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## ED Review

...a bi-weekly update on U.S. Department of Education activities relevant to the Intergovernmental and Corporate community and other stakeholders

August 3, 2018

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### PERKINS ACT REAUTHORIZATION

On July 31, President Trump [signed into law](#) H.R. 2353, the *Strengthening Career and Technical Education for the 21st Century Act*, reauthorizing and modifying the *Carl D. Perkins Career and Technical Education Act*. “I applaud Congress for its tremendous, bipartisan effort to reauthorize [Perkins],” the President said in a [statement](#) on the passage of the legislation ([bill summary](#) and [blog post](#)). “In the 12 years since Congress passed the last Perkins reauthorization, the economy has evolved tremendously, becoming increasingly dependent on science, technology, engineering, and mathematics (STEM) disciplines and other skilled labor. The White House, led by [Senior Advisor to the President] Ivanka Trump, was strongly engaged every step of the way to ensure passage of this critical legislation to provide students and workers the training necessary to succeed in a 21st century economy. By enacting it into law, we will continue to prepare students for today’s constantly shifting job market, and we will help employers find the workers they need to compete.”

“This is an important day for America’s students, workers, and our economy,” Secretary DeVos declared in her own [statement](#). “Congress came together to expand educational pathways and opportunities and give local communities greater flexibility in how best to prepare students for the jobs of today and tomorrow. I look forward to seeing President Trump sign this bill into law and make yet another important investment in our future.”

The Secretary was on hand for the bill’s functional signing at the White House and ceremonial signing at Tampa Bay Technical High School in Florida ([President’s remarks](#) and [video](#)).

Earlier, the President visited Northeast Iowa Community College’s advanced manufacturing laboratory ([President’s remarks](#) and videos [1](#) and [2](#)).

A White House [fact sheet](#) outlines the Trump Administration’s range of actions to better prepare American workers, including the June 2017 executive order expanding apprenticeships and improving job training, the February 2018 infrastructure plan (which identified Perkins reauthorization as a top policy), and last month’s executive order establishing the National Council for the American Worker.

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### SCHOOL SAFETY COMMISSION

Last week (July 24), Secretary DeVos, Secretary of Health and Human Services Alex Azar, and representatives from the [Federal Commission on School Safety](#) traveled to Adams County, Wisconsin, for a [field visit](#) to learn how Adams-Friendship Middle School incorporates a statewide behavioral health framework into its operations. After a brief school tour, Commission members and Wisconsin First Lady Tonette Walker participated in a roundtable discussion with representatives from the Wisconsin School Mental Health Initiative,

school district officials, parents, students, and community leaders ([video](#)). This was the Commission's second field visit -- the first was to a Maryland elementary school implementing Positive Behavioral Interventions and Supports (PBIS) -- to learn from practitioners throughout the country who are actively taking steps to improve school safety and build a positive school climate.

While in Wisconsin, Secretary DeVos also visited Fox Valley Technical College in Appleton to observe first-hand how its Public Safety Training Center is merging classroom lessons with reality-based, hands-on training ([media advisory](#) and [news article](#)).

Also last week (July 26), the Commission -- DeVos (chairwoman), Attorney General Jeff Sessions (host), Azar, and Secretary of Homeland Security Kirstjen Nielsen -- held its third formal meeting at the White House, titled "Proactively Protecting Our Schools" ([video](#)).

This week (August 1), Attorney General Sessions, Deputy Secretary of Education Mitchell Zais, and representatives from the Commission traveled to Garland County, Arkansas, for a field visit to learn how Lake Hamilton High School makes firearms accessible to trained staff members on campus in case of an emergency ([video](#)).

Moreover, the Commission announced it will hold its third [listening session](#) on August 7 in Cheyenne, Wyoming. The session is an opportunity for members of the public, as well as state and local officials, to share with Deputy Secretary Zais and representatives from the Commission their views on how schools, school districts, institutions of higher education, and local and state government agencies may improve school safety. The session will again be divided into three parts: two roundtable discussions (1-3:15 p.m. Mountain Time) and a public comment period (4-6 p.m. MT). Those who want to provide feedback must register for speaking slots [here](#). The session will be live-streamed [here](#).

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## ESSA UPDATE

Secretary DeVos recently announced that Louisiana will be the [first state](#) to test new, innovative assessments as part of a pilot program authorized by the *Every Student Succeeds Act* (ESSA). "I'm glad to see Louisiana leading the way to help students by utilizing this new flexibility afforded under ESSA," she said. "This [\[Innovative Assessment Demonstration Authority\]](#) pilot program allows states to make assessments more relevant and connected to the classroom, while still providing valid, reliable, and transparent data on student achievement and growth. I look forward to seeing the results."

Louisiana's innovative assessments will measure student understanding in English/language arts and social studies by testing students on passages from books used in daily classroom instruction at regular intervals, rather than on randomly selected texts once during the school year. The state will pilot its assessments in 20 high schools, across three districts and two charter networks, serving nearly 21,000 students.

The pilot program is designed to lower barriers to innovation and encourage local involvement in the development of the next generation of assessments. As part of the program, states can pilot new, innovative assessments on a smaller scale, avoid double-testing students on both pilot and statewide exams, and develop strategies for implementing innovative assessments.

