



# The Consortium of State School Boards Associations Weekly Education Report

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*The COSSBA Education Report*, a weekly publication, provides an executive summary of public policy issues affecting American K-12 education and employment. **Please use the bookmarks below to navigate to your area of interest:**

## 1. **News, Publications, & Updates on COSSBA Policy Priorities**

### • **IDEA**

- **Special Education Advocates Promote Full Funding of IDEA:** On Tuesday, the IDEA Full Funding Coalition, the National Center for Learning Disabilities, the Council for Exceptional Children, the School Superintendents Association (AASA), the Coalition for Adequate Funding for Special Education, and the Los Angeles and San Diego Unified School District's sponsored a briefing that promoted fully funding the Individuals with Disabilities Education Act (IDEA).

### • **Teacher Recruitment and Retention**

- **ED Research Experts Look at Post-Covid Relief Teacher Workforce:** On Wednesday, the American Institute for Research (AIR) held a webinar titled, "The ESSER Funding Cliff: Navigating the Teacher Workforce After COVID Relief."

### • **Funding**

- **Education Funding Bill Approved by Appropriations Subcommittee:** Early Wednesday morning, the House Appropriations Committee released its republican-backed Fiscal Year 2025 Labor, Health and Human Services, Education, and Related Agencies bill, and just 24 hours later, the Subcommittee approved the measure without amendment and by voice vote.

2. **Budget and Appropriations Wrap-up**
  - **Impact on State School Board Associations**
  
3. **In Brief – Last Week in Washington**
  - **50Can Network Leaders Discuss Expanded Tutoring in Public Education:** On Tuesday, FutureEd held a webinar titled, “Applying Lessons from Advocacy Research to Expand Tutoring in Public Education.”
  - **House Ways and Means Panel Holds Hearing on Child Welfare Programs:** On Wednesday, the House Ways and Means Committee held a hearing on Strengthening Child Welfare and Protecting America’s Children.
  - **Supreme Court Overturns Decades Old Chevron Doctrine:** On Friday, by a vote of 6-3 the Supreme Court of the United States (SCOTUS) overturned the 1984 *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc* (“*Chevron*”) decision that said courts should defer to Departments and Agencies for the interpretation of ambiguous statutes.
  
4. **New Publications**
  - **ESSER and Student Achievement: Assessing the Impacts of the Largest One-Time Federal Investment in K12 Schools**  
*Center for Analysis of Longitudinal Data in Education Research (June 2024)*  
This study estimates the effects of federal pandemic-relief funding (ESSER III) for K12 schools on district-level student achievement growth in 2023.
  - **2024 State Trends in Child Well-Being**  
*The Annie E Casey Foundation (June 2024)*  
The 35th edition of the Annie E. Casey Foundation's KIDS COUNT® Data Book examines the unprecedented declines in student math and reading proficiency brought on by the COVID-19 pandemic's effect on education.
  
5. **In the News**
  - **The Topic That Didn’t Get a Single Mention in Biden-Trump Debate**  
*Education Week (June 27, 2024)*
  - **Oklahoma State Superintendent Announces All Schools Must Incorporate the Bible and The Ten Commandments in Curriculums**  
*CNN (June 27, 2024)*
  - **Republican FY 25 Plan Would Cut Education Funding by \$11B**  
*K-12 Dive (June 27, 2024)*
  - **Education Department to Appeal Block on Title IX Rule to 5<sup>th</sup> Circuit**  
*Higher Ed Dive (June 25, 2024)*
  - **Public Funds for Religious Charter School Would Be Unconstitutional, Oklahoma Higher Court Says**  
*The Associated Press (June 25, 2024)*
  - **How Districts Can Keep High-Impact Tutoring Going After ESSER Money Expires**  
*The 74 (June 24, 2024)*
  
6. **Weekly Calendar - What’s coming up this week?**

- No events.
7. **[On The Floor of Congress This Week](#)**
    - Congress is in recess for the Independence Day holiday.
  8. **[Important U.S. House and Senate Links](#)**
  9. **[About BPAG](#)**
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## 1. COSSBA Policy Priorities

