

From: Chris Borreca



Re: TSA federal update-October, 2020

The primary federal developments of concern to TSA members include the following two major developments:

A. House Democrats brought a new Health and Emergency Recovery Omnibus Emergency Solutions (HEROES) Act to the table, with a lower overall price tag but more dedicated funding for education and home internet. Congress and the White House also agreed to a temporary stopgap to keep the government open through mid-December—including good news for advocates working to prevent child hunger during the pandemic.

1. HEROES Act Includes \$225 Billion for Education

The debate over [coronavirus](#) aid continues. After two plans from Senate Republicans flopped, it seemed like negotiations between Congress and the White House would be at a standstill until after the election. Instead, in an eleventh-hour push for a deal, House Speaker Nancy Pelosi (D-CA) unveiled an updated version of the [HEROES Act](#), the bill House Democrats passed in May. For months Senate Majority Leader Mitch McConnell (R-KY) has refused to bring the HEROES Act to the floor, citing objections to its \$3.4 trillion price tag, including \$1 trillion to shore up state and local government budgets. There is some speculation that the President's developing of COVID may actually spur on action from the Senate but that is speculation at this point.

The new, slimmed down HEROES Act would provide \$2.2 trillion in overall relief and cut the fund for state and local governments in half. However, education fares *better* in the revised plan. TSA members may [recall](#) from last month's update that the original bill only provided about \$100 billion for education—short of the \$250 billion [advocates](#) had sought. The new HEROES Act gets much closer to that figure, targeting \$225 billion to education including a \$208 billion stabilization fund and \$5 billion for emergency school infrastructure repairs and improvements, like ventilation systems.

Like the original HEROES Act, governors would receive stabilization funds based on two factors: (1) the state's relative share of the population between the ages of five and twenty-four years and (2) their relative share of students from low-income families under Title I. Even more of the stabilization fund—85 percent or about \$175 billion—would flow to school districts, based on the relative number of Title I students they serve. The rest of the stabilization fund goes to institutions of higher education and governors, with set-asides for outlying areas and for the Bureau of Indian Education and tribal colleges and universities.

Unlike the Republican relief proposals, no funding in the HEROES Act is contingent on schools reopening for in-person instruction. Another difference is that no funding can support tuition for students to attend private schools, outside of special education students who require private placement

to receive services. Finally, the HEROES Act includes \$12 billion for home internet connectivity. The Republican plans, in contrast, failed to include any funding to help close the [homework gap](#) that's plaguing 16.9 million children.

The HEROES Act also goes further to ensure that state education funding is equitable and targeted to communities most in need. In addition to maintenance of *effort* requirements that states maintain funding for education, including per-pupil spending, at similar levels over the next three years, states also would need to show maintenance of *equity*. States could not receive HEROES funds if cuts in state funding disproportionately affect high-need districts serving the most students from low-income families.

Many advocates, including the [Alliance for Excellent Education \(All4Ed\)](#), praised the bill for providing a level of investment in students and schools that matches the scale of the coronavirus crisis. Unfortunately, prospects for this version of the HEROES Act are grim. U.S. Secretary of the Treasury Steve Mnuchin responded with an offer of \$150 billion for education—more than previous Republican proposals, but still short of the new HEROES Act. But after negotiations with the White House stalled, the House passed the HEROES Act, and the Senate has no plans to consider the legislation. Again, some are speculating, however, that the President's illness may result in a quicker response from the Senate

2. Federal Government Funding Extended Until December

While Democrats and Republicans can't agree on COVID-19 relief, they were able to reach a deal to keep the government open—at least temporarily. With funding set to expire September 30, the continuing resolution extends the deadline to December 11. In addition to level funding federal programs through the election, the deal included two big wins for child nutrition and education [advocates](#).

First, Democrats negotiated an extension of the Pandemic-EBT program for another year, through September 2021. This program allows families with students who are eligible for free or reduced-price lunches to receive a debit card to purchase food while schools are closed due to the pandemic. With new Census data showing that almost 14 million children are not getting enough food every week, extending Pandemic-EBT should have been a no-brainer, particularly with [data](#) showing that the program kept between 2.5 million and 3.5 million children out of hunger over the summer.

Second, the spending deal also extends waivers from the U.S. Department of Agriculture for school breakfast and lunch programs through September 2021. As we covered before In an update in the summer, the agency faced a bipartisan backlash this summer when it refused to extend the waivers, which have made it easier for schools to distribute meals to students and families during school closures. Secretary of Agriculture Sonny Perdue eventually reversed course, but extended the flexibility only to the end of the calendar year. The government spending deal, however, ensures these programs can continue for the entire 2020–21 school year and into next summer.