NCSL STANDING COMMITTEE on EDUCATION POLICY DIRECTIVES AND RESOLUTIONS

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COMMITTEE: **EDUCATION** 1 **POLICY:** THE STATE-FEDERAL PARTNERSHIP IN 2 POSTSECONDARY EDUCATION 3 TYPE: **DIRECTIVE** (amendments submitted by Sen. 4 Millner and Sen. Dembrow on behalf of the NCSL 5 Task Force on Higher Education) 6 Reauthorization of the Higher Education Act (HEA) offers another opportunity to renew 7 8 this country's commitment to accessible and affordable postsecondary education and remove barriers encountered by a changing student population. A strong higher 9 education system supports individual financial success, provides a foundation for 10 healthy state economies and ensures our nation's position in a global economy. When 11 students fall through the cracks, they do not achieve their full potential and neither does 12 our country. The federal government has an important role to play in supporting low-13 14 income students, conducting research on innovation and productivity, monitoring national and regional programming efforts, and providing data and technical assistance 15 to help states examine and analyze our institutions. 16 17 18 **Postsecondary Affordability** 19 Reauthorization efforts directing federal aid to students who need it most and helping 20 them quickly become productive members in their communities without substantial debt will help local, state, and national economies. If federal aid is limited, there are fiscal 21 22 impacts for state-funded efforts to support students. 23 24 The federal government should ensure adequate federal funding for the Pell Grant program to help reduce dependency on student loans. Congress should review Pell 25 26 Grant award amounts to guarantee that the purchasing value of this important grant does not continue to erode and consider moving Pell funding to the mandatory side of 27 the federal budget. Congress should also ensure Pell serves the broadest number of 28

students, including adult students enrolled part-time. The federal government should

continue to reduce barriers or obstacles that may prevent students from applying for federal financial aid.

If Congress considers a new grant program to create a state-federal funding partnership in higher education, the nation's legislators remind Congress that states are primarily responsible for funding and governing their higher education systems. While each state has different traditions and goals for its higher education institutions, all institutions participate in a national higher education marketplace that crosses state lines. Congress must recognize this by ensuring that any new affordability programs can benefit students and institutions of all types in all states and territories. Broad state participation should be a fundamental goal of any state-federal partnership.

- A state-federal funding partnership in higher education must:
 - provide funding to states in block grants that allow states the flexibility to distribute funds across institutions and state financial aid programs;
 - Avoid a state maintenance of effort requirement (MOE). As states continue to
 prioritize and address competing public needs, federal policy must acknowledge
 this reality by noting the fiscal constraints states face in satisfying maintenance of
 effort requirements for important postsecondary programs. If MOE is required,
 allow states to use a wide range of resources as match for federal dollars, such
 as state and local funds not used to match another federal program. MOEs
 should be constructed to provide legislatures certainty they will comply with MOE
 provisions when budgeting for the upcoming fiscal year;
 - continue to defer to state authority in regulating postsecondary tuition levels;
 - ensure that eligibility requirements are set at the state level; and
 - ensure state legislative authority to appropriate the funds.

The federal government should design college savings incentives at the federal level so as to stimulate and complement, rather than preempt, similar policy initiatives by states and higher education institutions. Legislators support student aid programs that serve state and national economic and workforce priorities.

Accountability

Legislators strongly urge the federal government to defer to the states' leadership in ensuring the quality of postsecondary education, and to facilitate state efforts to emphasize accountability. While the federal government has a role in monitoring national and regional accrediting bodies, accountability of state higher education programs and institutions is and should remain a state issue. The federal government should continue to support state authorization reciprocity agreements, which support expanded access to quality postsecondary distance learning opportunities nationwide. The terms of state authorization reciprocity agreements should be managed at the discretion of participating states and federal involvement should be minimal and complementary. States, not the federal government, should determine the governance arrangements of any authorization reciprocity agreement.

