



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**
 - **17 States Challenge Federal Protections for Students with Disabilities:** On Thursday, seventeen states filed a lawsuit challenging Section 504 of the Rehabilitation Act of 1973, which ensures civil rights protections for individuals with disabilities.
2. **Budget and Appropriations Wrap-up**
 - **Impact on State School Board Associations**
3. **In Brief – Last Week in Washington**
 - **Cancellation of ED Department Contracts Sparks Concerns:** On Monday, The Department of Education canceled approximately \$881 million in multiyear research contracts, a move that has raised significant concerns among educational organizations.
 - **House Education Committee Debates Foreign Influence, Nutrition, Transparency Bills:** On Wednesday, the House Education and Workforce Committee conducted a legislative markup session to review five bills aimed at enhancing student safety and health.
 - **Education Department Announces More Political Appointments:** On Wednesday, the Department of Education announced President Donald J. Trump's nominations for key sub-cabinet positions to advance the administration's education reform agenda.

- **STEM Group Holds Hill Briefing on Critical Issues Effecting STEM Ed:** On Wednesday, the STEM Education Coalition hosted a briefing to examine critical issues affecting STEM education under a new administration and Congress.
- **Senate HELP Committee Probes Education Secretary Nominee Linda McMahon:** On Thursday, the Senate Committee on Health, Education, Labor, and Pensions held a hearing to consider the nomination of Linda McMahon as Secretary of Education.

4. **New Publications**

- **Pivoting from Pandemic Recovery to Long-Term Reform: A District-Level Analysis**

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- **Insight Survey 2025: Exposing Persistent Gender Bias in Education Leadership**

Women Leading Ed (February 2025)

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5. **In the News**

- **Federal Employee Layoffs Begin at Education Department As DOGE Tries To Shrink Government**
CBS News (February 13, 2025)
- **Education Department reverses CTE policies after criticism**
K-12 Dive (February 12, 2025)
- **'Golden Ticket to Job Security': Trade Union Partnerships Hold Promise for High School Students**
The Hechinger Report (February 11, 2025)
- **School Districts Lost Federal Funds. Will Students Lose Digital Access?**
EdSurge (February 11, 2025)

6. **Weekly Calendar - What's coming up this week?**

- **Senate Judiciary on Children's Digital Privacy:** The Senate Judiciary Committee will hold a hearing on "Children's Safety in the Digital Era: Strengthening Protections and Addressing Legal Gaps."
Wednesday at 10:15am Eastern
- **Senate HELP Committee on Education Secretary Nominee:** The Senate Health, Education, Labor and Pensions Committee will hold a markup to vote on the nomination of Linda McMahon to be Education secretary.
Thursday, time TBD

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

- **Senate floor**

- Consideration of Kash Patel to be Director of the FBI
- Consideration of Howard Lutnick to be Secretary of Commerce
- Consideration of Kelly Loeffler to be Small Business Administrator

- **House floor:** In recess

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1. **COSSBA Policy Priorities**

IDEA

17 STATES CHALLENGE FEDERAL PROTECTIONS FOR STUDENTS WITH DISABILITIES

On Thursday, seventeen states **filed a lawsuit** challenging **Section 504** of the **Rehabilitation Act of 1973**, which ensures civil rights protections for individuals with disabilities. The plaintiff states include Texas, Alaska, Alabama, Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Carolina, and Tennessee. They argue that the federal mandates imposed by Section 504 infringe upon states' rights and impose undue financial burdens. Specifically, the lawsuit devotes more than 30 pages to opposing the inclusion of gender dysphoria in the Section 504 definition. It challenges the rule's interpretation of gender dysphoria and disputes its reading of the **Olmstead** decision, a 1999 case affirming the right of individuals with mental disabilities to live outside institutional settings. The suit also claims that the updated definition conflicts with the Americans with Disabilities Act. Additionally, it outlines various negative consequences for the participating states, including potential difficulties with Medicaid compliance in several cases. Rather than just seeking to remove recent modifications, the lawsuit also calls for the complete repeal of Section 504. The suit claims that Section 504 is unconstitutional, describing it as "coercive," disconnected from federal interests in disability rights, and unfairly applied retroactively. 504 Plans cover a broad spectrum of student needs, including visual impairments, diabetes, heart disease, epilepsy, depression, and ADHD. **Critics** have warned that if successful, this legal action could dismantle essential protections for students with special needs, potentially leading to reduced support services and accommodations in educational institutions.