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## MOBILE-FRIENDLY FAFSA®

The [FAFSA.gov](#) web site has an updated look with new colors and has been redesigned so that pages will fit the screen size and shape of any device, including desktop or laptop computers and mobile devices. Students and parents can now complete the Free Application for Federal Student Aid (FAFSA) form on a smartphone or tablet with the same ease as on a computer. Also, later this summer, the Department will launch the myStudentAid mobile application. The initial version will feature the myFAFSA component, which can be used

to complete the FAFSA form. Making the form [accessible through a mobile device](#) -- both through FAFSA.gov and the app -- provides students and parents with improved options for completing the form.

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## HIGHER EDUCATION REGULATIONS

On July 25, the Department proposed a [package of Institutional Accountability regulations](#) aimed at protecting student borrowers, holding higher education institutions accountable for misrepresentation and fraud, and providing financial protections to taxpayers by at-risk institutions. These regulations, [published in the \*Federal Register\*](#) on July 31, come after months of public hearings and negotiated rulemaking that engaged a wide variety of stakeholders. “Our commitment and our focus has been and remains on protecting students from fraud,” the Secretary stressed. “The regulations proposed today accomplish that by laying out clear rules of the road for higher education institutions to follow and holding institutions, rather than hardworking taxpayers, accountable for making whole those students who were harmed by an institution’s deceptive practices.”

The proposed regulations would:

- institute a borrower defense to repayment adjudication process that is clear, consistent, and fair to borrowers who were harmed by institutional misconduct;
- replace the current “state standard” for adjudicating claims with a federal standard that clearly defines misrepresentation and enables more expeditious review of student claims;
- facilitate collection and review of evidence for deciding claims and ensure that the Secretary of Education can recoup from institutions the financial losses associated with successful claims;
- encourage students to seek remedies directly from institutions that have committed acts of misrepresentation;
- expand from 120 days to 180 days the period of time during which students who left an institution prior to its closure are eligible for a closed school loan discharge, while at the same time incentivize closing institutions to engage in orderly teach-outs (enabling more students to finish their program);
- ensure that institutions requiring students to engage in mandatory arbitration or prohibiting them from participating in class action lawsuits provide plain language explanations of these provisions to enable students to make an informed enrollment decision;
- prevent guaranty agencies from charging borrowers a fee if a defaulted loan goes into repayment within 60 days; and
- protect taxpayers by requiring institutions to post a letter of credit when events occur that put the institution’s continuing operations or financial stability at risk.

The proposed regulations are open for public comment through August 30. In addition to seeking comment on all provisions, the agency has included a direct question asking for comment on two different approaches to accepting borrower defense to repayment claims: (1) accepting “defensive” claims only, which limit borrower defense claims to defaulted borrowers who are in a collections proceeding or (2) accepting both “defensive” and “affirmative” claims, including from borrowers still in repayment.

That same day, the Department announced its intent to establish a [negotiated rulemaking committee](#) to develop proposed regulations on the core functions of accreditation, as well as a number of other topics, to promote greater access for students to high-quality, innovative programs. The agency also intends to establish two subcommittees for the committee to specifically address direct assessment programs/competency-based education and the eligibility of faith-based entities to participate in federal higher education programs.

The Department will hold three [public hearings](#) at which interested parties may comment on the topics identified and suggest other topics: September 6 (Washington, D.C.), September 11 (New Orleans), and September 13 (Sturtevant, Wisconsin). After reviewing comments from these hearings and written submissions (due by September 14), the agency will announce the final topics for the committee and subcommittees and request nominations for individual negotiators representing the communities of interest that would be significantly affected by the proposed regulations.

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## ODDS AND ENDS

- The Department issued applications for new grant awards under the [Open Textbooks Pilot Program](#), [Cybersecurity Educational Technology Upgrades for Community Colleges Pilot Program](#), and [School Climate Transformation Grant Program](#).
- The agency also released proposed priorities, requirements, definitions, and selection criteria for [public charter school grants](#).
- [#RethinkSchool](#) Homeroom blogs spotlight flying drones, veterinary care, and a chiropractic clinic at a [West Texas high school](#) and synchronous learning between [Colorado schools](#).
- Another Homeroom blog recaps the U.S. Presidential Scholars Recognition Program from a [Scholar's perspective](#).
- [Space Innovation Day](#), co-developed by the Smithsonian's National Air and Space Museum and Future Engineers (a technology firm that is a current grantee of the Institute of Education Sciences' Small Business Innovation Research Program), celebrated space exploration, STEM education, and students as makers.

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## QUOTE TO NOTE

“No one thinks choice in higher education is wrong. So why is it wrong in elementary school, middle school, or high school? Truth is: there is nothing wrong with that! There is nothing wrong with wanting to pursue the education that's right for you! Let me ask you this: how many of you have been bored in one or more of your classes? I was too! How many of you wish you could study a subject but your school doesn't offer it? How many of you feel like you need more or less time than your classmates in some subjects? And how many of you are told that there's nothing you can do about it? That's not right! You deserve better. Parents deserve better. Our country deserves better.... It's time to reorient our approach to education. We need a paradigm shift. A rethink. 'Rethink' means we question everything to ensure nothing limits you from pursuing your passion and achieving your potential.”

-- Secretary of Education Betsy DeVos (7/25/18), in [remarks](#) to students at the Turning Point USA High School Leadership Summit

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## UPCOMING EVENTS

Planning is underway for the 19th annual [International Education Week](#) (November 12-16). The week, a joint initiative of the Departments of Education and State, gives schools, colleges and universities, and communities an opportunity to celebrate the benefits of international education and exchange worldwide.

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