

AASA/ASBO 2021 Talking Points for Capitol Hill Visits

American Rescue Plan (ARP): Unpacking this Unprecedented Investment in Education

Members of Congress are already growing skeptical of how the funding under CARES, the December CCRSA package, and the American Rescue Plan are being used in school districts. Representatives and Senators who continue to think “money doesn’t matter” in education and those who express concern that the U.S. is spending too much on public schools are eager to point to examples of how federal pandemic education funding is being misspent, misguided, or misplaced.

As school district leaders who advocated for this critical funding, you play a key role in defending and protecting this federal investment from these attacks, making the case that these federal investments matter, and helping to ensure that if there is another pandemic or crisis, this investment is reflected in a positive light. Here’s how you can do this in your Hill meetings.

TALKING POINTS

- Thank your delegation for CARES, CCRSA, and the American Rescue Plan pandemic aid.
- Note how ARP funding and other pandemic-related aid for districts have been critical to ensure that schools can open (and stay open) and to provide safe and healthy learning environments for children and educators.
- “My district is using the federal pandemic aid in the following ways to address learning recovery efforts by...”
- “Without federal pandemic aid we would not have been able to...”
- Preface that you know these funds will not last forever, which is why we must continue to work towards fully funding IDEA and Title I and improving Medicaid reimbursement for districts.

School Infrastructure

Although K–12 public schools make up the nation’s second-largest infrastructure sector, the National Council of School Facilities’ most recent “State of Our Schools” report found that there is a \$46 billion annual funding gap on what is spent each year and what should be allocated annually between federal, state, and local governments to meet modern construction standards. To emphasize the severity of this deficit, in 2016, the federal government contributed 0.2% to the national total funding for school capital construction projects.

Because of this underinvestment, the Government Accountability Office estimates in its June 2020 Congressional report on K-12 facilities that 53% of districts need to update or replace multiple building systems or features in their schools, and 41% of districts need to replace the heating, ventilation, and air conditioning (HVAC) systems in at least half of their schools. Thirty-one percent of school systems have portable facilities, and 45% of those portables are in poor or fair condition. For context, this means that 36,000 schools nationwide do not have access to facilities that are safe for in-person instruction according to pre-pandemic norms.

This data clearly demonstrates that our nation’s heavy reliance on local tax bases to fund school infrastructure has enabled wealthy communities to finance school construction projects while leaving many high-poverty localities without the means to do the same. While the American Rescue Plan and previous COVID-19 relief packages did provide critical aid to school districts to recover from the pandemic, longstanding school modernization and repair needs far exceed what ARP funding was intended to cover. As evidence of this, the Learning Policy Institute estimates it would cost nearly \$72 billion alone to update school HVAC systems.

In light to these concerns, AASA and ASBO International strongly urge Congress to include dedicated funding for school construction, modernization, and repairs in any forthcoming infrastructure package.

TALKING POINTS

- Congress must include the Reopen and Rebuild America's Schools Act of 2021 (RRASA) (H.R.604/S.96) in the forthcoming budget reconciliation package, which would provide \$100 billion in grants and \$30 billion in bonds over 10 years so that high-poverty districts can improve their school facilities.
- The poor physical condition of our schools directly affects students' health and learning. Before the pandemic, childhood asthma (which is linked with exposure to poor air quality) resulted in about 13.8 million missed days of school annually. As schools reopen with in-person instruction, it is critical that the federal government support school districts in their efforts to create a safe and healthy learning environment for all students.
- As the debate continues, schools should remain a pillar of the infrastructure package because just like roads and bridges, school buildings are also critical for the health of our economy. As such, AASA and ASBO International implore Congress to take advantage of this opportunity to advance a better future for our communities, schools, and children.

Child Nutrition Reauthorization

Every decade, Congress reauthorizes the law that governs the National School Lunch and Breakfast programs—the Richard B. Russell National School Lunch Act. The latest iteration of the law (the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296), expired on September 30, 2015. This presents Congress with an opportunity to provide overdue updates to the legislation.