Teacher Preparation

States have taken the lead in advocating for higher standards for teacher preparation and performance, and vigorously acted to improve assessments of quality. As such, the federal government must refrain from setting national standards. The National Conference of State Legislatures (NCSL) encourages the expansion of several programs embodied in the Higher Education Act and other federal legislation that focuses on teacher quality. States should be included as eligible applicants or encouraged as partners in federal grant projects, so that grant programs can be developed with statewide goals in mind and best practices can be shared broadly.

Student Success

Our country will remain internationally competitive if more high school age, non-traditional students, and working adults not only enroll in colleges and universities, but complete postsecondary credentials and degrees. Ensuring students gain skills competency no matter the means used to obtain that competency will help states and the nation increase productivity, improve competitiveness, and prepare future generations of leaders and citizens. States, working with national foundations,

institutions, and private partners, are implementing policies that focus on maintaining access to postsecondary education and improving student performance and outcomes. NCSL supports federal programs that complement state efforts to improve student participation in and completion of postsecondary education. Legislators welcome federal efforts, such as the College Scorecard, that provide prospective students with accurate information on college costs and institution- and program-level student outcomes. Increased transparency is critical to ensuring students are able to make informed postsecondary choices.

Legislators are keenly aware that students benefit from a seamless progression encompassing preschool through postsecondary education. A growing number of states are looking at education as "P-16" rather than separate systems serving early education, K-12 and postsecondary education and updating or amending their statutes to facilitate this change. Important federal-state educational programs supported by the states, such as the Perkins Act programs and the TRIO program, must be better integrated with state postsecondary policy. The federal government has a significant role and responsibility in working with states and supporting state efforts in college readiness and providing research and technical assistance. Legislators welcome federal efforts to facilitate the exchange of best practices around dual enrollment programs.

113 Student Loans

Increasingly the burden of higher education costs is borne by students and families.

This burden consists of significant educational debt held by students and their families.

Crippling education debt slows any recovery and limits state economic growth. The federal government should make every effort to improve the federal student loan program so that borrowers are able to successfully repay their loans and take advantage of federal loan forgiveness programs. Congress and the U.S. Department of Education should ensure that loan repayment and forgiveness programs are managed and administered in a manner that facilitates successful repayment and receipt of authorized benefits for borrowers. In light of the rapidly increasing costs of the federal

student loan program, state legislators urge Congress to clarify the role and goals of the student loan program and assess the design of loan terms and benefits for borrowers, including loan limits, repayment assistance, and forgiveness options.

The federal government should also recognize that many states now play a role in ensuring borrowers are treated fairly and receive appropriate consumer protections. The federal government should engage in collaborative federalism with states around providing consumer protections to borrowers and conducting oversight of student loan servicers.

COMMITTEE: **EDUCATION** 1 **POLICY: ENSURING CHILDREN ARE READY TO LEARN** 2 **DIRECTIVE** (amendments on page 3 by staff of the TYPE: 3 Children, Families, and Human Services Committee 4 Child Care Policy; amendments on page 4 5 submitted by Sen. Dondero Loop and Sen. Jones 6 on behalf of the Education Committee Officers) 7 8 State legislators have been in the forefront of efforts to create and improve early 9 learning programs. Some states have maximized the use of the state and federally 10 funded Child Care Development Fund (CCDF) and used even more of their state funds 11 12 to increase the access, quality and effectiveness of early learning opportunities. Several states have special initiatives to improve the training and compensation of early learning 13 14 teachers. States have voluntarily supplemented the federal Head Start program, and states have created their own pre-kindergarten programs. States have encouraged 15 16 parental involvement to enhance children's early learning experiences and have supported efforts to ensure a smooth transition between early learning programs and 17 the K-12 education systems. 18 19 20 The State-Federal Partnership in Early Learning Federal efforts to expand or improve early learning opportunities for young children 21 22 must: Avoid unfunded mandates and preserve state authority. 23 Provide funding to states in block grants that allow states the flexibility to meet 24 25 local needs utilizing a wide range of early learning programs. Avoid a state maintenance of effort requirement (MOE). If MOE is required, allow 26 states to use a wide range of resources as match for federal dollars, such as 27 state and local funds not used to match another federal program, private funds, 28 29 and in-kind contributions such as facilities, equipment, and services.

