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# Federal Education Update

May 2022




# Agenda

- **The Federal Context**
- **Federal Funding**
- **Federal Agency Updates**
- **ARP spending and issues**
- **Head Start Vaccine Mandate**
- **Tuition/Student Loan Assistance for Teachers**

# 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:
  - Dems trying to figure out what they're going to do with Build Back Better
  - Another COVID package?
  - Support for Ukraine
  - Child Nutrition Reauthorization
  - What (if anything?) can be done before mid terms?



# 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

- \$42.6 billion for K-12, an increase of \$2 billion compared to the prior year, which is the largest overall investment in K-12 programs in a decade
- 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%

## 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

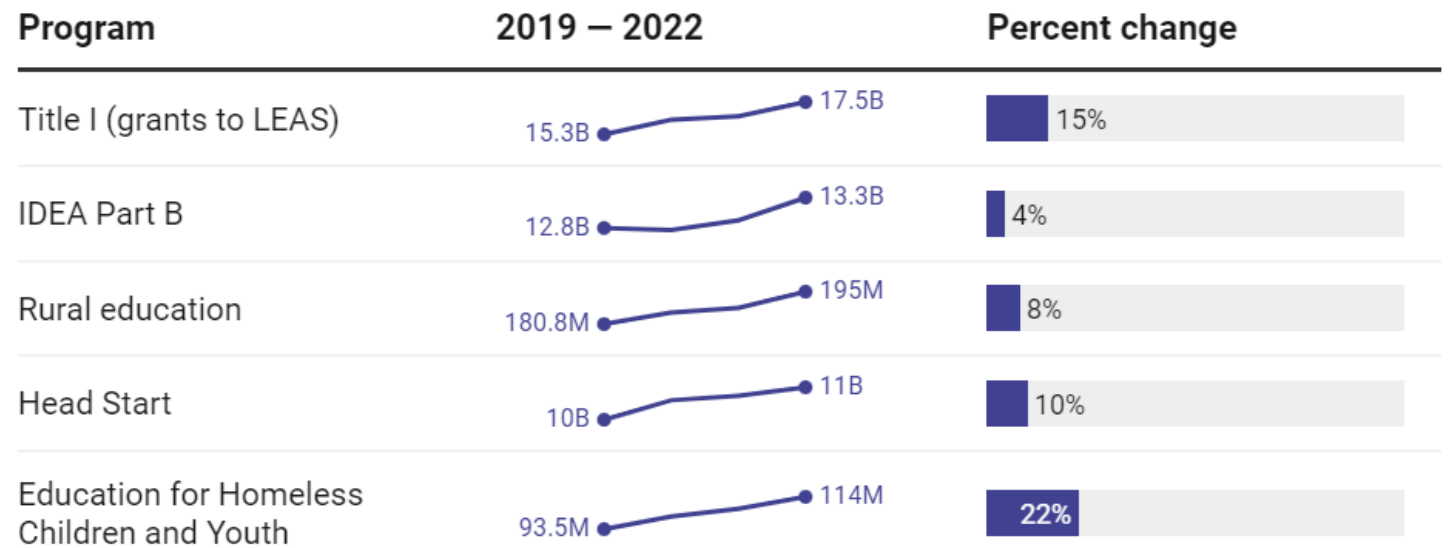


Table: Greg Linch/K-12 Dive • Created with [Datawrapper](#)

# FY22 Analysis

FY22 also increase small increases for different programs:

- Title II, Part A : **\$2.2 billion** (\$27 million increase from FY21)
- Title IV, Part A: **\$1.28 billion** (\$60 million increase from FY21)
- Title II, Part B, 21<sup>st</sup> Century Community Learning Centers: **\$1.29 billion** (\$30 million increase from FY21)
- Community Schools: **\$75 million** (\$45 million increase from FY21)
- REAP: **\$195 million** (\$7.16 million increase from FY21)
- McKinney Vento: **\$114 million** (\$7.5 increase from FY21)
- Perkins CTE: **\$1.38 billion** (\$45 million increase from FY21)
- Educator pipeline programs: **\$162.1 million**
  - \$8 million for Hawkins Centers for Excellence
  - \$59.1 million for Teacher Quality Partnership Grants
  - \$95 million for IDEA-D-PP

Read AASA's full  
FY22 omnibus  
analysis [here](#).