### IDEA

#### **SPECIAL EDUCATION ADVOCATES PROMOTE FULL FUNDING OF IDEA**

On Tuesday, the IDEA Full Funding Coalition, the National Center for Learning Disabilities, the Council for Exceptional Children, the School Superintendents Association (AASA), the Coalition for Adequate Funding for Special Education, and the Los Angeles and San Diego Unified School District's sponsored a briefing that promoted fully funding the Individuals with Disabilities Education Act (IDEA). Event participants advocated for more resources for special education teachers, better access to necessary technologies, and enhanced educational opportunities for students. Participants also underscored how Congress can address the shortfalls of inadequate funding. For context, IDEA ensures that students with disabilities receive the support and resources they need for educational success. However, IDEA has historically been drastically underfunded, leading to service and support gaps for students in need. IDEA became law in 1975 to ensure that states would provide every student a "free appropriate public education" (FAPE), yet reassured states that they would not have to take on an excessive financial burden to provide FAPE. When passed, Congress pledged that the federal government would pay 40 percent ("full funding") of the cost to provide special education and related services, yet that commitment has never been met. Congressman Jared Huffman (D-CA) provided pre-recorded opening remarks where he echoed the call for full funding of IDEA. Huffman introduces the **[IDEA Full Funding Act](#)** each congress and asserted that it is his highest legislative priority. AASA's Associate Executive Director Noelle Ellerson Ng, a certified special education teacher, noted that while Congress committed to paying 40 percent of the cost, the closest they have come is 18 percent in 2005; current funding is only at 13 percent. She continued to state that full funding would free up general education dollars, increasing investment in special education. Ellerson Ng went on to ask the panel a series of questions that highlighted distinctions between urban and rural districts, the impact of inadequate special education funding, and how Congress can help. Dr. Angelia Watkins with the San Diego Unified School District stressed that a lack of IDEA funding limits the ability to sufficiently support special education students and voiced that increased investment could support early intervention services, expand professional development initiatives, and enhance support frameworks across the district, such as specialized training, side-by side coaching, and best practices guidance. Ultimately, full funding of IDEA would ensure equitable educational outcomes for all students, Watkins said. Anthony Aguilar with the Los Angeles Unified School District and

Veronica Coates with the Tehama County School District echoed Watkins' sentiments. In closing, each participant called for Congress to "honor their commitment" and fully fund IDEA.

## **TEACHER RECRUITMENT AND RETENTION**

### **ED RESEARCH EXPERTS LOOK AT POST-COVID RELIEF TEACHER WORKFORCE**

On Wednesday, the American Institute for Research (AIR) held a webinar titled, "The ESSER Funding Cliff: Navigating the Teacher Workforce After COVID Relief." The event featured two education research experts – Michael DeArmond; director of policy at AIR's CALDER Center; and Dan Goldhaber, director of AIR's CALDER Center. Examining the impact of the end of Elementary and Secondary School Emergency Relief (ESSER) funding on the teacher workforce, Goldhaber presented key findings from the Center for Analysis of Longitudinal Data in Education Research's (CALDER Center) recent [study](#). He shared that the federal government distributed nearly \$200 billion in pandemic relief across three waves to help districts reopen schools and address pandemic learning losses. Goldhaber explained that some districts used these non-recurring funds for recurring staffing costs, posing potential workforce challenges when the funds are exhausted in the fall. Using a case study from Washington state, Goldhaber estimated that 21 percent of ESSER funds (\$497 million) were spent on new staff, most of whom were teachers. Drawing on historical precedent, Goldhaber asserted that a funding reduction of this magnitude cannot be managed through attrition alone and will likely result in significant layoffs nationwide. He emphasized the need to protect schools in historically marginalized districts and expressed concern about the equity of these layoffs. To mitigate the impact of the ESSER funding termination, Goldhaber encouraged districts to seek additional funding to maintain staffing levels, reallocate resources, and reduce some staffing through attrition. He also advocated for rethinking layoff procedures, suggesting that districts implement layoff protections for schools in need and avoid relying solely on seniority. To conclude, Goldhaber underscored the need for more targeted approaches, highlighting its role in addressing the underlying concerns of the teacher labor market.

