



2020 Annual Federal Legislative Agenda

Introduction:

AESA represents its members on federal legislative issues. To do so, it operates with Legislative Policy Priorities and an Annual Federal Legislative Agenda. The Federal Legislative Policy Priorities are subject to regular review by the federal advocacy committee and approved by the Executive Council. The Annual Federal Legislative Agenda allows the organization to identify, pivot, and respond to emerging federal discussions especially those that affect ESAs and AESA's Federal Legislative Policy Priorities. The Annual Federal Legislative Agenda is recommended by the Federal Advocacy Committee to the Executive Council for approval each calendar year.

Mental Health

Policy must balance academic and non-academic factors in both the design and evaluation of its proposals. Mental health, in addition to and including social, emotional, behavioral and physical health, is essential to the well-being and success of the whole child. Schools and school policy must acknowledge the importance of ensuring that schools, staff, and students have access to mental health supports, services and programs.

- Support a multi-pronged approach to federal policy relating to mental health. Policy should enable ESAs to engage both proactively and responsively, working as much to address and prevent as to resolve and mitigate. Federal policy must include investment via appropriations and policy.
- Support increased investment in mental health-related programming, including increasing the effectiveness of the reimbursement process under Medicaid and investment in ESSA Title IV.

IDEA: Individuals with Disabilities Education Act

IDEA defines the role of the federal government in K12 special education. It was designed to level the playing field for a historically disadvantaged population, students with disabilities, to ensure they have equitable access to high-quality educational opportunities. Advocacy around IDEA will relate to both the authorization of the underlying statute and the annual appropriations process.

- Urge Congress to meet its commitment to provide 40% of the additional cost associated with educating students with disabilities. AESA supports full funding of IDEA in both the short-term (through annual appropriations) and in the long-term (through stand-alone legislation providing a path to meet the 40% commitment). AESA supports a long-term coordinated campaign to fully fund federal IDEA legislation.
- Protecting Medicaid in schools is critical. As part of their work in implementing IDEA, ESAs and the schools they serve may provide Medicaid eligible services and, as such, remain eligible to receive reimbursement.

- Support clarity to state agencies that federal policy currently allows schools and ESAs to seek and receive Medicaid reimbursement for school-based healthcare services, including mental health services, provided to students without an IEP.
- Support legislation that will increase the effectiveness and efficiency of Medicaid in schools, both in terms of scope of access to students and paperwork/administrative burden to schools.
- Ensure appropriate mental health services in schools are reimbursable under Medicaid.

Educator Shortages

ESAs and the schools they serve are constantly working to ensure they have effective employees. We are currently facing a nation-wide educator shortage. AESA remains committed to the broader systemic conversation about educator shortages. AESA also supports a review of educator retention patterns and pathways, both alternative and traditional, including analysis on high needs schools and teacher diversity.

- Allow all prep/licensure candidates to be eligible for federal student loans and grants, including alternative licensure programs.
- Enable ESAs to serve as educator licensing entities.
- Ensure flexibility of federal grants and loans to be available for educators and educator candidates regardless of age or current school enrollment.
- Simplify the application and access procedures for the public service loan forgiveness programs
- Protect and expand public service loan forgiveness programs for all educators.
- Protect and preserve student aid (grants and loan) programs aimed at future educators.
- Support federal higher education policy that
 - Ensures ESAs are eligible for grants.
 - Ensures ESAs coordinate collaboration with PK-16.
 - Supports programs that assist and develop students entering and completing college and post-secondary programs.
 - Ensures capacity of credentialed and specialized programs to support the pipeline of students into related service provider roles.
- Incentivize salaries for educators in rural areas.
- Incentivize salaries for related service providers.
- Support full resolution to the educational impacts of federal immigration law, including mitigating any impact on school site safety, safety for students (en-route or in school) and its impact on educator shortages.

E-Rate/Education Technology

Education technology, including connectivity, equipment and professional development for educators, is a critical component to AESA's support of educational equity and opportunity. The E-Rate program single-handedly transformed the role of technology in classrooms and libraries across the country by supporting the expansion of internet connectivity. The Lifeline program, as modernized in 2014, represents an opportunity for beneficiaries to access the Internet at home; thereby, helping to address and eliminate the homework gap. There is an ever-growing demand for connectivity and bandwidth. E-Rate and Lifeline remain critical components of federal support for ESAs, schools, and libraries, and the students they serve.

- Protect and expand funding, including continued opposition to any efforts to institute

a funding cap or per-pupil allocation for E-Rate.

