



## Federal Advocacy & Public Policy Team

January 22, 2021

### NSBA Weekly Update

#### Congressional Update

##### **President Joe Biden Sworn in as 46<sup>th</sup> President of the United States**

On Wednesday, January 20, former Vice President Joseph R. Biden was formally sworn in as the 46<sup>th</sup> President of the United States. The inauguration also included an historic milestone with Kamala Harris becoming the first female, South Asian, and African American person to hold the office of Vice President. The newly inaugurated President struck a somber tone in his first formal address to the country, calling for a renewed national commitment to unity in the face of unprecedented crises and related challenges, most particularly the ongoing pandemic. These themes were evident throughout the week in the specific actions and steps President Biden has taken since assuming office. On his first day in office, Biden issued a slew of executive orders including the termination of the previous administration's so-called "[Patriotic Education](#)" panel (also known as the 1776 commission); strengthening workplace discrimination protections; and orders to preserve the Deferred Action for Childhood Arrivals (DACA) policy.

On his second day in office, President Biden signed additional executive orders focused primarily on combatting the ongoing pandemic. As part of this effort, the Biden administration released a [national strategy](#) to safely reopen schools and businesses—a key priority for President Biden who has pledged to reopen all K-8 schools in his first 100 days in office. As part of this work, he has [proposed](#) sending \$170 billion in additional relief funding to the education sector to support this effort. In the near term, Biden's executive actions taken on Thursday, Jan 21, serve as a foundation for this work moving forward. Among several other orders, Biden has instituted a new [data collection approach](#) for school reopening's, as well as closures, to be managed by the U.S. Departments of Education (USED) and Health and Human Services (HHS). In addition, the newly sworn in President signed an executive order intended to allow the Federal Emergency Management Agency (FEMA) to provide full reimbursements for the purchase of personal protective equipment such as masks.

#### Administration Update

##### **Additional USED Appointments Announced**

Earlier this month, President Biden announced his intent to formally nominate Miguel Cardona—currently Education Commissioner for the state of Connecticut—as the next U.S. Secretary of Education. While the formal nomination of Cardona is forthcoming, President Biden has also announced his intention to nominate Cindy Marten as the next Deputy Secretary for USED. Marten is currently the superintendent for San Diego public schools and has a comparably long, and extensive, history in progressively senior roles within the district over the last few decades. In addition to this announcement, USED also announced several new senior-level staff appointments which can be viewed [here](#). Until Cardona and his full team are confirmed by the Senate, the Biden Administration has named Phil Rosenfelt, current Deputy General Counsel for Program Services at USED, to be the acting head of the department.

## **Biden Names New Acting Head for FCC**

President Biden announced that current FCC Commissioner Jessica Rosenworcel will serve as Acting Chairwoman of the Federal Communications Commission (FCC). Rosenworcel has worked at the FCC since 2003 and was nominated to serve as commissioner in 2011 by President Obama. She has vocally supported policies to help close the “homework gap”—the term she coined to describe the digital divide between students with and without access to broadband internet that has been made worse by the ongoing pandemic. “It is a privilege to serve the American people and work on their behalf to expand the reach of communications opportunity in the digital age,” she said in a widely reported statement. Rosenworcel will serve in an acting capacity until a formal nomination is made by President Biden sometime in the future. Commissioner Rosenworcel was a keynote speaker at the 2020 NSBA Advocacy Institute where she spoke on important education issues such as the homework gap. Anna Maria Chávez, Executive Director and CEO of the National School Boards Association (NSBA), applauded the news in the following [statement](#).

## **Bills**

- [H.Res.52](#) Expressing support for the designation of the week of January 24 through January 30, 2021, as “National School Choice Week”. **Sponsor:** [Rep. Moolenaar, John R. \[R-MI-4\]](#)

## **Discretionary Grants**

USED published notice on three discretionary grant programs for the Office of Elementary and Secondary Education:

- **“Promise Neighborhoods Program”** – The Promise Neighborhood Program, as authorized under ESEA, was established to “significantly improve the academic and developmental outcomes of children living in the most distressed communities of the United States”, which includes communities with high concentrations of low-income individuals; multiple signs of distress, including high rates of poverty, childhood obesity, and academic failure; and schools implementing comprehensive support and improvement activities or targeted support and improvement activities under the Elementary and Secondary Education Act (ESEA). The estimated available funds for this program total \$36,993,970. Applications are due by March 5, 2021, and further information is available [here](#).
- **“Assistance for Arts Education Program”** – The Assistance for Arts Education program, authorized under ESEA, promotes arts education for students, including disadvantaged students and children with disabilities. This grant program combines three programs into one – including the Arts in Education Development and Dissemination, Professional Development for Arts Educators, and the Arts in Education National Program. The estimated available funds for this program total \$16,500,000. Applications are due by March 16, 2021, and further information is available [here](#).
- **“Full-Service Community Schools Program”** – ESEA authorizes the Full-Service Community Schools Program to support planning, implementation, and operation of full-service community schools, to improve support and services for children and families, particularly students attending high-poverty schools. The estimated available funds for this program total \$13,700,000, and individual awards will not exceed \$2,500,000 for the entire project period. Applications are due by March 1, 2021, and further information is available [here](#).

## **ESEA Updates**

USED published notice on inviting applications for new authorities, through the Office of Elementary and Secondary Education:

**“Innovative Assessment Demonstration Authority”** – The Innovative Assessment Demonstration Authority (IADA) is authorized under ESEA and allows state educational agencies to establish and operate innovative assessment

systems within public schools. The Department has previously awarded five states the authority and plans to award two additional states through this competition. Applications are due by March 16, 2021, and further information is available [here](#)

## **NSBA Update**

**NSBA Provides FAQs on New Administration’s Executive Orders:** NSBA’s legal team has released FAQs explaining the policy changes contained in executive orders President Biden signed on his first day in office, Jan. 20. The orders will affect how federal agencies approach topics such as [transgender student and employee rights](#), [racial equity and the concerns of disadvantaged communities](#), and [the census count](#). These resources will assist state associations in addressing member questions about how local policies may be affected by the change in federal approach.