MSBA and COSSBA Federal Advocacy Update

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The MSBA and COSSBA Federal Advocacy Update is your timely news about current public education issues affecting Minnesota schools.

There continues to be limited progress on the appropriations process in Congress. Appropriations committee leadership in the House and Senate still don’t know their spending targets for the fiscal year that began on October 1, 2023.

According to COSSBA’s government relations team (BOSE Public Affairs Group), federal education advocates believe that any “education funding bill with level funding ... will be considered a win but continue to press their case with lawmakers to guard against any increases at other agencies in the massive Labor, Health and Human Services and Education package that would require offsetting cuts to education programs.” To read the full COSSBA Weekly Education Report dated January 29, visit this link.

MSBA became a charter member of the Consortium of State School Boards Associations (COSSBA) in 2021. COSSBA is a nonpartisan, national alliance dedicated to sharing resources to support, promote and strengthen state school boards associations as they serve their local school districts and board members. COSSBA works to advance federal congressional priorities on behalf of 25 state school board association members.

Congress is midway through the 118th United States Congress which convened in Washington, D.C., on January 3, 2023, and will end on January 3, 2025. A congress lasts for two years with each year constituting a separate session. Congress has been split since the Republicans took control of the House in the 2022 midterm elections. The Republicans control 220 of the 435 seats in the House of Representatives. The Democrats control the U.S. Senate with a 51-49 split.

In the U.S. House, education policy is addressed in the Education and the Workforce committee while in the U.S. Senate, education policy work is done in the Health, Education, Labor, and Pensions (HELP) committee. The scope of education issues falls under the Federal Agency of the US Department of Education (ED) which is led by Dr. Miguel Cardona, the Secretary of Education.
Top Three Federal Education Updates

1. **The Affordable Connectivity Program is Running Out of Money**

In 2021, the $14.2 billion dollar Affordable Connectivity Program (ACP) was created as part of the bipartisan Infrastructure Investment and Jobs Act through the Federal Communications Commission (FCC). According to the FCC, this program provides $30 per month for broadband for families with low income and $75 per month for eligible households on tribal lands. Overall, over 22.5 million American households use the ACP. The FCC reports that funding for the program will be depleted by April 2024.

In Minnesota, as of January 2024, 238,696 households are enrolled in the program, about 10% of all households in the state according to the ACP Minnesota Fact Sheet. School board members understand the critical importance of access to affordable and reliable internet service for our students. A lapse in funding for the ACP will result in a widening of the homework gap, a term used to describe the divide between students who have broadband access and those who do not.

A bipartisan bill H.R.6929 has been introduced to provide ACP funding for FY24 but new appropriations are unlikely and a permanent funding solution is needed to guarantee continued access. To help your community prepare for the wind-down of the ACP see this resource from the FCC.

2. **Medicaid Dollars for School-Based Health Services**

Medicaid (provided through Medical Assistance in Minnesota) is the largest of our state’s federally funded health care programs. Medicaid provides health care coverage to about a million Minnesotans with low-income per month, according to the Minnesota Department of Human Services. In 2022, about 45% of Medicaid funding went to children.

Public schools in Minnesota can be reimbursed for Medicaid covered school-based services provided to students as a part of their special education individualized education plan (IEP). Public school staff who can bill Medicaid include physical therapists, speech language pathologists, audiologists, nurses, and personal care attendants. Interpreters can also bill Medicaid when their services are needed to meet a health goal on an IEP. During the 2023 legislative session, a bill was passed that will allow Minnesota social workers to bill Medicaid for school based mental health services for students with an IEP. But not all public schools are able to capture Medicaid reimbursements because of administrative and documentation barriers.

Last week, the Centers for Medicare and Medicaid Services (CMS) announced $50 million in grants to support states in implementing school-based health services. Twenty states will be awarded money to implement and expand services, especially in mental
health. This goal aligns well with Minnesota’s new law giving social workers the ability to bill for school-based services. The funding is a result of the Bipartisan Safer Communities Act.

MSBA Executive Director Kirk Schneidawind and MSBA staff met with representatives from Senator Tina Smith’s office in January to discuss school-based Medicaid services from a school board perspective. MSBA supports any funding or flexibility that will build capacity and make it easier for all districts across the state to bill Medicaid for school-based services. Resources explaining recent federal policy changes to increase Medicaid billing flexibility were shared by Senator Smith’s staff. For more details, see this memo from the Center for Medicare and Medicaid Services.

3. **2024 Federal Student Achievement Agenda Announced**

In January, the Biden Administration announced the priorities for accelerating academic performance for every student. The three focus areas include increasing student attendance, providing high dosage tutoring, and increasing summer learning/afterschool learning.

These three focus areas were chosen to target persistent post-pandemic learning gaps by using strategies that are well supported by education research. The agenda also aligns with the Every Student Succeeds Act (the 2015 amendment to the Elementary and Secondary Education Act) which requires states to use some of their federal Title I funds to promote school improvement using evidence-based strategies. Competitive grant programs may also be available depending upon appropriations.

To learn more about the agenda and the evidence-based strategies, visit this summary fact sheet.

**Watch this update for future advocacy opportunities!** If you’re unsure who represents you in Washington D.C., visit this link. For more information on the Minnesota delegation in Washington, see this directory for Minnesota Members of Congress.