Ensure that eligibility requirements are set at the state level.

Ensure state legislative authority to appropriate the funds.

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- Provide state legislatures access to student outcome data for students that participate in federally funded early childhood learning opportunities.
- Include state legislators as appropriate on advisory panels.
- NCSL encourages the federal government to consider the connections between
- different types of child care and early learning and the educators who provide those
- 37 services in order to avoid unintended consequences of new policy within the early
- 38 childhood sector.

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Existing Federal Programs

- 41 Federal efforts to support early learning programs should not be made at the expense of
- efforts to expand the Child Care Development Fund (CCDF). NCSL's Policy Directive
- on Child Care details state priorities in CCDF.

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- The federal Head Start program provides early learning services for low income families
- that foster school readiness. NCSL values the program's emphasis on parental
- 47 involvement, which can benefit both parents and children. State legislators should be
- 48 included in any discussions of options that provide states the opportunity to have more
- control over the program or better coordinate Head Start with other state early learning
- efforts. To ensure high-quality outcomes in the Head Start program, NCSL supports:
 - Strong staff development and training.
 - Greater coordination among Head Start, early learning programs and elementary schools.
- Funding for both quality, access and multiple providers.
- Expanding opportunities for grantees to use Head Start funding to meet community; needs in ways that complement state efforts.
 - Disseminating research findings from evaluations.
- Providing state legislatures access to student outcome data for students that participate in Head Start.
 - Encouraging legislative involvement in Early Childhood Advisory Councils.

- Balancing quality and access in the Head Start program is critical as federal funds are
- 62 limited. NCSL urges federal partners to be mindful of this balance and to avoid making
- 63 decisions that sacrifice quality or access at the expense of the other.

- **Family Support and Parental Involvement**
- NCSL recognizes the vital role of parents, families, communities and faith-based
- organizations in the healthy development of children and in creating systems of high-
- quality early learning in their states and local communities. NCSL supports states being
- 69 provided maximum flexibility in using federal funds for early learning and to support a
- 50 broad range of parent engagement strategies, such as home visiting programs and two-
- generation approaches, and to develop new early learning policies and initiatives that
- support parents and families to ensure that their children and all children are ready to
- 73 learn.

COMMITTEE: EDUCATION 1 **POLICY:** FEDERAL EDUCATION RELIEF AID 2 **RESOLUTION** (amendments submitted by Sen. TYPE: 3 Tobin) 4 WHEREAS, state legislatures have the primary responsibility for funding and governing 5 their state's K-12 and higher education systems; and 6 7 WHEREAS, the Elementary and Secondary School Emergency Relief (ESSER) Fund 8 provided historic amounts of one-time federal funds that gave school districts, rather 9 10 than states, discretion over how to spend ninety percent of funds; and 11 WHEREAS, the American Rescue Plan Act also included \$800 million in funding for 12 Homeless Children and Youth (ARP-HCY) to remove barriers to enrollment and 13 attendance in school; and 14 15 16 17 WHEREAS, school districts were granted unprecedented flexibility over how funds were spent: and 18 19 WHEREAS, states were expressly prohibited from directing or restricting school district 20 21 spending; and 22 23 WHEREAS, school districts, by recent estimates, are expected to spend close to half of the total allocated local share of ESSER funds over the next year; and 24 25 WHEREAS, any pressure to rapidly draw down of tens of billions in ESSERstimulus 26 27 funds may exacerbate inflation and potentially encourage local spending without a clear 28 plan for sustainability; and