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2. **Budget and Appropriations Wrap-Up**

There was progress on the reconciliation process last week on both sides of the Capitol. The House and Senate Budget Committees have both cleared very different budget blueprints out of committee, and Republicans in both chambers are eyeing quick floor action. Senate Majority Leader John Thune (R-SD) could bring the Senate bill to the floor as soon as this week, and a number of his colleagues, including Budget Committee Chair Lindsey Graham (R-SC) are hoping for just that. Over in the House, GOP leaders would like to bring their budget resolution up for a floor vote the week of February 24, when the House returns from their week-long recess. During the House Budget Committee's 10-hour markup of its budget resolution, the House Freedom Caucus was successful in getting an amendment passed that would set a new cap of \$4

trillion on the cost of tax cuts under the final reconciliation bill, instead of the \$4.5 trillion possible under the original text.

The temporary measure keeping the federal government open expires in just under a month. Senate Appropriations Chair Susan Collins (R-ME) told reporters that appropriators are “making progress” toward a topline funding deal to set overall totals to guide negotiations. She said, “We haven’t gotten a resolution yet, but we’re the closest that we’ve ever been.” The House’s top Democratic appropriator, Representative Rosa DeLauro (D-CT), said Thursday that negotiators just need to stick with it. “What we do not need to do is walk away,” she said. “I’m there. I ain’t going anywhere, you know, and I will negotiate anytime, anyplace, anywhere.” It’s unclear if yet another continuing resolution will be required as negotiators do their work, or if the concept of a shutdown is less objectionable for Republicans, given what is going on government wide.

How does this impact State School Board Associations?

The impact on state school board associations will depend on how these budget negotiations and reconciliation processes influence education funding at the federal level. Since Congress is still negotiating overall spending levels and the possibility of a government shutdown looms, federal education funding (including Title I, special education, and other grants) could face delays or uncertainty. Furthermore, the House Freedom Caucus successfully pushed for a \$4 trillion cap on tax cuts, which could put pressure on discretionary spending, including education. Lastly, if the reconciliation process includes significant policy riders or funding restrictions related to education, state school boards might have to navigate new compliance requirements or shifts in federal priorities (e.g., school choice initiatives, curriculum mandates).

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3. In Brief – Last Week in Washington

CANCELLATION OF ED DEPARTMENT RESEARCH CONTRACTS SPARKS CONCERNS

On Monday, The Department of Education canceled approximately \$881 million in multiyear research contracts, a move that has raised significant concerns among educational organizations. The Department of Government Efficiency (DOGE), led by Elon Musk, **announced** that the terminated contracts from the Institute of Education Sciences (IES) include 29 related to diversity, equity, and inclusion, totaling \$101 million. The cancellations have sparked criticism. The American Education Research Association and the Council of Professional Associations on Federal Statistics **warned** that halting these contracts could impede the National Center for Education Statistics' (NCES) ability to participate in international assessments and report on educational finances. They emphasized that limiting NCES's work could compromise the accuracy of national data on education, potentially harming student learning and development. EdTrust, a nonprofit focused on eliminating educational barriers, expressed that these cancellations jeopardize efforts to address inequities affecting various student populations, including those from low-income families and students with disabilities. The Institute for College Access and Success also **highlighted** risks to congressional mandates aimed at increasing transparency and improving student outcomes through evidence-based strategies. *Education Week* **reported** that despite the broad cancellations of education research contracts, several key programs under the Institute of Education Sciences (IES) remain unaffected. The Regional Education Laboratory (REL) program,

which provides research and technical support to states and districts, continues its operations. Similarly, contractors involved in small business innovation research—which has funded early education technology research—have been spared. Additionally, IES will still finance parts of its National Assessment of Educational Progress (NAEP), known as the nation’s report card. However, it remains unclear whether contract terminations have impacted analysis and reporting related to NAEP data.

