

ASBO INTERNATIONAL 2022–2023 U.S. LEGISLATIVE BELIEFS

ABOUT ASBO INTERNATIONAL

The Association of School Business Officials International (ASBO) is a nonprofit association that provides programs, resources, services, and a global network to school business professionals. ASBO promotes the highest standards of school business management, professional growth, and the effective use of educational resources.

School business professionals are the finance and operations leaders of school systems who manage many different aspects of education administration, including school budgeting, purchasing, facility operations, human resources, technology, transportation, food service, health care, and more. They are trustworthy leaders committed to educating the whole child by effectively managing educational resources to support student learning and well-being. As school business professionals strive to ensure that taxpayer resources are utilized wisely in their communities, implement innovative education practices, and lead the profession forward—ASBO International is here to support them.

ENSURING SCHOOLS EMERGE STRONGER IN A POST-COVID WORLD

As school finance and operations leaders, ASBO International and its members are uniquely qualified to help policymakers understand how the COVID-19 pandemic has impacted public education. We know what resources are required to help school communities come back stronger from this crisis and address students' varying academic, social, emotional, mental, and physical health needs.

School districts require adequate, reliable funding to effectively educate and provide for students. Instability in school finance is a significant concern as school business professionals seek to sustainably provide a quality education for students. Before the pandemic occurred, a [2019 Pew Trust report](#) found that in 29 states, K–12 education funding still hadn't completely recovered from the Great Recession 10 years after it ended. Although Congress provided significant federal aid to schools via the CARES, CRRSA, and ARP Acts to assist with COVID-19 recovery efforts, this one-time emergency funding is not a panacea that can resolve years of underinvestment in public education.

While this federal aid is greatly needed and appreciated, longer-term solutions are necessary to ensure schools remain resilient in a post-COVID world. Once federal funds run out, districts will struggle to avert a fiscal cliff as they seek to offset ever-increasing educational costs with unstable revenues. Some of the budgetary challenges schools face stem from rising health, labor, food, and supply costs; staffing shortages; supply chain issues; increasing student and staff social, emotional, and mental health needs; inflation; unfunded mandates; and aging buildings and facilities. None of these issues can be solved by schools alone—strong local, state, and federal partnerships are needed to secure a positive future for our students and public education.

ASBO INTERNATIONAL U.S. LEGISLATIVE BELIEFS STATEMENT

1. We believe that targeted, robust federal funding with minimal administrative burden is an important part of a school system's revenue.

We support fiscally responsible federal investment in education to supplement and support local efforts to ensure all students have equitable educational opportunities. Federal education funding must be protected and prioritized in federal budget conversations; education funding must not be cut for other federal priorities.

- We believe that federal support for schools in response to the COVID-19 pandemic must include a high bar for states asking to waive their maintenance of effort (MOE) requirement coupled with a need to ensure any MOE flexibility for states is similarly available for school districts.

We support that public dollars should fund public schools. Schools that receive public funding must adhere to the same rules for enrollment, academic standards, performance, equity, procurement, conflict of interest, accountability, and transparency. Privatization of education undermines our public school system and denies equitable educational opportunities for students. We oppose private school choice/voucher programs, which funnel taxpayer dollars away from public schools into private and/or parochial schools that are not held accountable to the same standards.

We support full federal funding for education programs authorized by the Every Student Succeeds Act (ESSA), Individuals with Disabilities Education Act (IDEA), and Carl D. Perkins Career and Technical Education Act (Perkins/CTE). We support equitable federal funding mechanisms, including key federal programs such as Title I and IDEA, as well as a robust conversation to revise and strengthen the efficacy of poverty indicators within federal education programs. Congress should fully fund formula grants that reflect its commitment to supporting historically disadvantaged students, including low-income, minority, English learner, and special education students.

- We believe Congress should prioritize funding formula grant programs over competitive grants in its education agenda. Formula grants represent a more stable, predictable funding source for school districts, which require fiscal and financial stability to undertake the ambitious reforms often proposed by competitive grant programs. We seek federal support to eliminate red tape, bureaucracy, and overly stringent mandates associated with applying for and reporting on the use of federal grant dollars. Simplifying and streamlining federal grant processes will encourage schools to apply for available funds and free up school staff time and resources to focus more on student learning.

