



*The leading advocate for public education*

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## 2019 Legislative & Federal Advocacy Priorities for the 116th Congress (1st Session) and the Administration

On behalf of the nation's state school boards associations and more than 90,000 local school board members, the National School Boards Association is advocating the following legislative priorities in the first session of the 116th Congress. Along with our campaign to champion the Individuals with Disabilities Education Act (IDEA), NSBA is advocating for elementary and secondary education provisions in the reauthorization of the Higher Education Act, advancing school infrastructure and school safety priorities, urging Congress to address the Deferred Action for Childhood Arrivals (DACA) program, and continuing our advocacy regarding federal education investments, educational choice, child nutrition, digital equity and related areas of concern to school boards. In addition to these priorities, NSBA will continue to be a strong advocate for maximum federal investments in public education. We will also work to curb federal overreach by the federal government by advocating for increased local control. Moreover, NSBA urges Congress and the Administration to ensure that the following federal laws and policies support school boards' efforts to improve educational outcomes.

### **It's Time for a Great IDEA: Reauthorization and Full Funding for the Individuals with Disabilities Education Act (IDEA) Reauthorization**

**PRIORITY:** NSBA urges Congress to begin the Individuals with Disabilities Education Act reauthorization process, so that the law can be strengthened in a timely way to ensure that all students with disabilities achieve their full potential.

Consistent with that goal, NSBA urges Congress to address the following IDEA reauthorization guiding principles: (1) High Expectations and Accountability, Not Bureaucracy, Deliver Positive Outcomes for Students with Disabilities; (2) Effectively Serving Students with Disabilities and their Families is a Shared Local, State, and Federal Financial Responsibility; (3) Positive Engagement and Collaboration with Families Helps Students with Disabilities Succeed; (4) the Success of Students with Disabilities Depends on Access to Effective Teachers and other Education Professionals; and (5) Expanded Supports Directed at the Youngest Students with Disabilities will Set More Learners on an Earlier Path Toward Academic and Life Success.

## Higher Education Act Reauthorization

**PRIORITY:** NSBA urges Congress to use the Higher Education Act (HEA) reauthorization to strengthen and build the educator and school leader workforce and support other strategies to promote equity and college access and success.

The next HEA must place a higher priority on strengthening educator preparation systems, including cultivating and supporting strong induction and other partnerships between educator preparation programs and school districts, encourage high performing students to enter the teaching profession, including with a focus on preparing a new generation of special education and preschool educators. The next HEA must also encourage and support local innovation, research, and implementation of strategies designed to improve teacher and principal effectiveness consistent with the locally-driven framework of ESSA that focuses on:

- Evidence-based evaluation systems that include, in part, student performance;
- Alternative certification programs that meet workforce needs;
- State and school district flexibility regarding credentials for small and/or rural schools, special education programs, English learners and specialized programs such as science, technology, engineering, arts, and mathematics; and
- Locally-determined compensation and teacher and principal assignment policies.

The next HEA should also authorize new investments in dual and concurrent enrollment programs to ensure that more students – especially low-income students – have access to learning opportunities that deliver postsecondary credit and promote college access and success.

## Improving the Nation's Infrastructure

**PRIORITY:** As Congress and the Administration explore opportunities to improve the nation's infrastructure, NSBA encourages the adoption of new incentives and investments focused on modernizing and building educational facilities that are designed to meet the needs of students, families and communities.

Teaching and learning requires well designed classrooms, state-of-the-art science laboratories, high capacity broadband connectivity, and other facilities that meet students' educational needs. Many students are forced to use failing buildings and other depleted and outdated educational infrastructure. Recent estimates place total school facility needs, including technology, at well over \$500 billion, which is beyond the capacity of many communities and States to address. Any infrastructure legislation considered by Congress should prioritize grants for schools in underserved communities, create a new school infrastructure tax-exempt bond program, promote green building design, and support digital infrastructure.

## Advancing School Safety

**PRIORITY:** NSBA supports recent congressional action to increase the funding and flexibility of grants that are provided to states and local school districts to make school safety improvements. However, as the number of deadly school violence incidents increase, more must be done. NSBA encourages Congress and the Administration to take the necessary actions to ensure that all children have a safe and secure learning environment, including by adopting the following ideas included in the Federal Commission on School Safety report:

- Provide greater and sustained resources for locally determined programs that are critical to school safety, such as school resource officers, school counseling, emergency preparedness and response training and interagency coordination.
- Federal resources for school safety are spread across many agencies and a comprehensive guide should be published about where schools can access funding opportunities and/or technical assistance for disaster preparedness and emergency response operations.
- Provide greater and sustained federal resources that expand access to mental health services and support comprehensive “wrap-around” services to schools that include a range of community resources to address safety and intervention.
- Increase resources that focus on the social, emotional, physical and mental health of students.

