



The **Government Relations Committee** was held via conference call on April 11, 2017 at 1:00PM EDT, 12:00PM CDT, 11:00AM MDT, 10:00AM MST& PDT.

## **ATTENDING**

### **Committee Members**

B.J. Granbery, co-chair (MT); Melina Wright, co-chair (IL); Margo DeLaune (BIE); Giana Hutton (DC); Michael Radke (MI); Jeremy Marks (OH); Melinda Bessner (OR); Mary Mulloy (VT); Gayle Pauley (WA)

### **Association Management**

Bob Harmon – CEO

Marcus Cheeks – Deputy Operating Officer

Jeri Erickson – Members Services Director

Julia Martin – Brustein & Manasevit

## **Meeting Agenda:**

### **1. Revised Guiding Principles (Bob Harmon, CEO)**

- The Guiding Principles set the frame and context for signing on to joint letters, as there is often not enough time to go to the Board of Directors or Government Relations Committee for approval. Since the last revision in 2014 there has been changes to the administration and the law. A group of committee members – BJ Granbery (MT), Melina Wright, (IL) Mary Mulloy (VT) and Melinda Bessner (OR) – volunteered to review the current iteration of the Guiding Principles and provide input to Bob Harmon by May 1st. The revised Guiding Principles will be discussed and acted on during the May 9 committee meeting.

### **2. Discussion of Potential Partner Organizations for Joint Positions/Letters (Bob Harmon, CEO; Julia Martin, Brustein & Manasevit)**

- A list was developed of organizations that have an overlap on purpose and focus. The list was reviewed and discussed. It was determined that the National Association of Elementary School Principals (NAESP) and National Association of Secondary School Principals (NASSP) should be added to the list.
- Drafting a letter to Congress or developing a position statement on the FY 2018 budget was discussed. The matter will be passed on to the Board of Directors for further discussion and consideration.

### **3. Federal Update -- Julia Martin (Brustein & Manasevit)**

- I. Congressional updates
  - a. On two-week Easter recess until April 24<sup>th</sup>
  - b. Going “nuclear” in the Senate
    - i. Stalemate over nomination of Neil Gorsuch for Supreme Court leads to near-certainty of filibuster from Senate Democrats
    - ii. After failed vote for cloture (needs 60 votes to end debate and bring an issue to a final substantive vote), Senate Republicans passed measure to change rules of Senate to prohibit filibuster for Supreme Court nominees.
    - iii. Now raises questions of preserving legislative filibuster – how long will it last?

1. Could lead to majority making sweeping changes to legislation without minority ability to backstop
  - c. Appropriations
    - i. FY 2017 (Current fiscal year)
      1. Still running on CR through April 28<sup>th</sup>
      2. President sent chart of suggested cuts, but didn't line up with laws for FY 2017 – likely has little influence.
      3. Will take up after Congressional recess
    - ii. FY 2018
      1. President's budget proposal still final word (for now)
      2. Congress says they will make a lot of changes to this budget
        1. General sense that authorization means items should be funded
        2. But still expect significant cuts to non-defense discretionary spending as Congress moves funding over to Defense appropriations
    - iii. Appropriations rumors:
      1. Making Title IV competitive at State level?
      2. Government shutdown?
  - d. Priorities:
    - i. Still clearing remaining nominations (Agriculture, Labor)
    - ii. Tax reform
    - iii. Return of the health care bill?
  - e. [Letter from Democrats](#) re: immigration
    - i. To DOJ, DHS, ED
    - ii. Expresses “concern” that recent changes to immigration policy and actions by enforcement officers have created “fear, anxiety, and confusion in immigrant communities around the country,” impacting school attendance and student learning.
    - iii. Ask for clarity on policy surround enforcement actions at schools.
- II. Administration Updates
- a. New peer review guidance
    - i. Not much remarkable – tracks fairly closely to State plan
  - b. First round of State plans submitted April 3<sup>rd</sup> (with some delayed up to a month to give Governors the opportunity to review)
    - i. DeVos: may deny approval if States don't offer enough choice
  - c. New “Dear Colleague” on timing, consultation
    - i. Consultation requirements are still part of law, still required despite rescission of regulations, even if information not required in State plan template
    - ii. Timing: absence of regulations leads to questions on what a State should do in terms of identification/intervention in 2017-18 school year, especially without an approved State plan
      1. States that had ESEA waivers may either continue with list of focus/priority schools, removing those that have met exit criteria, OR refresh list.
      2. States without waivers may continue with list of identified districts/ schools except may remove schools if they meet State-determined exit criteria.
      3. Allocate Sec 1003(a) funds in accordance with ESSA to schools that fit in one of the categories as “identified”

4. Can use reserved FY 2017 funds for full implementation of SIG awards
  5. Can carry over FY 2017 funds to use in improving new identified schools in 2018-19
  - d. White House Memo on Deregulation
    - i. Clarity on EO: 1 in, 2 out, costs offset
    - ii. Applies not only to interim and final regulations published in the federal register, but also "significant guidance documents"
    - iii. If a rule is required by Congress, still have to revoke 2 old ones
    - iv. If a rule is overturned by Congress (e.g. through CRA), qualifies as cost savings.
    - v. Agencies may "bank" cost savings toward a future year,
- III. Court cases
- a. Endrew F.
    - i. School districts must give students with disabilities the chance to make meaningful, "appropriately ambitious" progress
    - ii. Court declines to define what that is
  - b. G.G.
    - i. Was remanded to 4<sup>th</sup> Circuit Court of Appeals by Supreme Court
    - ii. 4<sup>th</sup> Circuit says it will not hear case until after named plaintiff graduates this spring

#### IV. Questions

#### 4. Committee for Education Funding (CEF) Sign On Letter

- The draft letter was reviewed. It was determined that, as CEF members, the Association should sign on to the letter. The committee will bring a recommendation to sign on to the CEF letter to the April 18 Board of Directors meeting for final approval.

#### 5. Other

- BJ Granbery announced that she will retire in June 2017. BJ asked the group to consider taking on the role of committee chair or co-chair. Melina Wright is also stepping down as co-chair due to expanded job responsibilities. Melina will continue as a committee member.

Notes from the March 14, 2017 meeting are [available here](#).

Next meeting is scheduled for **May 9, 2017 at 1:00PM EDT**, 12:00PM CDT, 11:00AM MDT, 10:00AM MST & PDT.