- Ensure implementation of the Universal Service Fund (USF) and its programs as distinct and independent programs not in competition with each other.
- Support expansion of E-Rate eligible services list to include cybersecurity protections and related expenses.
- Support FCC/USAC appointees who support E-Rate.
- Expand the scope of services from infrastructure to the classroom.
- Protect the ability of schools, libraries, and ESAs to continue to provide affordable, equitable access to broadband and content to students and ensure that federal policy allows 24-hour learners to have 24-hour access.
- Preserve the ability of vendors to recoup E-Rate discount funding on one-time, special construction costs all in the first year of a contract.

Secure Rural Schools

Secure Rural Schools provides funding for ESAs, schools, and communities that find a portion of their land unavailable for generating revenues or taxes, given the presence of federal lands. The presence of federal land means the community has reduced the ability to generate property taxes (a common source of funding for schools). SRS helps fill some of the void, funding that is especially critical in these rural communities, where a significant portion (sometimes nearing 90%!) of their land is federally held and not subject to regular state and local taxation.

- Advocate for long-term dedicated funding for 5-10 years
- Support a short-term retroactive plus at least one year of future funding appropriated.

Appropriations

Public education represents one of our nation's earliest forms of public infrastructure and requires continued support and investment from the federal level. Public education works to ensure that our nation's students are prepared to be engaged community learners.

- Oppose competitive allocations, including vouchers and tax credits.
- Support prioritization of investment in federal flagship programs targeted via equity and opportunity, including ESSA Title I and IDEA.
- Oppose efforts to privatize federal investment in education.
- Support increased investments to programs that support educator development and training (including ESSA Title II) and mental health supports, education technology, and well-rounded education (including IDEA and ESSA Title IV).

Career and Technical Education

ESAs work to ensure all students graduate college and career ready. CTE is the backbone of ESAs' ability to prepare students for career or additional career-specific training in the K12 setting.

- Provide and expand funding for career pathways for all students.
- Increase opportunities consistent with the expansion of dual enrollment.
- Ensure equity of CTE opportunities by supporting rural and Urban Community College Partnerships.
- Continue to allow ESAs to regionalize CTE to ensure opportunities for all students, it is important for the federal government to continue to support consortiums.
 - Fiduciary

- Professional development
- Stackable credentials
- Support collaboration, as ESAs can be a link between K12, higher education, and career pathways.

ESSA: Every Student Succeeds Act

ESSA establishes a role for the federal government in K12 education. Designed to level the playing field for a historically disadvantaged population, students in poverty, ESSA was signed into law in 2015. It represents a significant return to the empowerment of state and local education agencies and education professionals as it relates to education, program design, and implementation, and students.

- Ensure ESAs continue to work with states to maximize flexibility in ESSA implementation.
- Support state plans that include a defined role for ESAs within their workbook/plan.
- Oppose use of any voucher program, including but not limited to education scholarships, education savings accounts, and tuition tax credits.

Early Childhood Education

Just as ESAs and the schools they serve must be ready for the students they enroll, so too must the students be ready (academically, emotionally, and socially) to learn.

- Protect and expand funding for Head Start, Early Head Start, and the Child Care and Development Block Grant.
- Provide access to robust early education (birth to age five), particularly for students in high-need/low-income situations. It is a critical component to building a strong education continuum.
- Support provision of mental health and trauma-informed services to young children (birth through kindergarten enrollment).

Student Data and Privacy

Schools have always collected a wide range of data, detailing things from enrollment information and student performance to health and disciplinary records, to allow educators, school leaders, and the community to have a glimpse at how the schools and students are doing and to inform teaching and learning. While increased data use has the potential to transform education for the better, empowering students and teachers to expand learning in ways they couldn't before the evolution of digital technology, it also has the potential to put sensitive student information at risk. Effective policies can help curtail some of the risks that accompany student data collection and ensure that data is used ethically to support learning.

- Support reauthorization of FERPA to include clear and updated language aligned with existing laws and regulations that schools are following.
- Provide coherent and easy-to-understand guidance for parents and educators regarding FERPA, PPRA, and COPPA and their protections of the privacy and security of student data.
- Update definitions to address current realities, making it possible to protect data while ensuring appropriate use of student data for legitimate educational needs.
- Secure joint guidance from the Department of Health and Human Services and the Department of Education regarding the overlap of HIPAA and FERPA laws.

- Oppose federal language that would restrict the ability of local education administrators and staff designees to share information with and from appropriate agencies as necessary.
- Support legislation that recognizes both schools and vendors (among others) have responsibilities as it relates to student data and privacy, and ensures that all players are held appropriately accountable.