HOUSE ED CMTE DEBATES FOREIGN INFLUENCE, NUTRITION, TRANSPARENCY BILLS

On Wednesday, the House Education and Workforce Committee conducted a legislative markup session to review five bills aimed at enhancing student safety and health. The session featured partisan debates over issues such as foreign influence in education, school meal regulations, and transparency in academic funding. Key legislation included the DETERRENT Act, which seeks to strengthen disclosure requirements for foreign gifts and contracts in higher education. Republican supporters argued it would curb malicious foreign influence, particularly from China and Russia, by lowering the reporting threshold from \$250,000 to \$50,000 and imposing strict transparency rules. Democrats criticized the bill for excessive bureaucracy and potential xenophobic repercussions, arguing it could deter beneficial international collaborations. The Whole Milk for Healthy Kids Act was another focal point. Republicans contended that restoring whole milk to school lunches would provide essential nutrients and combat declining student dairy consumption, citing recent scientific studies. Democrats opposed the bill, emphasizing that current dietary guidelines favor low-fat and fat-free milk, and warned that overturning these standards could undermine broader nutritional policies. The PROTECT Our Kids Act, CLASS Act, and TRACE Act designed to counteract foreign influence in K-12 education, with a particular focus on eliminating Chinese-funded Confucius Classrooms. Republican lawmakers framed these bills as national security measures, while Democrats warned of administrative burdens and the potential to stoke racial discrimination. Throughout the session, Democratic members also highlighted concerns about Republican efforts to defund federal education programs while simultaneously proposing bills that increase the Department of Education's regulatory scope. Despite heated exchanges, Republicans defended the bills as necessary steps toward protecting U.S. education from foreign threats and ensuring student health and well-being. Each bill passed out of Committee, with Education and Workforce Chair Tim Walberg (R-MI) saying, “The very first package of bills passed out of this Committee sends a strong message: we will not tolerate any attempt by America’s adversaries to subvert our education system or exploit our students.” He continued by praising passage of the Whole Milk for Health Students Act, saying it would ensure childhood access to nutrition.

EDUCATION DEPARTMENT ANNOUNCES MORE POLITICAL APPOINTMENTS

On Wednesday, the Department of Education announced President Donald J. Trump's nominations for key sub-cabinet positions to advance the administration's education reform agenda. The nominees and their respective roles include: Nicholas Kent as Under Secretary of Education. Kent previously served as Deputy Secretary of Education for Virginia and has experience as Chief Policy Officer at Career Education Colleges and Universities and as Director of Policy, Planning, and Research at the D.C. Office of the State Superintendent of Education. Jennifer Mascott will serve as General Counsel. A tenured associate professor of law at Catholic University, Mascott founded the Separation of Powers Institute and has served in various federal roles, including Deputy Assistant Attorney General in the Office of Legal Counsel and Associate

Deputy Attorney General at the U.S. Department of Justice. **Kimberly Richey will serve as Assistant Secretary for Civil Rights.** Richey has held senior education positions in Oklahoma, Virginia, and Florida departments of education and has previously served at the U.S. Department of Education under both the George W. Bush and Trump administrations. **Dr. Kevin O'Farrell will serve as Assistant Secretary for Career, Technical, and Adult Education.** He previously served as Chancellor for the Division of Career and Adult Education in Florida. Lastly, **Mary Christina Riley will serve as Assistant Secretary for Legislation and Congressional Affairs.** Most recently a Professional Staff member for the House Committee on Education and the Workforce, Riley has a decade of experience in education and workforce roles within the House of Representatives and served as Senior Advisor in the Office of Legislation and Congressional Affairs during the first Trump administration.

