

AASA Federal Education Policy Update

Wednesday, June 26, 2024





AGENDA

- Appropriations
- Congressional Update
- ESSER/American Rescue Plan
- Federal Regulations

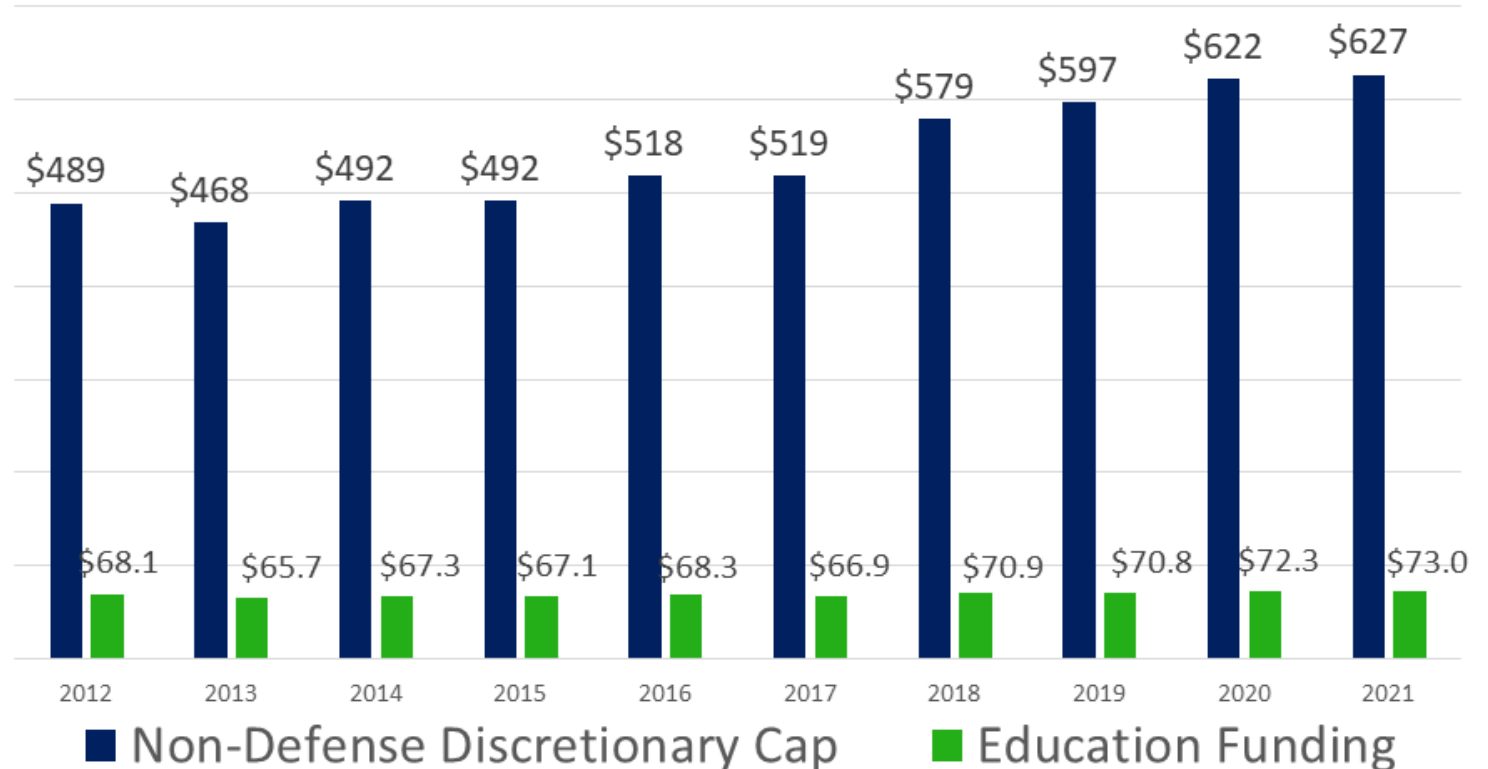


Fiscal Responsibility Act

Deal struck in 2023 to suspend the debt ceiling for two years in exchange for spending caps for FY2024 and FY2025

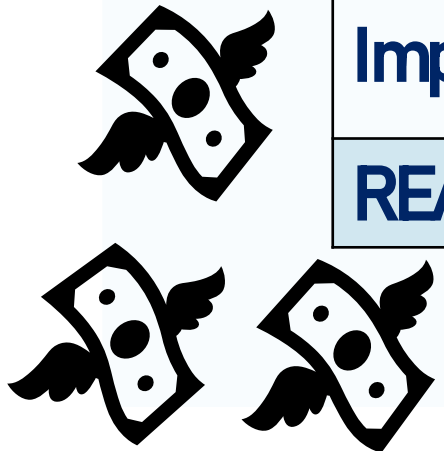
Education Funding Was Cut or Stagnant Under Caps from 2012 to 2021