**Big news: NO EXTENSION FOR NUTRITION WAIVERS**

**Congress failed  
to extend USDA  
waiver authority.  
So nutrition  
waivers expire  
on June 30.**

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Summer Food Service  
Reimbursement Rate Waivers

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Meal Pattern Waivers

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Congregate Setting Waivers

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Seamless Summer Option  
Waiver



# 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)





# Child Nutrition Reauthorization Priorities



## Also in Congress:

### 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 Buses: Driver Shortages

- **In November 2021**, DOT provided the flexibility to allow 3<sup>rd</sup> 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 30<sup>th</sup>.
  - 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
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# 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
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# 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: U.S. ED

## Civil Rights Data Collection

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

## Guidance on student poverty calculation – [Fact sheet](#)

## 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





# 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.

# 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**

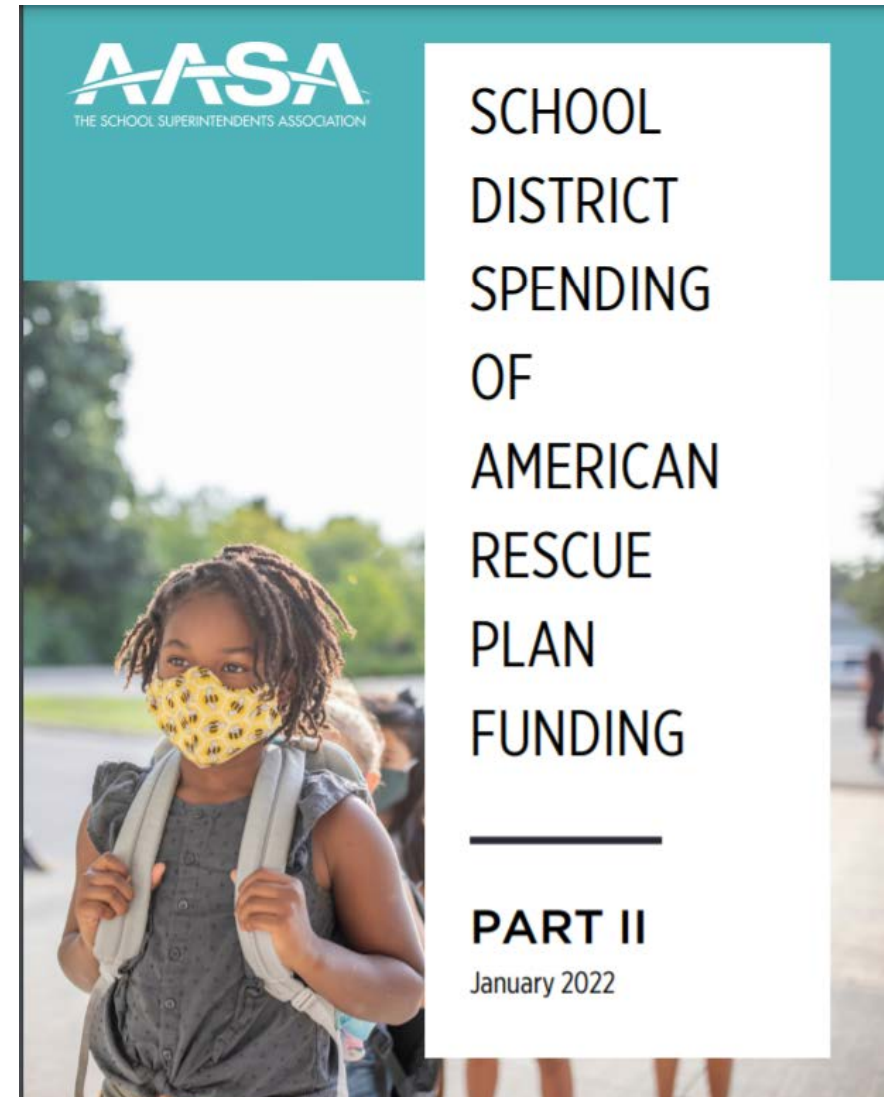


# ARP Spending Survey – Part II

Top 3 immediate spending priorities remain the same from July 2021:

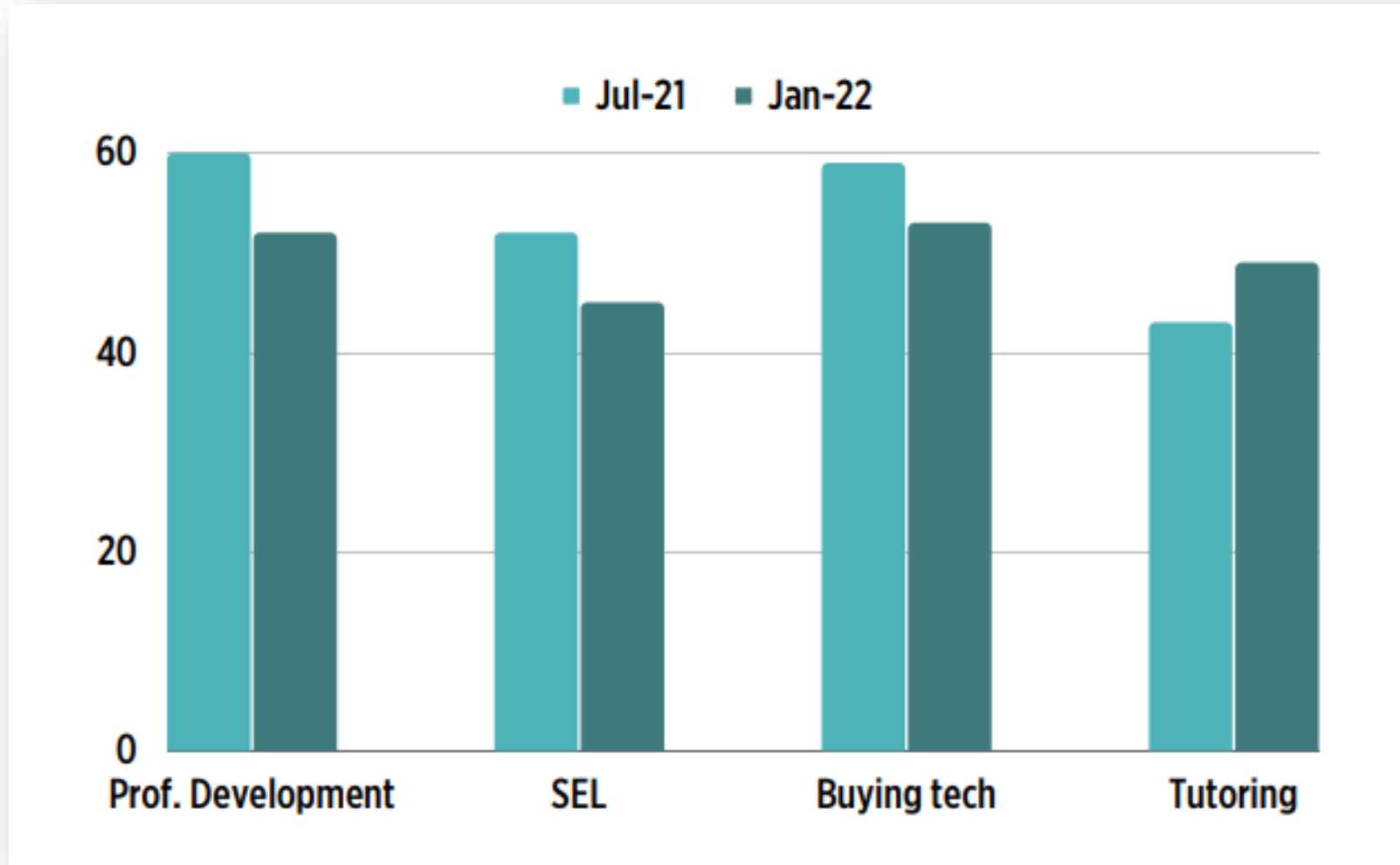
- Expanding summer learning (76%)
- Adding additional specialist staff (66%)
- Investing in high-quality instructional materials (58%)

Access full report [here](#).



# ARP Spending Survey – Part II

Notable changes in priorities from July 2021 to January 2022.



# ARP Spending Survey – Part II

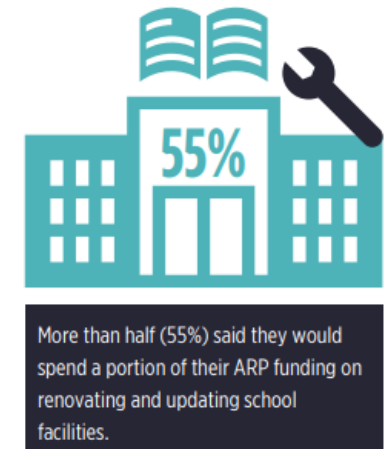
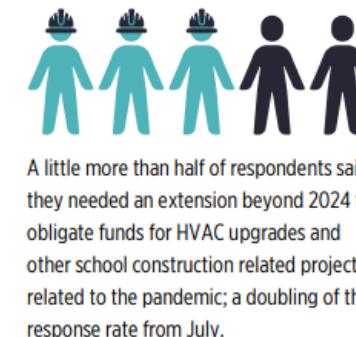
## Long-term priorities:

- An overwhelming majority (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
- Renovating and upgrading school facilities, including HVAC (55%)
- Re-engaging high school students who have fallen off-track (51%)

## KEY FINDINGS



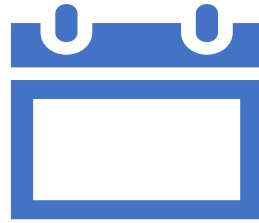
More than three-quarters of respondents indicated they would continue to invest funds in summer learning and enrichment programming for Summer 2022.