TALKING POINTS

AASA and ASBO International's policy recommendations and talking points for this year's reauthorization fall into the following buckets:

- We support the Biden Administration's push to increase access to the federal school meals programs through the recommendations below:
 - Lower the community eligibility provision (CEP) threshold from 40% to 25%, so that more local education agencies (LEAs) can participate in the program. By moving the needle down 15 percentage points, Congress will ensure that LEAs at the cusp of qualifying for the program are able to participate.
 - Raise the Identified Student Percentage (ISP) multiplier from 1.6 to 1.9. By enacting this policy change, Congress will make it more financially viable for more high-poverty school districts to participate in the program and ensure more students are coming to class ready to learn.
- We urge Congress to provide at least \$1.3 billion to cover losses to school food operators from SY 2020–21, so that districts can spend current COVID-19 emergency school relief funds on educational programming.
- We urge Congress to allow School Food Authorities (SFAs) consistently found in compliance with federal and state laws to return to a five-year administrative review cycle. By enacting this change, state agencies will be able to conduct more thorough reviews and school nutrition professionals will be able to spend more time focused on serving healthy meals.
- We support maintaining the current nutritional standards for the school meals in any forthcoming reauthorization. Specifically, we support the maintenance of the current sodium level (Target 1), 50% enriched whole grain, and 1% flavored milk flexibilities as implemented by the U.S. Department of Agriculture (USDA).
- We support the concept of universal meal policy as long as such a policy would not harm eligibility for, and enrollment in, existing federal funding streams serving schools, and would fully cover costs associated with operating the program in schools.

FY 22 Appropriations

Neither the House nor the Senate Labor, Health and Human Services, Education, and Related Agencies (L-HHS-ED) Appropriations Subcommittees have passed their FY22 funding proposals. FY22 dollars will be in schools for the 2022–23 school year. L-HHS-ED is the appropriations bill that funds U.S. Department of Education (USED) programs.

At the time of printing, neither the House or Senate L-HHS-ED appropriations sub-committee have released their FY22 proposal; we do not yet know the proposed program funding levels. The House Appropriations Committee did announce its sub-committee allocations, and L-HHS-ED received the largest increase overall. For context, federal appropriations funding for education depends on the size of the “slice of pie” the L-HHS-ED subcommittee receives (known as 302b allocations). For FY22, the House L-HHS-ED allocation received a huge (36.4% or \$63 billion increase) for a total allocation of \$237 billion.

President Biden introduced an expansive FY22 budget earlier this spring. His proposal is the first one in a decade not bound by federal spending caps, and the overall dollar amount reflects that. The proposal includes a record increase for USED of \$29.8 billion (+41%) over the FY 2021 level, and big increases for federal education programs. The president’s proposal includes a \$20 billion increase for Title I, a \$3.1 billion increase for IDEA overall, and \$1 billion for a School-Based Health Professional Program. Outside of these programs, the remaining increases are concentrated in a small number of programs: \$3 billion increase for Pell Grants; \$413 million increase for Community Schools; \$5 million increase for REAP; and \$128 million increase for Perkins / Career and Technical Education.

Moving forward: In terms of annual appropriations process, the next step lies within Congress, and we wait to see the extent to which House and Senate Democrats use the Biden proposal as the starting point for their FY22 work, or instead move in a different direction. This will give a clearer path forward for overall appropriations and allow us to better anticipate which proposals will make it through and which ones will need more explicit advocacy.

TALKING POINTS

- Thank your members of Congress for the emergency supplemental funding for COVID-19 relief, provided as part of FY21 appropriations.
- Any increase in funding for Title I should be through the existing Title I formula and not a parallel or shadow proposal.
- AASA and ASBO International oppose any effort to direct public dollars to private education. We oppose all vouchers and privatization schema.
- We ask Congress to continue to prioritize investment in critical formula programs designed to level the playing field, including IDEA, Title I, and Title IV.

IDEA Full Funding

When it comes to federal priorities, both AASA and ASBO International have a strong emphasis on support for Congress meeting its commitment to IDEA Full Funding. In 1975, our country took a major step forward in promoting the inclusion and equality of one of our most disenfranchised groups of citizens by passing the Education for All Handicapped Children Act, now known as the Individuals with Disabilities Education Act (IDEA). IDEA ensures that children with disabilities may attend public schools alongside their peers. Despite all that has been accomplished on behalf of children with disabilities, much more remains to be done.

