



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**
 - **Funding**
 - **Education Department Halts Final Payouts of Federal Pandemic Relief Funds**: The Education Department halted the final payouts of federal Covid relief aid to state governments and school districts on Friday.
 - **Broadband Connectivity & E-Rate**
 - **E-Rate's Future Hangs in The Balance as Supreme Court Hears Arguments In Universal Service Case**: The U.S. Supreme Court heard oral arguments Wednesday in FCC v. Consumers' Research — a case in which the future of the federal E-rate program hangs in the balance.
2. **Budget and Appropriations Wrap-up**
 - **Impact on State School Board Associations**
3. **In Brief – Last Week in Washington**
 - **All4Ed Releases Brief on ED Secretary ESEA Waiver Authority**: All4Ed and Education First have published **a brief** to help K-12 education stakeholders understand the Elementary and Secondary Education Act (ESEA) waiver process and the Secretary of Education's waiver authority.
4. **New Publications**

- **ESEA Waivers 101: Explaining the Secretary of Education’s Waiver Authority**

All 4 Ed (March 2025)

This brief was developed to help the field understand (1) what states need a waiver to do and what they can do without a waiver, (2) what requirements can and cannot be waived, and (3) what the waiver request process looks like.

5. **In the News**

- **Tennessee Bills Could Bar Undocumented Students from Public Schools, Defying Federal Protections**

Chalkbeat (March 24, 2025)

- **Scholar Douglas Harris Debuts New ‘Wikipedia’ of K–12 Research**

The 74 (March 24, 2025)

- **Education Department Unveils Guidance on Parental Rights to Review School Records**

Politico Pro (March 28, 2025)

- **Linda McMahon Abruptly Tells States Their Time to Spend COVID Relief Has Passed**

Education Week (March 28, 2025)

- **Department of Education Encourages States to Expand Education Choice by Leveraging Flexibilities in Title I Funds**

US Department of Education (March 31, 2025)

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

- **Child Welfare Priorities of the Trump Administration:** The American Enterprise Institute for Public Policy Research (AEI) will hold a virtual discussion on "Putting Children First: Child Welfare Priorities for the New Administration." *Monday at 4pm ET*
- **Senate Agriculture Committee on Whole Milk for Healthy Kids Act:** The Senate Agriculture, Nutrition and Forestry Committee will hold a hearing on "Review S. 222 (119), the 'Whole Milk for Healthy Kids Act,' and Improving Children's Health." *Tuesday at 10am ET*
- **House Education and Workforce Subcommittee on AI in Education:** The House Education and the Workforce Early Childhood, Elementary, and Secondary Education Subcommittee holds a hearing on "From Chalkboards to Chatbots: The Impact of AI on K-12 Education." *Tuesday at 10:15am ET*
- **Revamping Classroom Instruction:** The American Enterprise Institute for Public Policy Research (AEI) will hold a virtual discussion on "School Rethink 2.0: Revamping Classroom Instruction." *Tuesday at 4pm ET*
- **Using Childcare Contracts to Expand Afterschool Access in Underserved Areas:** The Afterschool Alliance will host a webinar on 2024 regulations to the Childcare and Development Fund (CCDF) and the opportunity for afterschool providers to collaborate with state agencies, identify service gaps, and explore

ways school-age programs can be included in funding opportunities to meet underserved needs.

Wednesday at 2pm ET

7. On The Floor of Congress This Week

- **Senate floor:** Consideration of Matthew Whitaker to be United States Permanent Representative on the Council of NATO
- **House floor**
 - **H.R. 1526** – No Rogue Rulings Act (Sponsored by Rep. Issa / Judiciary Committee)
 - **S.J. Res. 18** – A joint resolution disapproving the rule submitted by the Bureau of Consumer Financial Protection relating to "Overdraft Lending: Very Large Financial Institutions." (Sponsored by Sen. Scott (SC) / Financial Services Committee)
 - **S.J. Res. 28** – A joint resolution disapproving the rule submitted by the Bureau of Consumer Financial Protection relating to "Defining Larger Participants of a Market for General-Use Digital Consumer Payment Applications." (Sponsored by Sen. Ricketts / Financial Services Committee)
 - **H.R. 22** – SAVE Act (Sponsored by Rep. Roy / House Administration Committee)

