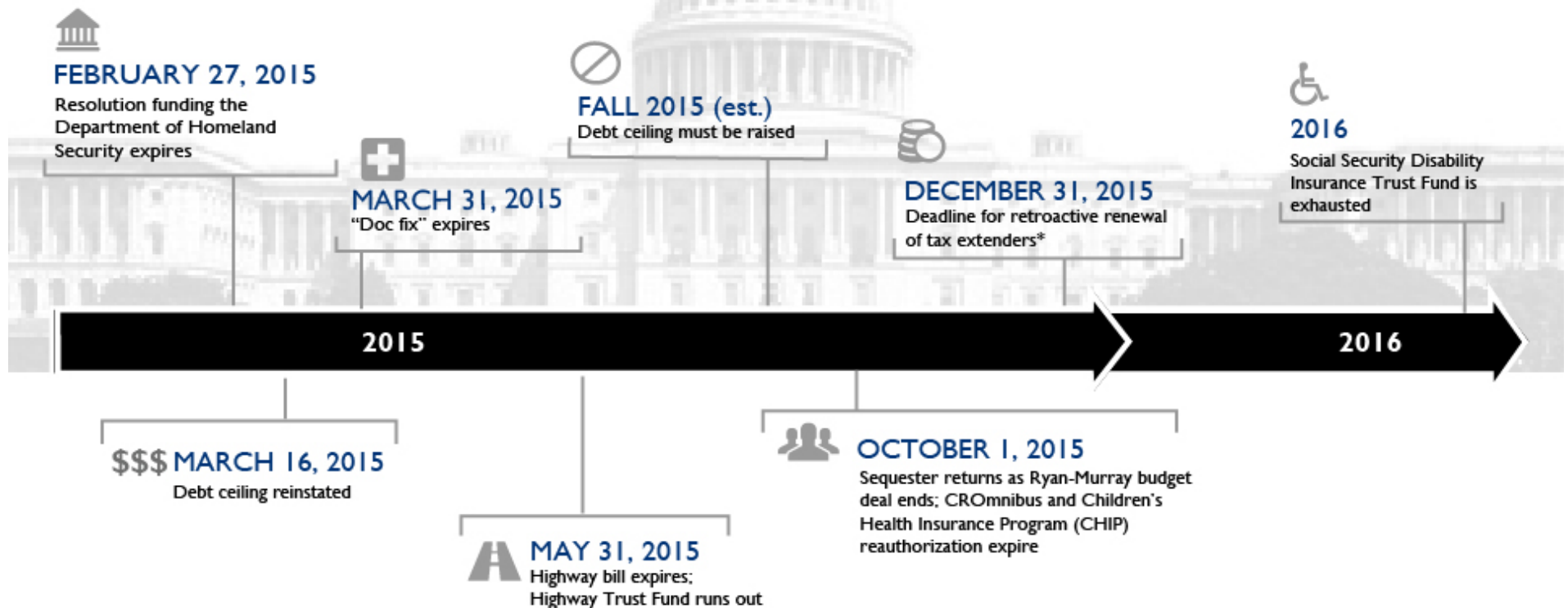
## WHAT TO LOOK FOR IN FY 2016 APPROPRIATIONS

- Republican-controlled Congress looks to flex muscles
  - More partisan debate/pressure
- Pressure to trim federal spending overall
  - Especially discretionary grant programs (e.g. RTTT)
- Sequestration returns!
  - Cuts to caps?
  - Looking for room in Labor-HHS-ED budget?



THE COMMITTEE FOR A  
RESPONSIBLE FEDERAL BUDGET

# Impending “Fiscal Speed Bumps” 2015 - 2016



\*The tax extenders officially expire at the end of 2014, but can be restored retroactively until this point.