Violence of any sort has no place in American classrooms. As the nation and elected leaders grapple with potential solutions to reduce gun violence in our schools, students are rightly demanding action. All students deserve access to safe and supportive learning environments that support their opportunities to learn and are free of abuse, violence, bullying, weapons and harmful substances. NSBA has long encouraged local school boards to recognize that prevention, preparedness, mitigation and emergency response and recovery plans are critical to protect the safety and health of students and employees. These plans work best when school districts have the resources they need to work in coordination with the appropriate local, state and federal agencies, including public health officials and first responders, and address environmental, health, and safety risks along with potential security breaches. Further, NSBA urges local school boards to continue to analyze data with regards to student discipline and engage in restorative practices to reduce suspensions and expulsions.

### Supporting Educational Opportunity

**PRIORITY:** NSBA urges Congress to act swiftly to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and restore the pathway to U.S. citizenship for qualified undocumented students previously protected by the Deferred Action for Childhood Arrivals (DACA) program.

As Congress explores legislative solutions for overall immigration reform, NSBA urges the extension of the DACA program through a measure that will provide the immediate support for continuity and reassurance that students will not be separated from their families and communities; and, that their education will not be jeopardized. Today, our schools are educating the most diverse student population in history, providing equitable access and ensuring that all students are educated at levels no previous generation attempted to achieve. Public schools continue to make progress in helping students prepare for college, careers and life. The nation’s immigration laws must also continue to accommodate school districts that hire international teachers for high need subjects, foreign languages, and other shortage areas.

### Supporting Efforts to Ensure an Accurate Count for the 2020 Census

**PRIORITY:** The United States Constitution requires the federal government to count “the whole number of persons in each state” every ten years. The U.S. Census count serves as the basic data set for enumerable federal, state, and local policies, programs, and elections. An under-count of the “persons in each state,” would result in inaccurate data on which to base important governmental apportionment and funding decisions.

NSBA urges the Administration, specifically the Department of Commerce, to refrain from policy decisions that would result in a census under-count, which could lead to potentially devastating ramifications for public educational entities that depend on funding streams and other programs tied to census data.

## Education Choice: Supporting America's Public Schools

**PRIORITY:** NSBA opposes any legislation that diverts public funds from K-12 education directly through voucher programs, or indirectly through tax credits or related schemes to fund private, religious or home school education. Further, NSBA encourages Congress to include accountability measures in any use of public funds for educational purposes, including for the expansion of public charter schools.

NSBA encourages federal lawmakers to provide greater support for the innovative programs and educational choices offered by our nation's public school districts who educate more than 50 million students each day.

Federal policies and programs must be strengthened to support local magnet schools, public military academies and other schools that provide educational opportunities through specialized curricula and unique learning experiences in science, technology, engineering, the arts, mathematics and other areas related to a well-rounded education.

## Ensuring Student Data Privacy while Promoting Effective Data Use

**PRIORITY:** NSBA strongly supports policies designed to help teachers, school leaders, and administrators better use data to support instruction and decision-making.

Federal policies and programs, such as the State Longitudinal Data Systems program, should continue to support locally led efforts to more effectively use data and focus on equipping teachers and other education professionals with the knowledge and skills they need to support students and strengthen school performance. This focus must be complemented by an unwavering commitment to protecting each student's personally identifiable information.

NSBA believes it is important to provide professional development for educators and other school-based professionals to better understand how to ensure students' privacy and protect education records. We believe this increased investment in educators' privacy skills should proceed before Congress considers any additional laws and regulations. As Congress may consider changes to the Family Educational Rights and Privacy Act (FERPA) this year, NSBA supports changes that codify helpful improvements made by guidance in 2008 and regulation in 2011; but, opposes proposals to levy burdensome and counterproductive fines against non-compliant school districts that could greatly curtail needed studies and other research. Changes to FERPA should also include the aforementioned new investment in helping educators and school district leaders comply with the vast array of existing federal and state privacy requirements, including expanded support for the U.S. Department of Education's Privacy and Technical Assistance Center.

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The National School Boards Association (NSBA) is the leading advocate for public education and supports equity and excellence in public education through school board leadership. NSBA represents state school boards associations and their more than 90,000 local school board members throughout the United States.