# ARP Spending Survey – Part II



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



**50%** said they needed an extension 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

# 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



February 8, 2022

Secretary Miguel Cardona  
U.S. Education Department  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202



Secretary Xavier Becerra  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Cardona and Secretary Becerra,

The Head Start Interim Final Rule with Comments (IFC) regarding COVID-19 vaccines and masking went into full effect on Monday, January 31, 2022. On the heels of this change, we write today to express the urgent need for the Administration to provide clear guidance to ensure Head Start programs and public school system leaders can continue to operate Head Start programs and ensure that Head Start children and their families safely retain access to critical services.

On behalf of our communities nationwide—AASA, The School Superintendents Association, representing the nation's public school superintendents, and the National Head Start Association (NHSA), representing the nation's Head Start programs—acknowledge the critical role of vaccines and masking in reducing the spread of COVID-19. We agree that the elimination of COVID-19 is of paramount importance. That said, state and local regulatory conflicts with the IFC are causing potentially irreparable damage to the partnerships between Head Start programs and school districts.

We are deeply concerned that without further clarity and guidance, thousands of children will lose access to life-changing Head Start services. Likewise, countless partnerships, which have taken decades to build, will be damaged due to a lack of trust from the Administration that local communities know what's best for their children and families. Head Start programs need prompt clarification, detailed guidance and local flexibility to effectively implement and enforce the vaccine and masking mandates contained in the IFC. School districts—essential partners that often directly deliver services to Head Start children and families—need clarity on how the mandates will apply in locations where the IFC conflicts with state and/or local regulations or guidance in a manner which does not isolate or negatively impact children.

For example, a Head Start program in northern Minnesota contracts with an Individualized Education Program (IEP) provider who usually sends a specialist into the Head Start classroom to provide services for children with disabilities. The school district has signed an updated Memorandum of Understanding which includes the new vaccine requirement for Head Start. However, in many cases, the only specialist available to provide IEP services (e.g., early childhood physical therapy services) is unvaccinated. This puts the Head Start mandate at odds with the district's obligation to meet the IEP.

This same school district contracts with a company to transport children on IEPs. The local Head Start program does not pay for this service, nor are they administrators on the bus company contract. The school district holds

# Public Service Loan Forgiveness Program

**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.

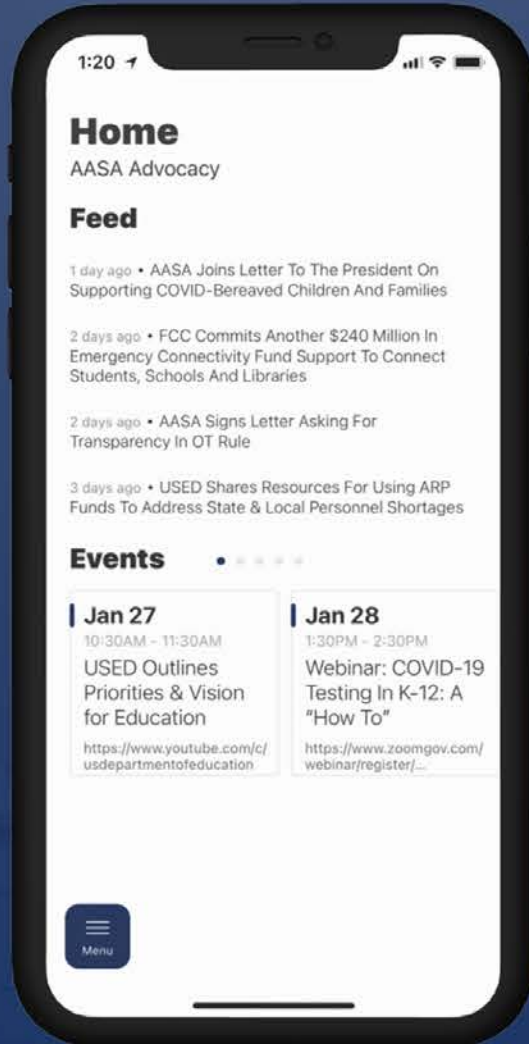
AASA developed a [template email](#) for district leaders to send to staff.

# TEACH Grant Program

## 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.





# 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.



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Questions?

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