

# Federal Education Update

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# Overview

- The Federal Context
- Federal Funding Recap: FY22 and FY23
- IDEA Full Funding
- ESSER
- School Safety & Mental Health
- Infrastructure & Electric School Buses
- School Connectivity
- Title IX Regulations
- Child Nutrition
- PSLF/Teacher Shortages
- Stay Connected!

# The Federal Context

- It's a mid-term election year.
  - There is/was So. Much. Going. On.
    - School Meal Waivers
    - Uvalde School/Gun Safety Package
    - Title IX Regulations
    - SCOTUS: Kennedy, Carson, Dobbs, nomination
  - So much of what we need(ed) done depends/ed on how other—seemingly unrelated—things shook out:
    - What can be done before elections?
    - Congressional maps
    - January 6 committee
    - COVID fatigue
  - While still being real about what you're facing:
    - COVID response and recovery
    - Staff burnout/shortages
    - Decreased level of support for public education
    - All the wonders of your state legislatures!

# FY22 Federal Funding Recap

- Impacts federal funding for LEAs for the 2022-23 school year
- Final package signed into law in March 2022 (nearly ½ thru the fiscal year)
- Largest increase for K12 funding in more than 15 years, yet still underwhelming
- Summary of Funding Levels
- **Title I: \$17.5 billion** (+\$1B from FY21, but less than the \$20B increase proposed by the POTUS/House and the \$16.5B proposed by the Senate.)
- **IDEA / Special Education: \$13.6 billion** (+\$406M from FY21, but -\$2B from ARP's IDEA level, and is \$2.5B less than what was initially proposed by POTUS & Congress.)
  - This decreased the federal share of IDEA from 15.5% under ARP to 13.6% under FY22.
- **Other notable program funding:**
  - Title II-A, Educator Professional Development: \$2.2 billion (+\$27M);
  - Title IV-A SSAE Block Grant: \$1.28 billion (+\$60M)
  - Title IV-B 21<sup>st</sup> Century Schools: \$1.29 billion (+\$30M);
  - Mental health \$\$\$: Title IV-F School Safety National Activities (\$111 million); Mental Health Services Professional Demonstration Grants (\$55 million); School-Based Mental Health Services Grants (\$56 million).
  - Perkins/CTE: \$1.38 billion (+\$45M)
  - Head Start (PreK): \$11.037 billion (+\$289M)

# FY23 Federal Funding Recap

- Impacts federal funding for LEAs for the 2023-24 school year
- Approps work is still underway. Congress needs to act by Sept 30 to avoid a federal shutdown (very unlikely most years, especially so now that budget caps are gone AND its an election year)
- All signs point to a short-term CR through mid-Dec, when Congress will have to finalize spending levels or punt to new Congress
- POTUS proposal, and that of House and Senate, are pretty much a 'rinse and repeat' of FY22, but with less political likelihood
- Mid-term elections will likely shape final steps and funding levels.

# IDEA Full Funding

- Congress has never honored its commitment to fully fund IDEA at 40% of the additional cost associated with educating students with disabilities. Current federal share sits just around 13%.
- This summer we created an invoice to allow you to easily communicate with your member of Congress what this underfunding looks like in YOUR LEA:

Add header

INVOICE						
Please remit payment for Unpaid Federal Share of IDEA funding.						
District/School /Classroom:						
State:	Alabama					
State Level Shortfall	# of Special Education Students in State	State Per Student Shortfall	# of Special Education Students in LEA	LEA IDEA Shortfall	Outstanding Federal Share of IDEA Funding	
292,200,000	91,312	3200.02		0	\$0.00	
					Balance Due:	\$0.00
				Signature:		
				Print name:		
				Date:		
				Phone Number:		
				Email:		



# ESSER Implementation



- Schools continue immense work of implementing ESSER dollars and investing in a judicious yet timely manner
- Hot topics of implementation
  - Data collection(s): ESSER, MoEquity and Civil Rights data
    - These expansive data collections are happening concurrently and exceed the intended scope of the underlying statute. They require a lot of time, staff, and resources to do as districts are dealing with labor shortages and trying to help their school communities recover from the pandemic.
  - Maintenance of Equity
  - Timelines: AASA has helped lead the charge on pushing for an extension in the timeline for liquidation. USED has been receptive and cooperative, while also dragging their feet. We expect updated guidance as early as next week.

# ESSER Spending Timelines

• LEAs have until 2024 to Obligate ARP ESSER Funds.

• **\$123B ARP ESSER III.** LEAs must obligate by 9/2024 ~\$2,400/pupil.  
*\*20% must be used for learning loss*

• **\$54B CRRSAA ESSER II.** LEAs must obligate by 9/2023 ~\$1,100/pupil.  
*\*Broadly flexible — ED says expenses must relate to COVID-19*

• **\$13B CARES ESSER I.** LEAs must obligate by 9/2022 ~\$250/pupil.

