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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

June 16, 2017

WORKFORCE DEVELOPMENT WEEK

This week, the Administration placed a strong emphasis on workforce development.

First, Secretary of Labor Alexander Acosta addressed the issue at President Trump's first meeting with a fully confirmed Cabinet, delivering a presentation on the importance of expanding apprenticeships and the need for all federal agencies to support the Administration's apprenticeship initiative. He distributed a [memorandum](#) discussing the issue to every member of the Cabinet ([press statement](#)).

Next, President Trump, Ivanka Trump, Secretary Acosta, and Secretary DeVos visited Waukesha County Technical College in Pewaukee, Wisconsin. They toured classrooms and a manufacturing center and held a roundtable discussion with students and instructors ([President's remarks](#)).

Then, the President signed an [Executive Order](#) expanding apprenticeships and job training programs. Among other actions, the order:

- directs the Department of Labor (DOL) to allow companies, trade associations, and unions to develop their own "industry-recognized apprenticeship" guidelines, which DOL will review for quality and then approve;
 - directs DOL to use available funding to promote apprenticeships, especially in sectors where apprenticeships are not currently widespread;
 - creates a task force that will recommend ways to promote apprenticeships; and
 - requires all federal agencies to review and evaluate the effectiveness of their job training programs and consider how to best consolidate certain programs for increased accountability.
- ([fact sheet](#), [President's remarks](#), and [video](#)).

Meanwhile, in a [blog post](#), the Department of Education highlights the Academy of Construction and Design at the Integrated Design and Electronics Academy (IDEA) Public Charter School in Washington, D.C. In a visit late last month, senior Administration officials had the opportunity to see an innovative high school apprenticeship program in action.

CHALLENGING THE CHARTER COMMUNITY

Also this week, Secretary DeVos delivered the [keynote address](#) at the National Charter School Conference. She celebrated charters' success but warned the community not to "become the man." Following are some excerpts from her remarks.

"Charter schools are *here to stay*. We're now seeing the first generation of charter students raising children of their own. They know the difference educational choice made in their lives, and now as parents they want the

same options for their children. But we must recognize that charters aren't the right fit for every child. For many children, neither a traditional nor a charter public school works for them."

"Let's be honest: there's no such thing as a cure-all in education.... I suggest we focus less on what word comes before 'school' -- whether it be traditional, charter, virtual, magnet, home, parochial, private, or any approach yet to be developed -- and focus instead on the individuals they are intended to serve. We need to get away from our orientation around buildings or systems...and shift our focus to individual students."

"A zero-sum myth is continually perpetuated by the education establishment. We cannot -- we *must not* -- fall prey to that game.... The early charter school leaders weren't afraid to color outside of the lines, and, in fact, they *embraced* the creativity, innovation, and flexibility charters represented. But somewhere along the way, in the intervening 26 years [since the first charter was established] and through the process of expansion, we've taken the colorful collage of charters and drawn our own set of lines around it to box others out, to mitigate risk, to play it safe. This is not what we set out to do, and...it doesn't help kids."

"I thought it was a tough but fair criticism when a friend recently wrote in an article that many who call themselves 'reformers' have...become just another breed of bureaucrats -- a new education establishment. We don't need 500-page charter school applications. That's not progress. That's fundamentally at odds with why parents demanded charters in the first place. Innovation, iteration, and improvement must be a constant in our work."

IRS DATA RETRIEVAL TOOL

On June 2, the Department announced the IRS Data Retrieval Tool is now available for borrowers applying for an income-driven repayment plan. Encryption protections have been added to the tool to further protect taxpayer information ([press release](#)).

On [StudentLoans.gov](#), borrowers can apply to repay their eligible Direct Loan Program and/or Federal Family Education Loan (FFEL) Program loans under one of four income-driven repayment plans -- Pay as You Earn, Revised Pay as You Earn, Income-Based Repayment, and Income-Contingent Repayment -- for which they qualify.

Borrowers who choose to use the tool to apply for an income-driven repayment plan will benefit from the convenience of being able to efficiently transfer accurate tax return information into their application, while the data remains protected from malicious actors. As an added protection, the IRS will automatically notify taxpayers by mail when their tax return information is accessed using the tool.

The Data Retrieval Tool will return October 1 on the online Free Application for Federal Student Aid (FAFSA) form.

ESSA UPDATE

On June 13, the Department provided initial feedback to three states -- [Delaware](#), [Nevada](#), and [New Mexico](#) -- that submitted state plans under the *Every Student Succeeds Act* (ESSA) on or before April 15. The other 13 states and District of Columbia that submitted state plans on or before May 3 will receive feedback in the coming weeks.

States received notes from external, independent peer reviewers, as well as specific information from Department staff about changes needed to ensure they are fully meeting the requirements of the statute. Providing a preliminary determination letter and peer feedback is an opportunity for the agency to work with states, offering technical assistance to help improve outcomes for students.