30	WHEREAS, a sudden and steep reduction in one-time funds, especially if spent on
31	what are typically considered recurring expenses, could cause fiscal turmoil in school
32	districts that state legislatures may be expected to respond to; and
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34	WHEREAS, each state has its own unique system for funding K-12 and higher
35	education; and
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37	WHEREAS, fiscal conditions can vary significantly across states, especially during
38	times of national economic emergencies; and
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40	WHEREAS, education is a significant part of state budgets, other compelling priorities
41	may make demands on state resources while states respond to and recovery from
42	emergencies; and
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44	WHEREAS, Congress has included maintenance of effort provisions for both K-12 and
45	higher education funding from fiscal year 2020 to fiscal year 2023 as a condition of a
46	state receiving funds from the Elementary and Secondary School Emergency Relief
47	(ESSER) Fund; and
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49	WHEREAS, Congress has also included "maintenance of equity" provisions for K-12
50	funding in fiscal years 2022 and 2023;
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52	NOW, THEREFORE BE IT RESOLVED, the National Conference of State Legislatures
53	believes unanticipated federal funding for education should not bypass state legislative
54	appropriations processes and should allow state legislatures broad discretion in
55	determining how those funds will best meet local and state education needs; and
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57	NOW, THEREFORE BE IT FURTHER RESOLVED, the National Conference of State
58	Legislatures believes Congress should extend the spending deadline for ESSER and
59	ARP-HCY to December 31, 2026 in order to smooth the rate of school district
60	spending, which could mitigate the inflationary impact of a rapid draw down of funds and

61	give state legislatures more time to conduct oversight and evaluate whether and how
62	certain ESSER expenditures could be sustained; and
63	
64	NOW, THEREFORE, BE IT FURTHER RESOLVED, the National Conference of State
65	Legislatures believes the U.S. Department of Education should implement an orderly
66	and timely process for states and districts to request and receive permission for a late
67	liquidation of funds well in advance of the ESSER III and ARP-HCY obligation deadline
68	of September 30 th , 2024; and
69	
70	NOW, THEREFORE, BE IT FURTHER RESOLVED, the Secretary of Education should
71	allow states the opportunity to seek waivers from the maintenance of effort and
72	"maintenance of equity" provisions associated with the Elementary and Secondary
73	School Emergency Relief (ESSER) Fund; and
74	
75	NOW, THEREFORE, BE IT FURTHER RESOLVED, the National Conference of State
76	Legislatures believes state fiscal requirements for education relief aid should only ask
77	states to maintain aggregate funding levels or serve as a guide for how states can make
78	cuts to education if facing revenue declines.
79	
80	NOW, THEREFORE, BE IT FURTHER RESOLVED, the National Conference of State
81	Legislatures believes state fiscal requirements should not be used to compel states to
82	make fiscal or policy decisions beyond the purposes enumerated above, which includes
83	requiring states to increase funding for education or distribute funds to local education
84	agencies by methods other than a state's statutorily defined school funding formula.
85	
86	NOW, THEREFORE, BE IT FURTHER RESOLVED, that to help more children and
87	youth experiencing homelessness, states, municipalities, and school districts need
88	additional sustained funding and flexibility in how and when to use federal funding
89	dedicated to children and youth homelessness.

- NOW, THEREFORE, BE IT FURTHER RESOLVED, that as the federal government

 considers how to sustain the supports offered to states and schools through the ESSER

 fund, it should prioritize funding through the McKinny-Vento Act Education for Homeless

 Children and Youth program, which helps school districts identify and support children

 and youth experiencing homelessness.
- 97 **BE IT FINALLY RESOLVED**, that NCSL send a copy of this resolution to Members of Congress and the U.S. Department of Education.