- We believe Congress should fully fund IDEA at 40% of the national average per-pupil expenditure (NAPPE) to address extra costs incurred when educating students with special needs and to fulfill Congress' original promise to support students with disabilities. We believe that IDEA, Part B MOE requirements should conform to MOE requirements under ESEA/ESSA.
- We believe Congress and the U.S. Department of Education (USED) should provide narrow, targeted flexibilities to districts for meeting IDEA, Part B MOE requirements. Districts need reasonable accommodations to address this underfunded mandate, especially during the pandemic when circumstances may be beyond the district's control (e.g., reduced expenses for student transportation due to COVID-19-related statewide school closures). Moreover, districts should have greater flexibility to reduce local MOE levels if the provision and quality of services for students with disabilities are unaffected.
- We believe Congress should increase funding for ESSA Titles I, II, III, IV, and V formula grants. ESSA provides state and local leaders flexibility and autonomy over their classrooms, but their success will ultimately depend on how well ESSA programs are funded. While we believe formula grants should be prioritized, we also support adequate funding for Titles II and IV competitive grants for quality professional development, after-school and extracurricular activities, and other vital programs.
- We believe Congress should increase funding for Perkins/CTE state grants to support education programs that offer alternative pathways for students to succeed and ensure our nation has a highly qualified workforce.

2. We believe that federal funding and support are critical for schools to construct, maintain, and repair facilities and ensure that students have safe and healthy places to learn.

We support a fiscally responsible federal infrastructure plan that incorporates K–12 schools into its broader agenda. Federal investment in K–12 infrastructure should include, but not be limited to, direct state and local funding; competitive grants; investing in partnerships to support projects (e.g., public/private [PPP], federal and state/local, etc.); restoring tax-credit QZABs/QSCBs and tax-exempt advance refunding bonds (ARBs); and other innovative options to help schools sustainably construct, repair, and maintain facilities.

- We believe that school infrastructure and safety issues are inextricably linked; it is impossible to address one issue without addressing the other. Schools are charged with increasing responsibilities to protect student health and safety without sufficient funding and support to accommodate new demands and emerging threats. Whether a school must improve facility conditions, increase physical or cyber security, or provide new learning spaces to meet personalized learning goals, these initiatives cost time and resources that most public school systems lack.
- We believe there are several areas of opportunity for the federal government to support schools in improving infrastructure and safety issues: 1) Addressing public and environmental health concerns (e.g., mitigating the spread of viruses and diseases, and addressing radon, lead, asbestos, mold, and other issues); 2) Improving school safety and climate (e.g., hardening facilities, hiring and training staff, providing social-emotional care and mental health services, addressing cyberbullying, etc.); and 3) Providing inclusive facilities to accommodate all students' educational needs (e.g., accelerated learning and learning recovery programs, full-day PreK, CTE/vocational training, STEM classes and maker spaces, special education, etc.).
- We believe school districts should have more flexibility with spending timelines for federal ESSER funds when carrying out HVAC and other allowable school construction projects. The ESSER spend timeline for such purposes should be extended through September 30, 2026. Economic conditions that have arisen during the pandemic, including but not limited to supply chain issues, labor shortages, and the lack of availability of certain raw materials and contracting services to carry out capital projects, have made it untenable for many districts to obligate funds by the original CARES, CRRSA, and ARP Acts' deadlines.
- We believe the federal government can help enhance district technology infrastructure and student data privacy by 1) updating federal laws and definitions to address the realities of the digital age, making it possible to protect data while ensuring appropriate use of student data for legitimate educational needs and reforms; and 2) ensuring funding to support school districts in ongoing efforts to respond to cybersecurity threats and breaches, including technology, training, and updates to infrastructure.

We support reducing, simplifying, and streamlining grant application and reporting requirements for schools and districts to receive federal funding for K-12 infrastructure projects. Excessive administrative, paperwork, and compliance burdens relative to voluntary grant applications often deter school districts from applying for financial assistance. We welcome the opportunity to work with federal agencies and other K-12 stakeholders to ensure infrastructure grants and requirements are accessible and easily navigable for applicants.