The Department will host webinars this summer for states submitting their state plans by September 18. States should take note of the feedback provided to ensure they avoid common issues that the peers and the agency identified in the first round.

REGULATORY RESET

On June 14, Secretary DeVos announced the Department's intention to establish [rulemaking committees](#) on Borrower Defense to Repayment (BDR) and Gainful Employment (GE) regulations. The agency intends to develop fair, effective, and improved regulations to protect individual borrowers from fraud, ensure accountability across institutions of higher education, and protect taxpayers.

"My first priority is to protect students," the Secretary stressed. "Fraud, especially fraud committed by a school, is simply unacceptable. Unfortunately, last year's rulemaking effort missed an opportunity to get it right. The result is a muddled process that's unfair to students and schools and puts taxpayers on the hook for significant costs. It's time to take a step back and make sure the rules achieve their purpose: helping harmed students. It's time for a regulatory reset. It is the Department's aim, and this Administration's commitment, to protect students from predatory practices while also providing clear, fair, and balanced rules for colleges and universities to follow."

Due to pending litigation challenging the BDR regulations, the Department is delaying the effective date pursuant to Section 705 of the *Administrative Procedure Act*. While negotiated rulemaking occurs, the agency will continue to process applications under the current borrower defense rules.

As part of the Department's regulatory review of its regulations, it will also convene a second negotiated rulemaking committee on GE. As the agency worked on implementing this regulation, it became clear that, as written, it is overly burdensome and confusing for institutions of higher education.

The Department plans to publish its Notice of Intent to Conduct Negotiated Rulemaking on BDR and GE in the *Federal Register* today (June 16). The agency will conduct public hearings on BDR and GE on July 10 in Washington, D.C., and July 12 in Dallas.

ODDS AND ENDS

- President Trump announced his [intent to nominate](#) Peter Oppenheim as Assistant Secretary for Legislation and Congressional Affairs. He is currently the Education Policy Director and Counsel for the majority staff of the Senate Health, Education, Labor, and Pensions (HELP) Committee.
- Separately, Secretary DeVos announced the [hiring of two additional senior officials](#): Kimberly Richey, as Deputy Assistant Secretary for Special Education and Rehabilitative Services, and Adam Kissel, as Deputy Assistant Secretary for Higher Education Programs.
- On June 6, the Secretary testified before the Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education on the President's Fiscal Year 2018 budget request ([opening statement](#) and [video](#)).
- A new Homeroom [blog post](#) recaps a recent briefing at the Department -- the first in a series of learning sessions launched by the Secretary -- about international lessons on choice and innovation in education. According to speaker Andreas Schleicher, Director of Education and Skills for the Organization for Economic Cooperation and Development (OECD), the nations that provided more autonomy at the school level saw greater student achievement.
- Another Homeroom [blog post](#) reviews the opening of the "Elevated Thought" youth art exhibit. For these talented students from Lawrence, Massachusetts, the answer to "What is education?" comes best through drawing, painting, photography, narrative, poetry, music, and film.
- This year is the 100-year anniversary of the birth of President John F. Kennedy. To commemorate the occasion, the John F. Kennedy Library Foundation has launched a [year-long initiative](#) to honor his legacy by

- encouraging students to get more involved in their communities and understand how government works.
- Applications for new awards are posted for the [Child Care Access Means Parents in School Program](#) (due June 22), the [Jacob K. Javits Gifted and Talented Students Education Program](#) (due June 22), the [Supporting Effective Educator Development \(SEED\) Program](#) (due June 23), the [Small, Rural School Achievement \(SRSA\) Program](#) (due June 30), the [Striving Readers/Comprehensive Literacy Program](#) (due July 17), and the [American History and Civics Education -- Presidential and Congressional Academies Program](#) (due July 24).
 - The Department of Agriculture's [Summer Food Service Program](#) provides children and teens in low-income areas with free meals when school is out. A fact sheet ([English](#) and [Spanish](#)) outlines ways that local organizations can participate in the program.
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QUOTE TO NOTE

"We may have our differences, but we do well, in times like these, to remember that everyone who serves in our nation's capital is here because, above all, they love our country. We can all agree that we are blessed to be Americans, that our children deserve to grow up in a nation of safety and peace, and that we are strongest when we are unified and...work together for the common good. Please take a moment today to cherish those you love, and always remember those who serve and keep us safe."

-- President Donald Trump (6/14/17), in a [statement](#) on the shooting in Virginia

UPCOMING EVENTS

On June 19, starting at 8:00 p.m. Eastern Time, the National YoungArts Foundation, in cooperation with the White House Commission on Presidential Scholars and the Department of Education, will present "A Salute to the 2017 U.S. Presidential Scholars," a multi-disciplinary performance by the 2017 Scholars in the Arts at the John F. Kennedy Center for the Performing Arts. This performance will be livestreamed at [YoungArts.org](#).

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