When IDEA passed in 1975, Congress understood it was creating a law that would have increased the federal government’s financial impact and role in education at state and local levels. It promised to pay a significant share (40%) of the excess costs of educating a child with a disability compared to a general education student. While special education funding has received significant increases over the past 18 years, funding has leveled off. The closest the federal government has come to reaching its 40% commitment was 18% in 2005. The final FY21 appropriations bill funded IDEA at just 13% of the additional cost, less than half of the 40% commitment, which has caused a significant encroachment on state and local budgets.

Investing in IDEA, a federal flagship formula program designed to help level the education playing field for students with disabilities, is an investment in our nation’s students and their future. It indicates that Congress is serious in keeping its word to help school districts support all students.

TALKING POINTS

- Share the impact of special education shortfalls on your district, including the encroachment on your general education budget. Explain to your members of Congress the financial relief that would come at the local level when Congress fully funds its share.
- Thank your representatives for the infusion of \$2.5 billion in funding for IDEA as part of the American Rescue Plan, and express strong support for the budget proposal that includes this overall funding level (\$15.5 billion) as the base funding level for final FY22 appropriations. This will simplify compliance with IDEA's maintenance of effort (MOE) requirements and ensure services and staff funded through the infusion of IDEA funding in the American Rescue Plan can be maintained for two school years.
- Urge your Senators and Representatives to sign onto the IDEA Full Funding Act led by Senator Van Hollen and Representative Jared Huffman.

Fixing the Homework Gap: E-Rate and the Emergency Connectivity Fund

The homework gap, experienced by as many as 12 to 17 million students in the United States who do not have internet access at home, is an inequity that predates the COVID pandemic. Even before the pandemic shuttered schools and shifted our students into remote and online learning, students without connectivity were at an educational disadvantage because they could not complete homework assignments that required internet access after class.

In response to this crisis Congress passed the Emergency Connectivity Fund (ECF) as part of the American Rescue Plan (ARP). The ECF is a \$7.17 billion program which allows schools and libraries to purchase laptop and tablet computers, Wi-Fi hotspots, and broadband connectivity for students, school staff, and library patrons in need during the COVID-19 pandemic. The ECF will be distributed along the lines of the FCC's E-rate program. It will be similarly managed by the Universal Service Administrative Company (USAC) through the E-rate Productivity Center (EPC) portal. Any school or library that has ever applied for funding through the E-rate program will already be familiar with the eligibility requirements and application procedure for the ECF. The 45-day application window opened on June 29; schools and libraries have until August 13, 2021 to apply for the funding.

As schools transition back to in-person instruction, distance learning is not going away. We know that because of the pandemic, students across the country have unfinished learning and recovery needs, and they may need to continue their home education for months or years to come. Also, even after the COVID-19 emergency ends, we cannot ignore a key 21st century educational need—students require reliable internet access to simply finish their homework!

TALKING POINTS

- Thank your member of Congress for the funding to create the Emergency Connectivity Fund.
- Share details about what the homework gap looks like in your district. How many of your student struggle to connect to internet outside of school?
- Thank your member of Congress for the E-Rate program. Acknowledge that while it is not funded by Congress, it is a federal program that has singlehandedly transformed connectivity in schools.
- Ask your Senator/Representative to endorse the forthcoming Markey/Meng Homework Gap bill, which would provide a \$8 billion a year over five years (for a total of \$40 billion) to extend the FCC's Emergency Connectivity Fund beyond the COVID-19 emergency timeframe so that schools and libraries can continue supporting distance learning after the pandemic is over. This funding will ensure that elementary and secondary schools and libraries (including tribal schools and libraries) can keep providing Wi-Fi hotspots, modems, routers, and internet-enabled devices, including internet service through such equipment, to students, staff, and patrons. This extended program will ensure that students connected by the ECF program do not lose their internet access and devices once the original program funds are spent.