- We believe that the burdensome application process for the Federal Emergency Management Agency (FEMA) Public Assistance (PA) program must be streamlined to provide districts with quicker and easier access to desperately needed funds so that students may safely return to school after a disaster has occurred. The federal program must also be updated to respond to many different types of disasters in a more flexible and effective manner, including epidemics and pandemics. In addition, we urge FEMA to provide information and technical support regarding other available emergency assistance programs that can help school communities effectively respond to and recover from various emergencies that may be impacting their area.
- We believe that FEMA's strict procurement requirements inhibit recovery efforts when districts are challenged to find available contractors and must delay facility repairs to endure the time required to comply with competitive-bidding procurement rules. We strongly advise FEMA to accept whatever procurement method the state has adopted as a default. In addition, FEMA's current reimbursement policies are too restrictive and undermine the PA program's effectiveness to help communities recover from crises. Reimbursement requirements should be more flexible and adaptable to quickly address immediate emergency needs.

We support preserving funding for and strengthening the federal E-Rate and Emergency Connectivity Fund (ECF) programs to help school communities bridge the digital divide or "homework gap" for those who lack reliable broadband access to effectively participate in and benefit from information technology for learning. The E-Rate and ECF are critical programs to improve digital equity and broadband connectivity both within and outside the school campus, at students' homes, and across their communities. We strongly support the continuation of the ECF, for the critical role it plays in allowing schools to expand community access. We support an active federal role in helping schools address cybersecurity and other technology issues; funding for such initiatives should be outside of and in addition to existing education and school-related connectivity programs.

- We believe that the U.S. Department of Agriculture (USDA) Rural Utilities Service (RUS) Telecommunications Program provides beneficial loan and grant opportunities that can help narrow the digital divide for rural communities. RUS programs should be strengthened and preserved to incentivize broadband infrastructure investment and development in unserved and underserved areas so that rural communities can access more affordable and reliable services and benefit from improved educational, health, and employment opportunities.

3. We believe that schools require a sustainable nutrition program business model with minimal administrative burden that provides affordable, nutritious meals that students will enjoy.

We support efforts by the federal government to reduce, simplify, and streamline regulations for child nutrition programs to reduce the administrative burdens and costs of managing school meal programs. We believe the federal government should play a supportive, flexible role in helping states and school districts comply with nutrition standards and offer quality non-regulatory guidance, technical support, and professional development for administering meal programs.

- We believe the federal reimbursement rates for school meals should be increased to ensure school nutrition programs are financially sustainable, and that reimbursements should be provided to schools when federal food service requirements result in a loss of revenue. We also urge the federal government to refrain from increasing administrative burdens related to nutrition eligibility verification.
- We believe Congress and USDA should extend COVID-19-related school meal program waivers through June 30, 2023. Emergency waivers granting critical flexibilities for operating summer feeding programs throughout the school year, providing higher reimbursement rates to schools, allowing for non-congregate feeding, serving meals outside of standard times, accommodating student and family meal pick-up needs, expanding area eligibility, and other federal actions have been critical to helping schools feed students during the pandemic and navigate severe supply chain and labor shortage issues.

We support having the federal government play a supportive rather than regulatory role in helping states and districts solve unpaid meal debt and “lunch shaming” issues rather than increasing regulations and restricting local autonomy. It is not the school district’s goal to shame students or their families if they incur a negative meal account balance, but rather to work with them to resolve unpaid debts.

- We believe the USDA and other federal agencies can provide non-regulatory guidance and resources to help states, districts, and schools develop fiscally sound and fair policies to recover costs, collect debt, eliminate stigmas from serving and eating free/reduced-price meals, and still ensure students have access to affordable and nutritious food.

We oppose nutrition reforms that would adversely affect the financial structure of, federal funding streams for, or student access to, child nutrition and school meal programs. This includes capping federal payments to states for school meal programs via block grants, increasing the eligibility threshold for schools and districts to enroll in the Community Eligibility Provision (CEP) program, and other reforms that would adversely affect students and districts regarding direct certification for school meal programs.

- We believe that capping funding streams via state block grants will reduce funding for schools to administer meal programs. (Block grants would provide states fixed funding instead of federal reimbursements per eligible meal served.) Block grants do not provide states relief in the event of a recession, rising child poverty, increases in enrollment/meal program participation, and rising food prices and school meal costs.
- We believe that the CEP is an effective federal program that enables high-poverty schools and districts to provide meals to all students at no charge, improves meal program participation and efficiency, and reduces paperwork burdens for K-12 districts. Currently, a school or district is CEP-eligible to serve all students school meals at no charge if 40% or more of its students are eligible for free or reduced-price meals. The CEP should be strengthened and expanded by 1) reducing the eligibility threshold for a school or district to opt into the program so more students can access nutritious meals at no cost, and 2) increasing the ISP multiplier in CEP's formula so schools and districts can sustainably afford to operate food service programs.