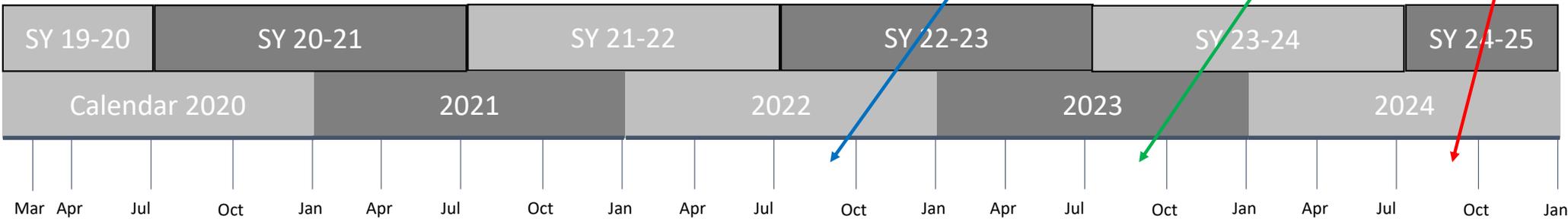


Image adapted from [White Board Advisors](#) and [Edunomics Lab, Georgetown University](#).



# Inflation Reduction Act

- Partisan reconciliation bill passed August 16
  - Far cry from the original Build Back Better Act that fell apart late last year. Only focuses on health, climate change, and tax policy provisions with minimal implications for K-12 education.
    - Provides \$37.5 million in grants & \$12.5 million in technical assistance to help schools in low-income and disadvantaged communities monitor & reduce air pollution and greenhouse gas emissions and develop environmental action plans.
    - Provides \$400 million in grants to states, municipalities, and tribes (excludes school districts) to replace vehicles with low-emission equivalents, which can include school buses.
  - The President's original BBA agenda included historic investments in education, proposing affordable childcare, universal preschool, and free community college, as well as significant funding for school infrastructure, career and technical education, and workforce development programs.
    - Those education investments, along with other policy provisions, were removed as the bill struggled to garner the necessary 50 votes to pass the Senate under the fast-track procedures that are required for the reconciliation process.

# Bipartisan Safer Communities Act

In addition to gun violence prevention, the bill included increased funding for schools

- **\$1 Billion for Safe and Healthy Students Programs** (Title IV-A). State and locally-determined services include, but are not limited to, mental health resources, drug and violence prevention, mentoring, crisis intervention, and high-quality training for school personnel on suicide prevention and human trafficking. Funds available until March 1, 2023.
- **\$500 million for the School-Based Mental Health Services Grants**. Competitive grants to States to increase the number of and reduce the turnover of qualified mental health service providers who provide school based mental health services to students in school districts with demonstrated need. Funds available until March 1, 2023.
- **\$50 million under Title IV-B to improve and expand 21st Century Community Learning Center programs**. Funds available until March 1, 2023.
- **\$500 million for The Mental Health Service Professional Demonstration Grant Program School**. Competitive grants to support innovative partnerships between institutions of higher education and school districts to prepare school-based mental health service providers for employment in high-need schools. Funds available until March 1, 2023.
- **\$300 million (over 5 years) for STOP School Violence** school safety programs, including school resource officers and school hardening
- **\$240 million (over 4 years) Project AWARE**

## Biden-Harris Action Plan for Building Better School Infrastructure

- Leverages investments from the Infrastructure Investment and Jobs Act (IIJA), ARP, and other federal funding. The IIJA provides \$550 billion in new spending over 5 years; two key programs of interest include:
  - **Department of Energy (DOE) Grants for Energy Efficiency Improvements & Renewable Energy Improvements at Public School Facilities.**
    - \$500 million over 5 yrs. to help carry out school facility improvements, repairs, renovations, or installation projects
      - Resulting in a direct reduction in school energy costs;
      - Leading to an improvement in teacher/student health (IAQ);
      - Involving the installation of renewable energy technologies or alternative fuel vehicle infrastructure on school grounds; or the purchasing/leasing of alternative fuel school vehicles.
    - Updates on how to apply are coming soon! (Oct/Nov 2022)
  - **EPA Clean School Bus Program**
    - \$5 billion over 5 yrs. to help schools replace old bus fleets w/ clean and zero-emission vehicles.
      - Must operate fully/in-part on alternative fuels (e.g., electric, liquified natural gas, compressed natural gas, hydrogen, propane, or biofuels). Rebates are for bus replacements & charging infrastructure only.
    - 1<sup>st</sup> application window (\$500M rebate program) closed in August 2022. Next round coming in 2023.

# School Connectivity/Education Technology

- 24-hour learners need 24-hour access
- E-Rate remains the 4th largest stream of funding in the nation's schools
- Congress finally addressed Homework Gap in ARP via Emergency Connectivity Fund.
- Talk about the importance of the E-Rate program, what it means for your district, and how much you accomplish with the program in its current format and at its current funding level.
- ECF is out of money. Congress must find a way in the short term to satisfy the remaining \$1.3 billion in demand. In the long term, Congress needs to make ECF a permanent program with the same type of regular and stable support enjoyed by E-Rate and other universal service programs.

