Agenda

• The Federal Context
• Federal Funding
• Federal Agency Updates
• ARP spending and issues
• Head Start
• Child Nutrition Reauthorization
• Teacher/Educator Policy
• SCOTUS
What’s Up In Washington?

• We wish we knew. <bad joke>
• So much of what we need done depends on how other—seemingly completely unrelated—things shake out:
  • SCOTUS nomination
  • Dems trying to figure out what they’re going to do with Build Back Better
  • What (if anything?) can be done before mid terms?
  • Another COVID package?
Federal Funding: FY22

• FY22 federal spending → district funding for SY 2022-2023
• Compared to what was proposed by the President and passed in the House this federal funding increase is fairly tepid.
• What Biden asked for:
  • Doubling of Title I
  • $1b grant program for school mental health
  • $2.5b increase to IDEA
FY22 Analysis

• Title I is funded at $17.5 b ($1 b increase over FY21, but below the $20 b increase proposed by the President and the House, and the $16.5 b increase in the Senate).

• IDEA is funded at $13.6 b ($406 m increase over FY21, but $2 b below current ARP levels) IDEA federal funding share would fall from 15.5% to approx. 13.6% of the authorized 40%

• Small increases to Title II, Title III, Title IV, Community Schools, REAP, McKinney Vento, Perkins CTE, Educator pipeline programs

• Big news: NO NUTRITION WAIVERS

Funding for major programs increased overtime

All major programs experienced steady increases compared to pre-pandemic levels, except for IDEA Part B, which saw a slight dip in 2020

<table>
<thead>
<tr>
<th>Program</th>
<th>2019 — 2022</th>
<th>Percent change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title I (grants to LEAS)</td>
<td>15.3B</td>
<td>15%</td>
</tr>
<tr>
<td>IDEA Part B</td>
<td>12.8B</td>
<td>4%</td>
</tr>
<tr>
<td>Rural education</td>
<td>180.8M</td>
<td>8%</td>
</tr>
<tr>
<td>Head Start</td>
<td>10B</td>
<td>10%</td>
</tr>
<tr>
<td>Education for Homeless Children and Youth</td>
<td>93.5M</td>
<td>22%</td>
</tr>
</tbody>
</table>

Table: Greg Linch/K-12 Dive • Created with Datawrapper
**FY22 SHOCKER:** These nutrition waivers are ending June 30, so no waivers for SY22-23

<table>
<thead>
<tr>
<th>Waiver Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer Food Service Reimbursement Rate Waivers</td>
</tr>
<tr>
<td>Meal Pattern Waivers</td>
</tr>
<tr>
<td>Congregate Setting Waivers</td>
</tr>
<tr>
<td>Seamless Summer Option Waiver</td>
</tr>
</tbody>
</table>
Federal Funding: FY23

• Biden proposed an increase of 15% for all USED programs
• $36.5 billion for Title I, more than doubling the program’s funding compared to the 2021 enacted level, through a combination of discretionary and mandatory funding
• $16.3 billion for IDEA, an increase of roughly $3 billion above the 2022 enacted level.
• $1 billion to help schools hire additional counselors, school psychologists and other health professionals
• $468m for community schools
• Earmarks for FY23 will be due in June (note: school districts can ask for earmarks)
• **In November 2021**, DOT provided the flexibility to allow 3rd parties to administer the skills and knowledge tests for CDL.

• **In January 2022**, DOT and USED announced that states will have the option to waive the “under the hood” CDL test requirements—this week, the waiver was extended until June 30th.

• **Advocating for additional solutions:**
  • Creating an entry-level CDL in school transportation;
  • Enacting a one-year exemption to the social security earning limitation for retirees to incentivize retired drivers to fill vacancies
School Buses: Electric School Bus Funding

$5 billion in grant funding available to districts to electrify school bus fleets through a new EPA rebate program

- Half of the funding is for zero emission, battery-electric bus
- Half of the funding is for clean buses or alternative fueled buses
- Who’s eligible? LEAs, a few State agencies that own/operate bus fleets for their schools, school bus manufacturers and dealers
- Funding priorities: High-need school districts, tribal schools and Rural and low-income areas
- District must identify the elementary and/or secondary school district served by the bus being replaced, and which will continue to be served by the new replacement bus for not less than five years from the date of delivery
Federal Agency Update: USED Data Collection

- USED has a number of fiscal data collections set to happen concurrently:
  - Maintenance of Equity Collection AND ESSER Data Collection

- In late December, USED did announce revisions to the MoEquity provision and data collection, as well as the ESSER data template. They are improvements, but making something less bad doesn’t make it good.

- Related resources:
  - Updated MOEquity FAQs
  - Proposed MOEquity Requirement (to be published in the Federal Register)
  - ESSER/GEER Use of Funds FAQs Supplement
Federal Agency Update: Civil Rights

CRDC
• Back-to-back collections
• 47.5% increase in data collection from 2020-2021 to 2021-2022

Guidance on student poverty calculation

Office of Special Education Programs
• Updated guidance on mitigation strategies for SWD

Coming soon:
• Discipline guidance
• Joint Action on Medicaid in Schools
• Title IX Regulations
American Rescue Plan

Funding for LEAs (Districts) = $110 billion

How does this compare to other federal COVID-relief funding?

- Annual federal Title/IDEA funds per-pupil = +$640/student
- + March 2020 CARES Act = +$250/student
- + December 2020 CRRSAA/“CARES 2” = +$1,100/student
- + March 2021 ARP = +$2,400/student

For comparison, the ARP is roughly 10x CARES or 2.2x CRRSA
Spending ARP:

• In February, AASA released our second survey on ARP- why?

• Not much has changed since July. Top 3 immediate spending priorities remain: expanding summer learning (76%), adding additional specialist staff (66%), and, investing in high-quality instructional materials (58%).