We support a universal meal policy, provided that it 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.

4. We believe that schools need adequate federal support, flexibility, and funding to implement federal healthcare and labor regulations.

We support federal efforts to increase the amount of funding and quality of training, technical support, and other guidance and resources to assist school systems with implementing healthcare and labor regulations. We welcome any opportunity to work with federal offices and agencies, including the Internal Revenue Service (IRS), Centers for Medicare & Medicaid Services (CMS), Centers for Disease Control and Prevention (CDC), Occupational Safety and Health Administration (OSHA), Wage and Hour Division (WHD), and non-federal public health and education stakeholders to improve regulations and services affecting our nation's school systems.

We support the reduction, simplification, and streamlining of current Affordable Care Act (ACA) regulations to reduce the administrative burden and costs to school systems to comply with the law. We support changing the definition of a full-time employee (FTE) who qualifies for health insurance from an individual who works an average of 30 hours/week to 35 hours/week and exempting substitute teachers and other variable-hour employees from coverage under the ACA. We urge lawmakers to refrain from reinstating costly, burdensome requirements that would be difficult for school district employers to implement.

We oppose healthcare reforms that would adversely affect the financial structure or funding streams of the federal-state Medicaid and Children's Health Insurance Program (CHIP). This includes limiting federal payments to states via per-capita caps based on enrollment or block grants, neither of which provide states relief in the event of a recession, public health crisis, or other emergencies.

- We believe that capping or reducing Medicaid and/or CHIP funding to states hinders states' ability to reimburse Medicaid-eligible service providers, including hospitals, clinics, and schools. The current financing structure of Medicaid should be preserved and ensure that eligible mental health services in schools are reimbursable under the program. Schools rely on \$4 billion annually in Medicaid dollars to provide vital student health services to children, especially those with disabilities and from low-income families that cannot afford access to these services elsewhere.
- We believe the Medicaid reimbursement system should be streamlined to ensure that districts of all sizes can participate in the Medicaid program. The Centers for Medicare and Medicaid (CMS) should proactively engage school district stakeholders in updating technical guidance that will enable every district access to Medicaid reimbursement for much-needed services for children.

We support federal efforts to prioritize school personnel (e.g., teachers, specialists, aides, food service and custodial staff, bus drivers, administrators, and other professionals who serve our nation's schools) for access to COVID-19 vaccinations, test kits, and other supplies (e.g., masks, PPE, etc.) to help mitigate viral spread. Providing schools priority access is critical to keeping schools safe and open and instilling public confidence in a nationwide COVID-19 mitigation program.

We support reasonable and financially sustainable reforms to federal labor laws and regulations concerning minimum wage, overtime pay and eligibility, recordkeeping, and other employment issues that affect school districts.

We support strong and sustainable federal investments to strengthen labor pipelines and qualified candidate pools within the K-12 public education sector. This includes but is not limited to federal funding, technical support, professional development and training, non-regulatory guidance, and other resources to help school district employers recruit, hire, train, and retain high-quality staff. Schools require sufficient qualified instructional, administrative, operational, ancillary, and other support staff to provide students with an equitable education and effective wraparound services to support their individual needs.

- We believe that additional state and federal resources are required to address the mounting social, emotional, behavioral, and mental health issues that have emerged during COVID-19. This public health and economic crisis has seriously affected school communities across the nation, creating overwhelming challenges and stressful conditions for students, staff, and families alike. We believe additional investments in improving our public healthcare systems, strengthening healthcare workforce pipelines, and increasing access and funding for school-based health programs will help provide the services and resources our communities need.

ASBO INTERNATIONAL AND OUR MEMBERS ARE WILLING PARTNERS

ASBO International and its members offer our experience, expertise, and interest in creating a world-class education system for all students. We welcome the opportunity to work with federal policymakers in meeting the significant financial and operational challenges that schools face.

ASBO International's Legislative Advisory Committee (LAC)

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