



To: ESA Superintendents/CEOs, State Leaders and Governmental Relations Committee
From: Jim Baldwin, Chair and Cliff Carmody, Governmental Relations Committee
Date: November 9, 2009
Re: Governmental Relations Update

As a follow up to our Educators' Call to Action Conference this past September, we wanted to provide you with a current update on the status of our priority educational issues. First, we want to thank all of you who submitted comments to the U.S. Department of Education regarding the inclusion of specific language for ESAs in the Investing in Education (i³) grants. We are confident that USED will carefully consider your input in the rule and regulation process.

Elementary and Secondary Education Act (ESEA) Reauthorization: There are a lot of questions as to whether a bill will come out this year. We know that hearings are being held around the country and that initial work on ESEA is well under way. If there is a hearing in your area be sure to attend and provide input on behalf of ESAs.

Rural Education Achievement Program (REAP): The REAP Reauthorization was introduced (HR 2446/S 1052). These stand-alone bills make the necessary changes to improve REAP and ensure that school districts are accurately identified to participate in the program. Urge your House and Senate members to sign onto these bills. Following is a list of Senators and House members who have already signed on to these bills.

HR 2446	S 1052	
Rep. Pomeroy (ND)	Sen. Conrad (ND)	Sen. Begich (AK)
Rep. Graves (MO)	Sen. Baucus (MT)	Sen. Dorgan (ND)
	Sen. Collins (ME)	Sen. McCaskill (MO)
	Sen. Lincoln (AR)	Sen. Tester (MT)
	Sen. Roberts (KS)	

E-Rate: One of the items Congress will consider this next year is the reauthorization of the Telecommunications Act. Reauthorization is critical to ESAs since it includes issues such as broadband access, universal service funding, E-rate, and the Anti-Deficiency Act. In addition, Chairman Rockefeller (D-WV) of the Commerce Committee is calling for removal of the \$2.25 billion cap on the e-rate funding. Urge your Senators/Representatives to co-sponsor S 348/ HR 2135 which would permanently exempt Universal Service Fund from the Anti-Deficiency Act. This exemption would provide the needed assurance to local school districts that E-rate funding would not, once again, be disrupted. To date, the following Senators/Representatives have signed onto the proposed legislation:

HR 2135	S 348	
Rep. Rehberg (MT)	Sen. Rockefeller (WV)	Sen. Snowe (ME)
Rep. Latham (IA)	Sen. Barrasso (WY)	Sen. Begich (AK)

Rep. Young (AK)	Sen. Cantwell (WA)	Sen. Crapo (ID)
Rep. Markey (CO)	Sen. Enzi (WY)	Sen. Grassley (IA)
	Sen. Nelson (NE)	Sen. Roberts (KS)

In addition, the Federal Communications Commission (FCC) has issued two extensive notices.

The FCC issued a Public Notice seeking comment on various issues related to broadband access in education and on modifications to the Schools and Libraries Program to improve broadband deployment to meet the instructional and informational needs of schools and libraries. In addition, the FCC seeks comment on whether and how increasing broadband deployment to schools can affect or stimulate the adoption of broadband more widely in communities and whether and how the program can be structured to more effectively distribute available funding. Comments are due November 20; reply comments are due December 11.

The FCC also issued a Notice of Proposal Rulemaking on November 4, 2009, regarding the Schools and Libraries Program. It proposes revisions to program rules to comply with the requirements of the Protecting Children in the 21st Century Act (CIPA). The comment period for this NPRM will be 45 days after publication in the Federal Register. As of today it has not been published in the Federal Register.

Both the Public Notice and the Notice of Proposal rulemaking is on our website at www.aesa.us.

Individuals with Disabilities Education Act (IDEA): Since 1975 we have pushed for full mandatory funding of IDEA. Senators Tom Harkin (D-IA) and Pat Roberts (R-KS) have introduced S 1652 to fully fund IDEA in 6 years making the increases mandatory. Representatives Chris VanHollen (D-MD), Todd Platts (R-PA) and Tim Walz (D-MN) have introduced the companion bill, HR 3578. Please urge your Senators/Representatives to sign onto these bills. Following is a list of those members who have already provided support:

S 1652		HR 3578		
Sen. Harkin (IA)	Sen. Lautenberg (NJ)	Rep. Boswell (IA)	Rep. Walz (MN)	Rep. Platts (PA)
Sen. Roberts (KS)	Sen. Mikulski (MD)	Rep. Gerlach (PA)	Rep. Filner (CA)	Rep. Welch (VT)
Sen. Collins (ME)	Sen. Lincoln (AR)	Rep. Lofgren (CA)	Rep. Herseth Sandlin (SD)	

Appropriations and Funding: While we continue to operate under a continuing resolution, we oppose cuts in Title I and level-funding of IDEA. We need you to continue to weigh in by sharing the impact of the cuts to the districts you serve and to your ESAs.

Further Information: If you need talking points on any of these priorities please go to www.aesa.us and click on Legislative Update. Then click on 2009 Educators' Call to Action Conference and go to the appropriate position papers. If you have questions about this email don't hesitate to contact us. An in-depth analysis of these issues, as well as other legislative priorities, will be included at the AESA Conference. Join Mary Kusler, Assistant Director of Policy and Advocacy, for her Governmental Relations session at the AESA Annual Conference, December 3, in Austin, TX.