## **FUNDING**

### **EDUCATION FUNDING BILL APPROVED BY APPROPRIATIONS SUBCOMMITTEE**

Early Wednesday morning, the House Appropriations Committee released its republican-backed Fiscal Year 2025 Labor, Health and Human Services, Education, and Related Agencies bill. Just 24 hours later, the Subcommittee [approved](#) the measure without amendment and by voice vote. The bill recommends \$72 billion in discretionary spending for the Department of Education, which is \$10 billion below President Joe Biden's budget request. Prior to Thursday morning's markup, Subcommittee Chair Robert Aderholt (R-AL) said, "It's been an honor to work with the members of this subcommittee to craft a bill that provides needed resources to agencies for administering vital programs, while also reining in reckless and wasteful spending. This bill focuses on ensuring the success of critical programs that affect every American, through supporting our nation's workforce, increasing access to healthcare for those in underserved and rural areas, and prioritizing targeted education programs, all while cutting politically motivated initiatives pushed by unelected bureaucrats." During the markup, he remarked that "the bill... represents a clear first step toward returning to fiscal responsibility, while ensuring that funding for critical and high-priority functions are maintained." The Majority's summary of the partisan bill can be found [here](#). Bill text is available [here](#). House Democrats soon criticized the bill, [saying](#), "The legislation is an assault on education and job training, abandons ongoing public health crises, and eliminates funding for reproductive health." "Republicans are in the midst of a full-scale attempt to eliminate public education that makes the American Dream possible. [The bill] decimates support for

children in K-12 elementary schools, threatening the future of an entire generation,” said Appropriations Committee Ranking Member Rosa DeLauro (D-CT). She continued, “This bill also abandons college students and hardworking Americans trying to improve their lives through higher education or job training. Even if they reach their goals and find a good job, they will find no support from House Republicans in the workplace.” A summary of the bill drafted by Democrats is [here](#). The bill is expected to be marked up by the full Appropriations Committee on July 10.

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## 2. Budget and Appropriations Wrap-Up

Education advocates felt a bit of déjà vu last week when the House Labor, Health and Human Services and Education Appropriations Subcommittee met to consider their FY 2025 spending proposal. The panel **met and approved** Thursday Morning its FY 2025 funding bill on a party-line vote, with no amendments offered. In a press release, Subcommittee Chairman Robert Aderholt (R-AL) said, “The bill before us represents a clear first step toward returning to fiscal responsibility, while ensuring that funding for critical and high-priority functions are maintained.” Full Committee Chairman Tom Cole (R-OK) said, “The bill provides appropriate and fiscally responsible funding to ensure these departments can continue to perform their core missions while also acknowledging the fiscal realities facing our nation. The legislation maintains funding for important education programs, such as school safety measures and Pell Grants.”

At the mark up, Aderholt went on to note that the bill cuts funding for more than 40 education programs and eliminates more than 50 others. He highlighted the bill’s policy goals to reign in the Administration’s overreach, citing restrictions on funding DEI efforts and prohibiting transgender boys from competing in girls’ sports, among others. Ranking Member Rosa DeLauro (D-CT) and Representative Steny Hoyer (D-MD) both expressed frustration that Republicans are repeating their original approach from last year – writing a partisan bill with devastating funding cuts that will never be enacted, rather than building upon the bipartisan package that was ultimately enacted for FY 2024. Representative DeLauro’s comments focused heavily on the cuts to education programs that would “decimate support for kindergarten through 12<sup>th</sup> grade education, abandon college students and lower income adults trying to gain an education or advance their careers for a chance at the American dream.” The next step will be when the full Committee marks up the bill, which is planned for July 10. Both parties are already discussing a robust amendment debate for that mark up.

Last year, the LHHS bill did not get marked up by the full Committee (or get debated on the floor) at least in part because some of the panel’s moderate Republicans didn’t want to vote on a bill that cut programs important to their districts. Aderholt said of this year’s process, “What I’m hoping to convince some of my colleagues about is, it may not be the perfect bill right now from your perspective, but this is a process in the making,” and the goal is to move the bill forward.

The House and Senate are in recess this week to mark the July 4<sup>th</sup> holiday. They will be busy the remainder of the month to reach Chairman Cole’s goal of approving all 12 spending bills before the August recess.

### **How does this impact State School Board Associations?**

As for the bill’s content, it was familiar. Overall, the bill proposes an 11 percent cut over current funding levels for the three agencies supported in the measure. Like last year’s House Republican bill, this bill would cut education funding in two ways: reduce and eliminate program funding and rescind \$3.1 billion of already enacted funding. Including the proposed rescissions, the bill’s impact on FY 2025 Education Department funding would be a cut of \$11 billion, or 14 percent for education programs, cutting funding to \$68.1 billion. This cut is still smaller than the 28 percent cut proposed in last year’s House bill, and this year a few programs will get small increases. The bill also has several education policy riders that restrict how funding can be used and that restrict funding going towards grantees or institutions that take certain actions or that fail to take certain actions.

The [Republican press release](#) states that the bill eliminates “17 programs that do not fulfill the core missions, tasks and functions of the Department.” These include Title II, Part A funds that support state investments in educator professional development, the Child Care Means Parents in School program, the Teacher Quality Partnership program, Comprehensive Centers, Promise Neighborhoods, and Congressional earmarks, among others. As for cuts, the bill proposes to cut Title I spending by 25 percent--a \$4.7 billion cut. The Majority’s press release asserts the proposed cut is because of “student test scores continuing to decline despite annual increases to Title I and a \$190 billion investment in schools during the pandemic.”

