

# The Federal Update for September 2, 2022

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Re: Federal Update

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*Congress is currently in recess. Lawmakers will return to session on Tuesday, September 6th.*

## Legislation and Guidance

### White House Announces Initiative on Apprenticeships

In a briefing Wednesday morning, the White House and the U.S. Department of Education announced partnerships designed to help schools and districts recruit teachers. In the announcement, Secretary of Education Miguel Cardona and Secretary of Labor Marty Walsh encouraged State leaders to use funds from the U.S. Department of Treasury’s Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to increase teacher pay. A fact sheet from the White House highlighted ways in which States and school districts have used American Rescue Plan funds to hire teachers, social workers, counselors, and school nurses.

In addition, three online job platforms have promised to hold online events to recruit college graduates and highlight K-12 school jobs. One of those platforms, ZipRecruiter, says it is launching a new online job platform specifically dedicated to K-12 jobs, including positions for teachers, nurses, guidance counselors, social workers, mental health counselors, librarians, and others. States and districts will be able to post their open roles for free.

Finally, the U.S. Department of Labor will use its next $100 million in apprenticeship grants to help support teacher hiring and provide teachers with classroom experience and will work with local workforce boards to help support the use of Workforce Innovation and Opportunity Act (WIOA) funds for that purpose.

The administration has said that more information on the initiative will be forthcoming, and has provided a [fact sheet here](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/31/fact-sheet-biden-harris-administration-announces-public-and-private-sector-actions-to-strengthen-teaching-profession-and-help-schools-fill-vacancies/).

Author: JCM

## News

### Stakeholders Push for ED Action on ESSER Spending Extension

Hundreds of school officials sent a letter to Secretary of Education Miguel Cardona this week urging the U.S. Department of Education (ED) to issue guidance to allow late liquidation of funds under the American Rescue Plan Elementary and Secondary School Emergency Relief (ESSER) Fund. Those funds are currently required to be obligated by September 30, 2024 and liquidated 120 days after that date.

The letter is a follow-up to the July message sent to Secretary Cardona by the School Superintendents Association (AASA) and other education organizations and requests that ED provide a response to the issues raised in that letter. School officials are asking ED to grant permission for States to request a blanket late liquidation request for all districts to receive additional time to liquidate their ARP ESSER funds. In a May letter to AASA, ED stated that it would consider late liquidation requests on a case-by-case basis as the obligation period for ARP ESSER funds approaches. That letter suggests that requests related to construction and infrastructure projects would be prioritized. School officials have asked ED to clarify if other initiatives funded with ARP ESSER funds would be considered for late liquidation as well, such as multi-year contracts with curriculum providers or mental health service providers, among others.

The school officials urge guidance from ED as soon as possible, noting that with the pre-planning required for budgets, it would be beneficial for schools to know in advance whether there will be an extension of the liquidation of ARP ESSER funds available for particular projects or in general. “Without the certainty that a valid and timely obligated expense will be deemed eligible for a liquidation extension well in advance of the need for the extension, we will be hesitant to rely on the possibility of an extension to continue using ESSER funds to make strategic investments to support students and schools,” the officials write.

ED has not indicated a timeline for providing additional information, if any, on extending the liquidation period for ARP ESSER funds. [The letter from school officials is available here](https://aasa.org/uploadedFiles/AASA_Sign_on_Letter_for_Cardona_082922.pdf).

Resources:

Juan Perez Jr., “School leaders lodge new appeal for Covid aid spending extension,” *Politico Pro*, August 29, 2022.

Author: KSC

### Test Scores Fell During Pandemic, Administration Says

According to National Assessment of Educational Progress data released this Thursday, 3rd graders’ test scores declined this year in comparison to the same exam in early 2020, before the COVID-19 pandemic forced school shutdowns. Students scored an average of seven points lower in math and five points lower in reading, the results said. Math scores fell across the county, and reading score were lower in every region except for the western states. Suburban districts saw bigger drops than urban or rural areas (and urban areas saw no decreases in reading scores). Lower-performing and at-risk students saw the greatest decreases in test scores, but scores fell in multiple racial and ethnic subgroups.

The drop in reading scores marked the most significant decrease in scores since the 1980s, while the math score drop was the first ever recorded since the federal government began tracking scores in the 1970s. Still, the U.S. Department of Education told reporters that these test scores reflect a snapshot in time – and notably, testing came during the middle of a COVID-19 wave due to the Omicron variant – and should not be used to penalize students or teachers.

“This data should remind everyone that we cannot let up in our efforts to accelerate student learning, support their mental health needs, and invest in our educators who are serving students in classrooms every day,” said Secretary of Education Miguel Cardona in a statement. He also urged States to use funds for strategies like after-school programs and “high-dosage” tutoring.

Sources:  
Juan Perez Jr., “’The results confirm our fears’: Federal school test scores dropped during pandemic,” *Politico Pro*¸ September 1, 2022.  
Donna St. George, “American students’ test scores plunge to levels unseen for decades,” *The Washington Post*, September 1, 2022.  
Author: JCM

*To stay up-to-date on new regulations and guidance from the U.S. Department of Education, register for one of Brustein & Manasevit’s upcoming virtual trainings. Topics cover a range of issues, including COVID-19 related issues, grants management, the Every Student Succeeds Act, special education, and more. To view all upcoming virtual training topics and to register, visit* [*www.bruman.com/virtualtrainings/*](http://www.bruman.com/virtualtrainings/)*.*

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