(Dollars in Billions)



FY24 Appropriations Recap

	FY24 Senate	FY24 House	FY24 Final
Title I	\$18.6 billion (+175 m)	\$3.7 billion (-14.5 b)	\$18.407 billion (+20 mi)
IDEA	\$14.4 billion (+175 m)	\$14.194 billion (level funding)	\$14.214 billion (+20 m)
Title II	\$2.19 billion (level funding)	\$0 (-2.19 b)	\$2.19 billion
Impact Aid	\$1.629 (+10 m)	\$1.6 billion (level funding)	\$1.625 billion (+7 m)
REAP	\$220 million (+5 m)	\$215 million (level funding)	\$220 million





Forecasting FY25




- FY25 cycle has begun, but a CR is expected until after the election
- New House Appropriations Leader
- Constraints continue from Fiscal Responsibility Act
 - FY25 will require the cutting of about \$75 billion from non-defense discretionary spending due to “budgetary adjustments” that were available for FY24 and not for FY25



IDEA FULL FUNDING (S.2217/HR.4519)

- AASA is proud to co-sponsor the IDEA Full Funding Coalition
- We held our first in-person IDEA Funding hill briefing in more than 5 years
- Successfully introduced stand alone bills in both chambers
 - Democrat-only bill in the Senate (30 sponsors)
 - Bipartisan Bill in the House (134, total: 123 D and 11 R)
- The bill provides a ten-year glide path to help Congress realize its funding commitment
- IDEA currently at 13%



Creating Access and Resources in Education (CARE) for Student Mental Health Act

- Led by Senators Tester, Cornyn and Hassan
- Would formally authorize two mental health grant programs at U.S. Department of Education: School-Based Mental Health Program and Strengthening the Pipeline of School Mental Health Professionals
- Only districts that are high-needs LEA can apply
- Creates a 30% set-aside for rural districts
- Makes it easier for districts to be notified about grant opportunities and apply



Student Privacy

- Kids Online Safety Act – As is, AASA opposes
- Children Online Privacy Protection Act 2.0 – AASA endorsed (after a year of negotiations)
- Kids On Social Media Act (KOSMA) – New but gaining traction, packaged with the Eyes on the Board Act, which AASA opposes
- Action in both House and Senate
- House markup of American Privacy Rights Act this week

**American
Rescue Plan
(ARP) Spending
Update
NH Balances**

- **ESSER III:** 42% remains
- **ARP Homeless Children and Youth:** 40% remains
 - SchoolHouse Connection has [numerous resources](#) on how to expedite spending of ARP HCY to support students
- Source: USASpending.gov

American Rescue Plan Late Liquidation

Start reaching out to your SEA right now if you think you would like beyond January 2025 to extend contracts

Reminder: you have automatic liquidation extension through January

Districts, with the support of their SEA, will be able to apply for up to 14 more months to liquidate ARP funding (including HCY)



SCHOOL DISTRICT SPENDING OF AMERICAN RESCUE PLAN FUNDING

AASA
THE SCHOOL SUPERINTENDENTS ASSOCIATION

A SNAPSHOT
September 2021

This cover features a red header with the AASA logo and a photograph of three women in a school hallway, all wearing face masks.



SCHOOL DISTRICT SPENDING OF AMERICAN RESCUE PLAN FUNDING

AASA
THE SCHOOL SUPERINTENDENTS ASSOCIATION

PART III
July 2022

This cover features an orange header with the AASA logo and a close-up photograph of a young girl wearing a white face mask.



SCHOOL DISTRICT SPENDING OF AMERICAN RESCUE PLAN FUNDING

AASA
THE SCHOOL SUPERINTENDENTS ASSOCIATION

PART II
January 2022

This cover features a teal header with the AASA logo and a photograph of a young girl wearing a patterned face mask and carrying a backpack.



SCHOOL DISTRICT SPENDING OF AMERICAN RESCUE PLAN FUNDING

AASA
THE SCHOOL SUPERINTENDENTS ASSOCIATION

PART IV
August 2023

This cover features a green header with the AASA logo and a photograph of a young boy in a classroom with his hand raised.

One last ARP survey – sent out yesterday. If you need the link, please reach out (tthomas@aasa.org).

It's critical we have data on how this money was invested to support students.

Please take 5 minutes to complete the survey before August 2.