There are a few programs that would see very modest increases: Special education state grants, charter schools, Career and Technical Education state grants and Title IV, Part A, among them. Head Start and the Child Care Development Block Grant, which are programs at the Health and Human Services Department, would also see minimal increases. (A Committee-prepared summary of the bill is [here](#).)

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### **3. In Brief – Last Week in Washington**

#### **50CAN NETWORK LEADERS DISCUSS EXPANDED TUTORING IN PUBLIC EDUCATION**

On Tuesday, FutureEd held a webinar titled, “Applying Lessons from Advocacy Research to Expand Tutoring in Public Education.” Led by Liz Cohen, Policy Director at FutureEd, the event featured a panel of education experts – Susanna Loeb, professor at Stanford University and founder and executive director of the National Student Support Accelerator (NSSA); Paula White, executive director of JerseyCAN; Chelsea Crawford, executive director of TennesseeCAN; and Marc Port Magee, CEO of 50CAN. Delving into AdvocacyLab’s upcoming report, Magee presented a preview of key strategies for effective advocacy. He underscored the importance of leveraging social movements to mobilize people to action, highlighting the crucial role of visibility and accessibility. Emphasizing the importance of persistently advocating for bold goals, he also highlighted the impact of utilizing political power by collaborating with elected officials to champion important causes. In addition, Magee stressed the necessity of creating enduring

frameworks with compelling public narratives to boost the overall success of advocacy efforts. During the panel discussion, White reiterated the significance of building a strong framework and brand, noting the impact of effective language framing around high-quality, high dosage tutoring in New Jersey. Underscoring the necessity of information organizing, Loeb also stressed the critical role of tailoring information to various audiences. Further, Crawford shared Tennessee's ambitious approach to implementing research-backed tutoring strategies, highlighting the importance of common language and the use of incentives, such as grant dollars, to encourage districts to adopt preferred tutoring methods. In the end, the panelists collectively encouraged persistent efforts in tutoring advocacy, emphasizing the need for unified leadership, humanizing the issue through student storytelling, and promoting program successes.

### **HOUSE WAYS & MEANS PANEL HOLDS HEARING ON CHILD WELFARE PROGRAMS**

On Wednesday, the House Ways and Means Committee held a hearing on Strengthening Child Welfare and Protecting America's Children. Most notably, Committee Chair Jason Smith welcomed celebrity and child advocate Paris Hilton to provide testimony, alongside Bipartisan Policy Center (BPC) Fellow Rob Green; Author, speaker, and advocate Tori Petersen; and Alexis Mansfield, senior advisor for the Children and Families and Relationship Safety Women's Justice Institute. During the hearing, committee members and witnesses examined child welfare programs in Title IV-B of the *Social Security Act*. Witnesses urged the congressional panel to pursue reforms that would help the program better serve children and families in crisis. Hilton, a lived experience advocate, shared her personal story, stating that she faced physical and psychological abuse at a congregate care treatment facility as a teenager and called for Congress to reauthorize Title IV-B. Petersen provided that financial supports should not be a substitute for personal relationships, mentors, churches, and community organizations, as these engagements build meaningful connections for foster youth. Meanwhile, Representative Lloyd Smucker (R-PA) called attention to several **bills of his** aimed at aiding foster children, families, and child welfare agencies. In particular, the Reducing Administrative Burden for Child Welfare Agencies Act, would reduce the federal administrative burden in service of providing more hands-on casework. In response, Green addressed the BPC's December 2023 **Child Welfare Landscape Assessment**, stating that "administrative burden" was a key theme throughout the report's findings. "So much of what we collect are process measures that feel like checking boxes rather than truly holding agencies accountable for outcomes," Green explained. Mansfield thanked Representatives Danny Davis (D-IL) and Darin LaHood (R-IL) for introducing **the PARENT Act**, a bill that would fund demonstration projects that support maintaining meaningful relationships between foster youth and their incarcerated parents. Mansfield's testimony underscored the importance of bonds between children and parents, stating that they are crucial for child development, particularly children in foster care. "Supporting visits between foster youth and their incarcerated parents would support court decisions that in-person visitation for the child and their parent is safe, appropriate, and beneficial for the child," she elaborated. Wednesday's hearing comes after a year-long Committee review of the Title IV-B program and the release of last year's **GAO report** on how HHS is taking steps to help states support relative caregivers with evidence-based programs. The hearing and witness testimony can be **[viewed here](#)**.