## OTHER HURDLES:



- Veto threats from President
  - Need 2/3 majority to overcome
- Short-term fixes on big problems mean constant crisis situation
  - E.g. debt ceiling
- Conflicts between parties
- Conflicts within parties

## BENDING THE RULES



- Follows on heels of “nuclear option” rule change by Sen. Harry Reid (D-NV) in November 2013
- “Dynamic scoring” in House
  - In January 2015, House voted to require that cost of bills be estimated by “dynamic scoring”
  - Requires CBO to base cost estimates on predicted reactions of market
- Other changes discussed (but not adopted)
  - Bypassing Committee discussion for some controversial legislation (e.g. Keystone)



WHERE DOES EDUCATION FIT IN?





## PRIORITIES

- Overall in Congress, education not a top priority
- But for House/Senate Committees, ESEA is reauthorization priority #1
  - Chairman Alexander says he wants to have a bill through Committee by end of February
    - Discussion draft released mid-January
    - First hearings in Senate in mid- to late-January
  - Chairman Kline says he wants a bill on House floor by March
    - Would require bill debate in February



# LIKELY CONTENTS OF ESEA REAUTHORIZATION

## ■ What's Out

- AYP likely to be eliminated
  - Instead: States design and implement plans for intervention and improvement
- Race to the Top will not be renewed
  - Instead: focus on formula funding (and budget-cutting)
- Requirement to adopt specific college- and career-ready standards
  - Instead: leaves standards and assessments up to States
- Teacher evaluations
  - Opposition from far-right conservatives AND liberal Democrats
  - Instead: focus on State licensure/training/PD
  - Also: no more HQT

# LIKELY CONTENTS OF ESEA REAUTHORIZATION

- What's In
  - Title I money, formula
  - Supplement, not supplant (but modified)
  - Charter school grants
    - And focus on States with laws more open to charters
  - Requirement to have some kind of standards and assessments
  - Requirement to have some kind of school ratings/intervention
  - Limitation on Secretarial waiver, decision-making authority

# LIKELY CONTENTS OF ESEA REAUTHORIZATION

- What's up in the air?
  - Level of federal involvement overall
    - especially in interventions, school ratings
  - Annual testing in grades 3-8
    - And science assessments
    - Also: requirement to take grade-level assessments
  - Comparability
    - Unlikely: closing comparability loophole
    - Likely: comparability as written
  - Survival of small competitive grant programs

## HURDLES AHEAD FOR ESEA

- Busy House/Senate schedule
- Democratic opposition
  - From Democrats in Congress
    - Lack of bipartisan cooperation in drafting?
    - Disagreements over assessments/accountability?
  - From President/administration
    - Concerns about “walking back” accountability
- Republican opposition
  - Sen. Tim Scott (R-SC): won't vote for a bill if they've given up too much to Democrats

## HALF-MEASURES?

- If ESEA reauthorization is not passed:
  - ESEA waivers continue into next Congress
  - Congress may pass smaller stand-alone bills, including:
    - Success and Opportunity through Quality Charter Schools Act (H.R. 10)
      - Passed House with strong bipartisan support in 2014
      - Revamps federal charter school programs, drives funding to States with laws more open to charters and with stronger charter accountability
    - Strengthening Education Through Research Act (H.R. 4366)
      - Reauthorizes Education Sciences Reform Act
      - Easily passed House in 2014

## OTHER LEGISLATION

- Early Education
  - Not Republican priority, but Sen. Murray wants to work into ESEA reauthorization
- IDEA
  - No action expected – issue is mainly amount of funding
- Perkins
  - No action to date, but also not controversial – may be able to slip in under radar
- Child Nutrition
  - Current bill expires September 30<sup>th</sup>, programs will end without action
  - Likely to be contentious partisan debate focused on HHFKA meal regulations



# THE 114<sup>TH</sup> CONGRESS IN A NUTSHELL



## IN A NUTSHELL

- The Good
  - Congress controlled by one party means legislation moves through with more frequency and speed – in theory
  - Strong commitment from everyone (House, Senate, administration) to reauthorize ESEA
- The Bad
  - Lots of other “must-pass” items on the calendar ahead of ESEA/other education bills
- The Ugly
  - Continued partisanship makes it difficult to find common ground
  - Controversial issues and legislation will slow down legislative process
  - Filibuster and veto threats continue to make it difficult to find common ground





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