STEM GROUP HOLDS HILL BRIEFING ON CRITICAL ISSUES EFFECTING STEM ED

On Wednesday, the STEM Education Coalition hosted a briefing to examine critical issues affecting STEM education under a new administration and Congress. The session highlighted several key challenges, including persistent gender disparities in STEM fields, limited access to informal and afterschool educational programs, and innovative approaches to integrating STEM education into K-12 curricula. The panel featured James Brown, Executive Director of the STEM Education Coalition; Karen Horting, Executive Director and CEO of the Society of Women Engineers; Uchenna Ezibe, Senior Manager of STEM Programs for the American Nuclear Society; Jeff Weld, Executive Director of the Iowa Governor's STEM Advisory Council; Catherine Paolucci, Associate Professor of Mathematics Education at the University of Florida; and Leslie Brooks, STEM Hub Manager, Afterschool Alliance. The panel shared expert insights on workforce education and the importance of strengthening and diversifying the STEM talent pipeline in an uncertain legislative environment. A major concern raised during the discussion was the troubling decline in National Assessment of Educational Progress (NAEP) scores, particularly in mathematics. These declining scores were cited as clear evidence of a broader issue: diminishing access to high-quality education in the United States, especially in STEM fields. Throughout the conversation, panelists emphasized the urgent need to address growing disparities in access to quality STEM learning opportunities. To combat this trend, they proposed several actionable recommendations, including expanding free programming, strengthening afterschool initiatives to reinforce classroom learning, and investing in the professional development and ongoing support of STEM educators. The briefing concluded with a dynamic Q&A session, where audience members engaged with panelists on a range of pressing topics. Discussions explored opportunities to leverage existing infrastructure to enhance STEM education programs, potential funding risks and opportunities, and strategies to support teachers at the grassroots level.

SENATE HELP COMMITTEE PROBES ED SECRETARY NOMINEE LINDA MCMAHON

On Thursday, the Senate Committee on Health, Education, Labor, and Pensions **held a hearing** to consider the nomination of Linda McMahon as Secretary of Education. The hearing focused on key education policy issues, including the possible dismantling of the Department of Education, antisemitism on college campuses, federal education funding, and strategies to improve student outcomes. Chairman Bill Cassidy (R-LA) and other Republican senators emphasized school choice, reduced federal oversight, and education reform, citing declining national student performance. Ranking Member Bernie Sanders (I-VT) and Democratic senators countered by advocating for stronger public education, increased teacher pay, and protections for low-income

students. McMahon defended her commitment to education reform, highlighting her support for charter schools, workforce development, and parental rights in education. She pledged to maintain funding for Title I, Pell Grants, and special education programs but supported decentralizing education policy to state and local governments. Senators debated issues such as Title IX enforcement, the impact of private school vouchers, and whether education policy should address broader economic inequalities. McMahon affirmed her support for free speech protections on college campuses and pledged to combat antisemitism but avoided firm stances on controversial diversity, equity, and inclusion (DEI) policies. She also addressed concerns about data privacy, student loan forgiveness, and funding allocation, stressing the need for efficiency and oversight. The hearing concluded with 55 letters of support and 18 in opposition entered into the record. A committee vote on McMahon's nomination will follow, with her confirmation by the Senate expected. A comprehensive summary of the hearing prepared by BPAG is [here](#).

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4. New Publications

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The Hechinger Report (February 11, 2025)

School Districts Lost Federal Funds. Will Students Lose Digital Access?

EdSurge (February 11, 2025)

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THIS WEEK IN WASHINGTON

6. Weekly Calendar

Wednesday, February 19, 2025

Hearing: Senate Judiciary on Children’s Digital Privacy

Subject: The Senate Judiciary Committee will hold a hearing on "Children's Safety in the Digital Era: Strengthening Protections and Addressing Legal Gaps."

Time: 10:15 a.m.

Contact: Live stream available [here](#).

Thursday, February 20, 2025

Markup: Senate HELP Committee on Education Secretary Nominee

Subject: The Senate Health, Education, Labor and Pensions Committee will hold a markup to vote on the nomination of Linda McMahon to be Education secretary.

Time: TBD

Contact: Live stream available [here](#).

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7. On The Floor of Congress This Week

Senate Floor:

- Consideration of Kash Patel to be Director of the FBI
- Consideration of Howard Lutnick to be Secretary of Commerce
- Consideration of Kelly Loeffler to be Small Business Administrator

House Floor: In recess

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

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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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