1	COMMITTEE:	EDUCATION	
2	POLICY:	REAUTHORIZATION OF THE HIGHER EDUCATION ACT	
4 5 6	TYPE:	RESOLUTION (submitted by Sen. Millner and Sen. Dembrow on behalf of the NCSL Task Force on Higher Education)	
7	WHEREAS, Congress has not reauthorized the Higher Education Act (HEA) since		
8	2008; and		
9			
10	WHEREAS, student loan debt has nearly tripled since that time and total debt for		
11	graduate education has steadily increased and surpassed undergraduate debt; and		
12			
13	WHEREAS, higher education remains a great investment for many, yet nearly one third		
14	of borrowers have debt but no degree and more than 7 million borrowers are in default;		
15	and		
16			
17	WHEREAS, annual federal spending on loan repayment has recently surpassed annual		
18	spending on need-based financial aid through the Pell Grant; and		
19			
20	WHEREAS, almost all of the significant federal policies on higher education have been		
21	enacted through regulations from the U.S. Department of Education since the last HEA		
22	reauthorization; and		
23	MUEDEAO (Charles II)	and the state of the first transfer and the first transfer and the state of the sta	
24	WHEREAS, federal policymaking that relies heavily on regulation creates an unstable		
25	policy environment for states and higher education, as administrations have engaged in		
26	a pattern of rewriting or rescinding previous rules, or courts have temporarily blocked or		
27	overturned rules; and		
28 29	WHEDEAS fodoral regula	ation is not well-designed to proactively achieve state and	
30	WHEREAS , federal regulation is not well-designed to proactively achieve state and federal goals for better outcomes in higher education;		
50	rederal goals for better outcomes in higher education;		

31	
32	NOW, THEREFORE, The National Conference of States Legislatures calls on Congress
33	to reauthorize the Higher Education Act on a bipartisan basis to clarify and articulate
34	anew the role of the federal government in supporting the affordability of higher
35	education and advancing better student outcomes; and
36	
37	NOW, THEREFORE, BE IT RESOLVED, that a reauthorized Higher Education Act
38	should emphasize federal efforts to promote transparency and improvement in higher
39	education, rather than pursue expansive affordability or accountability policies, in order
40	to help states and higher education better understand student outcomes and take action
41	to address circumstances where those outcomes fall short of expectations; and
42	
43	NOW, THEREFORE, BE IT FURTHER RESOLVED, that a reauthorized Higher
44	Education Act must clarify and articulate the role and goals of the student loan program,
45	especially as it relates to loan terms, loan limits, repayment assistance, and
46	forgiveness; and
47	
48	NOW, THEREFORE, BE IT FURTHER RESOLVED, that a reauthorized Higher
49	Education Act should better support students' understanding of the costs of higher
50	education by: requiring universities to communicate financial aid through a standardized
51	offer letter, creating a universal net price calculator, requiring students to engage in
52	annual loan counseling with enhanced disclosure requirements; notifying students of
53	their uptake of federal aid relative to cumulative limits; improving the accuracy of
54	student outcomes in federal data collection; and
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56	NOW, THEREFORE, BE IT FURTHER RESOLVED, that a reauthorized Higher
57	Education Act should better support student success by: providing greater access to

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opportunities through the Federal Work-Study program, including allowing students to

TRIO programs for non-traditional students, increasing meaningful work-based

work for federal Head Start programs.

- 62 **BE IT FINALLY RESOLVED,** that NCSL send a copy of this resolution to Members of
- 63 Congress, including the Chairs, Ranking Members, and members of the Senate Health,
- 64 Education, Labor, and Pensions Committee and the House Committee on Education
- and the Workforce.

1	COMMITTEE:	EDUCATION	
2	POLICY:	SUPPORTING STATES DURING FAFSA CHALLENGES	
4 5 6	TYPE:	RESOLUTION (submitted by Sen. Millner and Sen. Dembrow on behalf of the NCSL Task Force on Higher Education)	
7	WHEREAS, the National Conference of State Legislatures called for the process to		
8	apply for federal financial aid to be simplified and streamlined and Congress responded		
9	in 2020 by passing the FAFSA Simplification Act; and		
10			
11	WHEREAS, nearly 18 million students rely on the FAFSA each year to access federal		
12	financial aid and states and institutions rely on information from the FAFSA to process		
13	and award their own financial aid; and		
14			
15	WHEREAS, the implementation of the new "Better FAFSA" form for the 2024-2025		
16	award year has been beset by delays and errors that have made it challenging for		
17	students to complete the fo	orm; and	
18	WUEDEAO 54504		
19	WHEREAS, FAFSA completion rates for the Class of 2024 are down nearly 12% from		
20	the previous year as of Jur	ne 28, 2024; and	
21	WHEREAS Journ TATSA	completion rates could present enrellment declines in the fall	
22	WHEREAS, lower FAFSA completion rates could presage enrollment declines in the fa		
2324	2024 semester, which could precipitate an unexpected drop in institutional revenues or		
25	state support for higher education, to the extent state funding is contingent upon enrollment counts; and		
26	omomnom counts, and		
27	WHEREAS, the U.S. Denz	artment of Education appears to be behind on meeting its	
28	typical deadlines that are meant to ensure the next FAFSA for the 2025-2026 award		
29	year is ready for release, including the release of a draft form for public comment;		