### **SUPREME COURT OVERTURNS DECADES OLD CHEVRON DOCTRINE**

Friday, by a vote of 6-3 the Supreme Court of the United States (SCOTUS) overturned the 1984 *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc* ("Chevron") decision that said courts should defer to Departments and Agencies for the interpretation of ambiguous statutes. The

decades-old decision has upheld thousands of regulatory actions but is often criticized by conservatives and business groups who argue that it grants too much power to the executive branch. The Court ruled on two cases *Loper Bright Enters v Raimondo*, No. 22-451 and *Relentless, Inc. v Department of Commerce*, No. 22-1219 in overturning the decades old doctrine. These two cases centered on challenges to federal regulations on fishery management in federal waters. *Chevron* established a two-step process for legal challenges to federal regulations for courts to follow when making rulings. First, the court needed to determine whether the underlying statute was ambiguous or not. If it was, then the court was required to decide if the challenged regulation was a “reasonable” interpretation. It was not necessary to determine whether a “better” interpretation existed or not. If a court agreed the interpretation was “reasonable,” then the court was to uphold the agencies interpretation. This ruling will allow courts to be swayed by challengers that a better interpretation exists that should be applied. Agencies will now need to be more diligent to capture the intent and context of Congress when developing regulation. While this ruling may lead to future legal challenges in to education, labor, and environmental regulations, the Court was explicit that in making this ruling that they were not overturning any existing regulation. Thus, any impact on the education community from this ruling may not be realized for years to come; however, there may be immediate impact within the current legal challenges to Title IX and loan repayment currently pending before lower courts.

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#### **4. New Publications**

##### **ESSER and Student Achievement: Assessing the Impacts of the Largest One-Time Federal Investment in K12 Schools**

*Center for Analysis of Longitudinal Data in Education Research* (June 2024)

This study estimates the effects of federal pandemic-relief funding (ESSER III) for K12 schools on district-level student achievement growth in 2023.

##### **2024 State Trends in Child Well-Being**

*The Annie E Casey Foundation* (June 2024)

The 35th edition of the Annie E. Casey Foundation's KIDS COUNT® Data Book examines the unprecedented declines in student math and reading proficiency brought on by the COVID-19 pandemic's effect on education.

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#### **5. In the News**

##### **The Topic That Didn't Get a Single Mention in Biden-Trump Debate**

*Education Week* (June 27, 2024)

##### **Oklahoma State Superintendent Announces All Schools Must Incorporate The Bible And The Ten Commandments In Curriculums**

*CNN* (June 27, 2024)

##### **Republican FY 25 Plan Would Cut Education Funding By \$11B**

*K-12 Dive* (June 27, 2024)

##### **Education Department To Appeal Block On Title IX Rule To 5th Circuit**



*Higher Ed Dive* (June 25, 2024)

**Public Funds For Religious Charter School Would Be Unconstitutional, Oklahoma High Court Says**

*The Associated Press* (June 25, 2024)

**How Districts Can Keep High-Impact Tutoring Going After ESSER Money Expires**

*The 74* (June 24, 2024)

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## **THIS WEEK IN WASHINGTON**

### **6. Weekly Calendar**

No events.

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### **7. On The Floor of Congress This Week**

Congress is in recess for the Independence Day holiday.

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### **8. Links for Up-to-Date Information on Hearings, Legislation, and Events**

[U.S. House and Senate 2024 Schedule](#)

[U.S. Department of Education](#)

[U.S. Senate Committee on Health, Education, Labor and Pensions](#)

[U.S. House Committee on Education and Labor](#)

[U.S. Senate Budget Committee](#)

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### **9. About BPAG**

**Bose Public Affairs Group** is a full-service government affairs and public relations consulting firm that has built a reputation for producing results. We partner with clients committed to excellence in education and other social services to achieve policy and advocacy success by:

- leveraging our expertise and passion;
- strategizing intelligent solutions; and,
- Creating meaningful impact.

Our team includes long-term insiders in education policy from Pre-K through higher education, innovative thinkers and savvy strategists that provide a comprehensive array of customized client services. We have the knowledge, skills, and relationships that are necessary for successful advocacy at all levels. From grassroots to grass tops and everything in between, our broad-based legislative practice approaches every project with the same degree of determination and professionalism. BPAG provides expertise in a variety of services:

- Government Relations

- Research and Analysis
- Advocacy Training
- Association Management
- Strategic Communications
- Policy Events

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