• 82% said they would use this money over the next three years to expand whole child supports, including social, emotional, mental, and physical health and development
  • Urban districts are three times more likely to use ARP funds to build a diverse teacher preparation pathway to address shortage than suburban or rural districts
  • Rural districts were far less likely than suburban and urban districts to indicate they would be investing in social-emotional learning practices and/or trauma-informed schools.
  • Rural and suburban districts are more likely to indicate they would be spending more money on compensating staff to add learning time as well as spend ARP funds to provide high intensity tutoring
ARP and School Construction

55% said they would spend a portion of their ARP funding on renovating and updating school facilities.

50% said they needed beyond 2024 to obligate funds for HVAC upgrades and other school construction related projects related to the pandemic; a doubling of the response rate from July.

46% would spend more on HVAC/construction if they had more time.

AASA feels confident that we will see some guidance from ED in the near-term that will allow for more flexibility around liquidating ESSER funds for school construction purposes.
Head Start Vaccine Mandate

Requires all staff, contractors and volunteers whose activities involve contact with or providing direct services to children, families, and volunteers working in classrooms or directly with children to be vaccinated.

Went into effect on January 31, 2022.

Temporarily blocked by Federal Court Judge on January 1. Injunction applies to all 24 states involved in the case: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Wyoming and West Virginia.

Update: AASA and NHSA released an updated statement this week asking for when guidance will be released.
School Nutrition

**Child Nutrition Reauthorization**
- Last reauthorized in 2010 through the Healthy Hunger-Free Kids Act
- House Democrats aiming for markup this Spring

**AASA CNR Priorities:**
- Expand Community Eligibility Program by lowering threshold from 40% to 25% and increasing the ISP multiplier from 1.6 to 1.9
- Oppose any effort to block grant the federal school meal programs
- Preserve existing nutritional flexibilities around enriched whole grains, sodium and flavored milk
School Nutrition

New Transitional Nutrition Standards for Milk, Sodium, and Whole Grains for School Years 22-23 and 23-24

• Allows flavored, low-fat milk (1 percent fat) for students in grades K through 12 and for sale as a competitive beverage.

• At least 80 percent of the weekly grains in the school lunch and breakfast menus must be whole grain-rich.

• Establishes Sodium Target 1 as the sodium limit for school lunch and breakfast in SY2022-2023. For SY2023-2024, schools must meet Sodium Target 1A which requires a 10% reduction in sodium for school lunch only.
Public Service Loan Forgiveness

Provides full forgiveness on federal student loan debt to individuals employed full-time in public service jobs after 10 years or 120 qualifying payments.

- Eligible participants include any person employed full time at a government entity, including schools. All full-time public school staff qualify for the program.

U.S. ED has issued a limited waiver that will count all prior payments on any federal loan towards PSLF. **This waiver is in effect until October 31, 2022.** Borrowers will need to consolidate, if necessary, and submit a PSLF form before the waiver ends to have previously ineligible payments counted.
Teacher Education Assistance College and Higher Education Grant Program

• Provides up to $4,000/year for undergraduate and graduate students training to be teachers. A student may receive up to $16,000 in TEACH Grants for undergraduate and up to $8,000 for a TEACH eligible master’s degree program.

• Eligibility: Students must score in the top 25th percentile on college admissions tests, maintain at least a cumulative 3.25 GPA, and attend a school that participates in TEACH.

• Participants agree to teach full time for at least four years in a high-need field or at a low-income school or ESA – within 8 years of graduating. This 8 years is known as the “service obligation window” (SOW). If participant fails to meet their obligation, grants are converted into loans.

• The Consider Teachers Act - signed into law on Oct. 13, 2021 - made technical changes to improve the program and reduce unfair conversions that were common complaints about the program.
SCOTUS: 3 major cases this term

- **Carson v Makin**: SCOTUS will review the state of Maine’s exclusion of schools that provide religious instruction from its program of paying private school tuition for students in communities without high schools.
  - Implications: A ruling against Maine could open the door for religious charter schools and formally strike down programs in Maine and Vermont that allow parents to send their student to secular private schools if no high school is nearby.

- **Houston Community College v. Wilson**
  - Implication: A school board may lack the ability to censure one of its members over their speech.

- **Kennedy v Bremerton**
  - Implications: Employee prayer could be rampant; protect students from religious coercion or does an employee’s right to prayer supersede the district’s right to protect religious freedom?
AASA Advocacy, at your fingertips.

Keep up to date with the most impactful changes coming from Capitol Hill. The AASA Advocacy app offers a curated selection of the most relevant news for school administrators. It empowers school leaders to stay informed, and helps shape the future of educational policy.
Newsletters & More!

Legislative Corps
Tara puts together a weekly round-up of education-related legislative and regulatory actions right to your inbox, every week.

Leading Edge Blog
You can check out our Leading Edge Blog on aasa.org/Policy-and-Advocacy/ for the latest in AASA Advocacy news.

Connect on Twitter
Follow the team at @AASAAAdvocacy for live updates and more!
Advocacy Conference- July 2022

Join us in July for our Advocacy Conference
July 12 - 14 in Washington, DC!
More Policy!

We don’t always hit on the topics you want to hear about. Here are a few others we’d be happy to take questions on:

- Maintenance of Equity
- E-Rate/Homework Gap
- Medicaid in Schools
- Poverty Indicator at the Federal Level
- Student Data & Privacy/Cybersecurity
- SCOTUS: Upcoming education cases?
- Vouchers/Privatization
- Rural Education
  - REAP & Secure/Rural Schools
  - Title I Funding Formula
AASA Advocacy & Governance

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

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

Tara Thomas
Policy Analyst
@TaraETThomas1
tthomas@aasa.org

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