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures 31 calls on the U.S. Department of Education to do everything in its power to ensure the 32 2025-2026 FAFSA is available to students on October 1, 2024 after being thoroughly 33 vetted and tested to ensure students and their families are able to apply for federal aid 34 35 without issue; and 36 NOW, THEREFORE, BE IT FURTHER RESOLVED, the National Conference of State 37 38 Legislatures calls on the U.S Department of Education to provide full transparency of the development and rollout of the 2025-2026 FAFSA to ensure that states and 39 institutions can place full trust and confidence in the form and encourage students to 40 apply as states deems appropriate; and 41 42 NOW, THEREFORE, BE IT FURTHER RESOLVED, the National Conference of State 43 44 Legislatures urges Congress and the U.S. Department of Education to communicate, coordinate, and collaborate with state legislatures, among with other state stakeholders. 45 46 to understand and assess the impact of any widespread postsecondary enrollment declines in the upcoming fall 2024 semester and determine if and how to appropriately 47 respond to the systemic challenges that may occur in the wake of the uneven FAFSA 48 rollout. 49 50 BE IT FINALLY RESOLVED, that NCSL send a copy of this resolution to Members of 51 Congress and the U.S. Department of Education. 52

COMMITTEE: **EDUCATION** 1 **POLICY:** NCSL AFFIRMS IMPORTANCE OF CIVIC 2 **EDUCATION** 3 TYPE: **MEMORIAL RESOLUTION** (proposed for renewal 4 by Officers of the Education Committee) 5 6 The National Conference of State Legislatures (NCSL) recognizes that voter turnout in 7 the United States lags behind that of other countries, with approximately 60% participation in presidential elections and only 40% in midterm election years. To 8 9 address this challenge and increase voter turnout over the long term, cultivating social 10 and political engagement among students is a crucial strategy. 11 12 NCSL has been committed to promoting and supporting civic education and learning. NCSL established the Trust for Representative Democracy, and through this initiative 13 sponsored the Legislators Back to School Week, fostering engagement between 14 lawmakers and students. Over time, NCSL has produced a variety of materials, 15 16 including educational resources on the legislative process, and the podcast "Building 17 our Democracy". NCSL has conducted extensive training for legislators, both domestically and abroad, in partnership with the US State Department, media, and the 18 general public, focusing on the legislative and elections processes. NCSL is also a 19 proud member of the CivXNow Coalition, a collective of over 250 organizations 20 21 dedicated to promoting civic education. 22 23 Civic education plays a fundamental role in preparing and encouraging students to actively participate in the public and political life of their communities. By engaging in 24 civics, students learn to identify and understand social problems, evaluate potential 25 solutions, distinguish evidence-based claims from opinions, and take meaningful action 26 based on what they have learned. This preparation fosters the development of a robust 27 and healthy civil society. 28 Moreover, civic education is essential for the functioning of a democratic republic, 29 30 particularly in relation to the legislative function and the creation of sound laws that

enjoy the support and engagement of an informed citizenry. By equipping individuals with knowledge about their rights, responsibilities, and the inner workings of government, civic education empowers them to actively contribute to the democratic process and effectively advocate for their communities.

institutions.

In conclusion, NCSL remains committed to promoting civic education as an indispensable component of a vibrant democracy. By continuing our work in this field, collaborating with legislators, educators, and partners, and actively participating in national conversations and events, we strive to create a more informed, engaged, and participatory citizenry that ensures the vitality and strength of our democratic

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