Title IX Regulations

- Two regs: First ones were focused on grievance procedures and the second was on athletic participation
- First regs released on April 19, effective August 1
- No timeline on athletics regs

Resources:

- [The Superintendent's Guide to the 2024 Title IX Rules](#)
- [Full regulation](#)
- [AASA Resources](#)
- [Webinar](#) from Title IX Expert Jackie Wernz
- Upcoming AASA – Register [here](#)

Student Loans

Grants

Laws

U.S. Department of Education Releases Final Title IX Regulations, Providing Vital Protections Against Sex Discrimination

APRIL 19, 2024

Contact: Press Office, (202) 401-1576, press@ed.gov

Department Advances Educational Equity and Opportunity

For more than 50 years, Title IX has paved the way for tremendous strides in access to education for millions of students across the country. Every student deserves educational opportunity free from discrimination. That is why today the U.S. Department of Education (Department) released its Final Rule under Title IX, which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance. The final regulations promote educational equity and opportunity for students across the country as well as accountability and fairness, while empowering and supporting students and families.

"For more than 50 years, Title IX has promised an equal opportunity to learn and thrive in our nation's schools free from discrimination," said U.S. Secretary of Education Miguel Cardona. "These final regulations build on the legacy of Title IX and ensure that all our nation's students can access schools that are safe, welcoming, and respect their rights."

The final regulations advance Title IX's promise of ensuring that no person experiences sex discrimination, including harassment or sexual violence, in federally funded education. The final regulations restore and strengthen vital protections and provide schools with information to meet their Title IX obligations while offering appropriate discretion and flexibility in response to variations in school size, student populations, and administrative structures. The final regulations also require schools to take prompt and effective action when notified of conduct that reasonably may constitute sex discrimination in their education programs. The final regulations also reaffirm the Department's core commitment to fundamental fairness for all parties, the right of parents and guardians to support their minor children, and respect for complainants' autonomy.

The final regulations:

- **Protect against all sex-based harassment and discrimination.** The final rule protects all students and employees from sex-based harassment and discrimination prohibited under Title IX, including by restoring and strengthening full protection from sexual violence and pregnancy-based harassment. The rule clarifies the steps a school must take to protect students, employees, and applicants from sex-based discrimination based on pregnancy or related conditions. And the rule protects against discrimination based on sexual orientation, gender identity, and sex characteristics.
- **Promote accountability and fairness.** The final rule promotes accountability by requiring schools to take prompt and effective action when notified of conduct that reasonably may constitute sex discrimination in their education programs.



Overtime Regs

- Released April 23 – See rule [here](#).
- The rule increases the threshold for employees eligible for overtime:
 - Effective July 1, 2024 - \$43,888
 - January 1, 2025 - \$58,656.
- Implements automatic increases to the threshold, every 3 years
- Does not make any changes to the professional exemption, meaning teachers and administrators will continue to be ineligible for OT

Nutrition Regs


- Released April 24 – See summary [here](#).
- Schools will not be affected for SY24-25
- Sodium limits will be slightly reduced, but far more reasonable than the initial proposed rule
- For the first time ever, USDA is limiting added sugars
- Whole grains and milk regulations remain the same.

FINAL RULE FOR SCHOOL MEAL STANDARDS

Updated School Meal Standards: working towards a common goal of healthy children and helping them reach their full potential.


School meals are the main source of nutrition for millions of children every school day. USDA is ensuring these meals are even more nourishing, while keeping them appealing to kids.

Key Provisions




Whole Grains

Schools may continue to offer a variety of nutrient-rich whole grains with options for some enriched grains (no changes in standard)



Milk



Continue to allow flavored and unflavored milk (no changes in standard) with new limits on added sugars



Added Sugars


Limit using a phased approach:

- **Phase 1:** Limits on specific high-sugar products (cereals, yogurt, flavored milk)
- **Phase 2:** Overall weekly limits



Sodium

Gradually phase in one reduction of weekly limit



E-Rate

- FCC: Learn Without Limits
 - Three-pronged proposal from the FCC
 - Allows E-Rate to pay for Wi-Fi on buses (*currently being challenged in the fifth circuit*)
 - Allow E-Rate to pay for Hot Spots
 - Creates \$200 m, 3-year pilot using USF Funds
- Courts
 - Circuit cases questioning the constitutionality of USAC



Stay Connected

- AASA Advocacy App
- PEP Talk Podcast
- Leg Corps Weekly Newsletter
- The Leading Edge (blog)
- Social Media
 - X: @AASAAdvocacy
 - Threads: aasadvocacy
 - Bluesky:
@aasadvocacy.bsky.social

Questions?

Noelle Ellerson Ng
Associate Executive Director
@Noellerson
nellerson@aasa.org

Tara Thomas
Policy Analyst
@TaraEThomas1
tthomas@aasa.org

Sasha Pudelski
Director of Advocacy
@SPudelski
spudelski@aasa.org

Kat Sturdevant
Advocacy & Governance Coordinator
@K_Sturdevant
ksturdevant@aasa.org