# Title IX Regulations (proposed)

- Applies to all sex-based discrimination including discrimination based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity.
- The proposal would cover harassment that creates a hostile environment due to unwelcome sex-based conduct that is sufficiently severe or pervasive. This is a shift from prior regulation.
- The proposal also expands the application of Title IX protections to include sex-based harassment off campus that affects the educational program or activity.
- The grievance process outlined in the regulations would apply to all discrimination listed here, not just grievances related to sexual harassment like in 2020 regs.
- Applies disparate treatment and disparate impact standard to determining discrimination meaning that a student can assert discrimination even if the policy is facially neutral.
- Does not touch athletics, which will be covered separately. This is confusing and unhelpful.



# Healthy Meals, Healthy Kids Act

- House version of CNR passed through Committee late July, waiting to go to the House floor. Only Democrats supported the measure.
- *Good news:* Includes CEP expansion by lowering the threshold from 40 to 25% and increasing the multiplier from 1.6 to 2.5 and makes Medicaid Direct Cert permanent.
- *Bad news:* Although the bill increases the reimbursement, it is still not enough to cover the cost of producing the meals. Additionally, the bill does not include any other AASA priorities: more reasonable nutritional standards, minimizing administrative burden.
- TBD on whether the Senate takes it up before the end of Congress – if so, the Senate version will likely be very different from the House as it will need bipartisan support.
- Read AASA's letter on the bill [here](#).



# 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. More resources [here](#).
- AASA developed a [template email](#) for district leaders to send to their staff outlining the changes and how to take advantage of them.



# Loan Forgiveness for Educators Act

- Introduced by Senator Ben Lujan (D-NM), endorsed by AASA
- Changes the Teacher Loan Forgiveness Program
  - Provides full forgiveness after five years of service
  - Pays borrowers' monthly payments until they reach the five-year mark
  - Expands program to include K-12 school leaders and early educators
- Eligible participants must work in a high-need school—which serves more than 30% of students from low-income families.



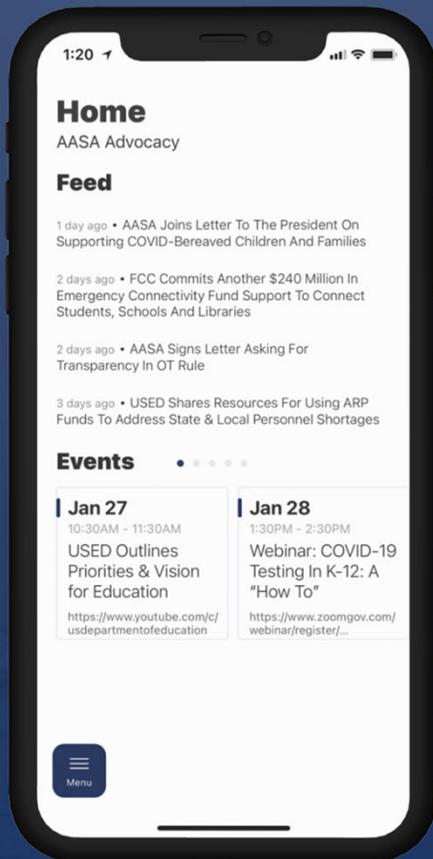
# ARP Spending: AASA Survey

- Districts continue to prioritize immediate investments in expanding summer learning and enrichment offerings, adding specialist staff such as mental health personnel and reading specialists, and investing in high quality instructional materials/curriculum. These spending priorities have not shifted since the first survey in July 2021.
- District leaders continue to report they are using ARP funding for long-term system changes that will prioritize a shift in expanding whole child supports, including social, emotional, mental, and physical health and development of their students.
- Their second long-term priority in 2022 is also the same as 2021: engaging high school students who have fallen off-track to graduate and who need additional supports to navigate the transition to college and career.
- Their third long-term priority continued to be investing in the renovation of school facilities.



# AASA Educator Shortages Survey

- Nine out of every ten school districts report up to 10% of their instructional staff positions are unfilled as we move into the 2022-23 school year
- 75% of respondents are reporting that they faced a vacancy rate of 0-5% of needed instructional positions at the start of the school year; 15% report vacancy rate of 6-10%
- 45% report vacancy rate of 0-5% for non-instructional staff; 29% report vacancy rate of 6-10%
- When asked to compare vacancy rates at the start of this school year to the start of last school year:
  - 9% report lower vacancy rates this year
  - 22% report comparable vacancy rates
  - 24% report vacancy rates just slightly higher than last year (0-5% higher);
  - a similar amount (22%) report a vacancy rate that is just 6-10% above the previous year



# 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.



# Questions?

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