8. Important U.S. House and Senate Links

9. About BPAG

1. COSSBA Policy Priorities

FUNDING

EDUCATION DEPARTMENT HALTS FINAL PAYOUTS OF PANDEMIC RELIEF

On Friday, the Education Department ended its extension policy for spending federal COVID-19 relief funds, halting final payouts to states and school districts. Previously, under the Biden administration, local officials could request more time to use nearly \$130 billion allocated for pandemic-related education aid. However, Education Secretary Linda McMahon reversed course, citing that further extensions were unjustified since the pandemic has ended and deadlines had long passed. While governments may still apply for limited extensions on individual projects, the decision sparked concern among education leaders, who say the funds were already committed to student recovery efforts. The department argued that continued extensions enabled misuse of funds and contradicted responsible fiscal practices. [Read more.](#)

BROADBAND CONNECTIVITY & E-RATE

SCOTUS HEARS ORAL ARGUMENTS IN *FCC V. CONSUMERS' RESEARCH*

On Wednesday, the U.S. Supreme Court heard arguments in *FCC v. Consumers' Research*, a case that could determine the fate of the federal E-rate program, which provides internet access to schools and libraries. At issue is whether Congress unconstitutionally delegated governmental power to a private nonprofit, the Universal Service Administrative Company (USAC), to manage the Universal Service Fund created by the 1996 Telecommunications Act. The FCC defended its

role, asserting that USAC offers advisory support but lacks decision-making power. Consumers' Research argued that the fund amounts to unconstitutional "taxation without representation," as telecom customers pay a fee to support it. Justices acknowledged the program's importance, with concerns raised that dismantling it could devastate rural education and connectivity. While the program's wide-reaching benefits were emphasized, the Court must weigh constitutional limits on delegating government authority to private entities—a ruling that could affect similar programs nationwide. [Read more.](#)

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2. Budget and Appropriations Wrap-Up

The House and Senate were back in Washington, DC last week after a week-long recess. In concerning news, the White House said it will not release nearly \$3 billion of non-defense funds extended by the Fiscal Year 2025 (FY 25) Continuing Resolution (CR). They say that this “emergency funding” doesn't support President Donald Trump's priorities. Senate Appropriations Committee Ranking Member Patty Murray (D-WA)'s [press release](#) on the matter explains the issue and lists the funding being withheld. (It also provides helpful details of why this funding was designated as emergency funding; this funding was part of the “handshake deal” between former Speaker Kevin McCarthy (R-CA) and former President Joe Biden to provide an extra \$69 billion in non-defense funding outside the statutory spending caps for FY 2024 and FY 2025). The \$3 billion that is being withheld does not include education funds but does include \$234 million for the National Science Foundation.

In other arguably concerning news, the Office of Management and Budget (OMB) has taken down its webpage showing spending that has been released, known as apportionments (see a joint Democratic Appropriations press release objecting to the change [here](#)). Appropriations law requires OMB to make this information public in the name of transparency in federal spending.

Meanwhile, with FY 2025 spending resolved, advocates are bracing for the FY 2026 process. President Trump reportedly won't release his FY 2026 budget request until May, although a “skinny” budget proposal could come earlier. And while advocates prepare for the FY 2026 appropriations cycle, Congressional Republicans continue work on their reconciliation package. Leaders met last week with the White House and appeared to have made progress toward an agreement on a budget resolution framework—a necessary first step to passing a reconciliation bill. If the House and Senate can pass the same budget resolution with the same instructions to committees to produce parts of a reconciliation bill, then a reconciliation package will get fast-track procedural protections in the Senate. Republican leaders want both chambers to pass the same budget resolution before Congress recesses on April 11. That is an ambitious goal. Coming weeks will inform whether its reachable

How does this impact State School Board Associations?

Although Congress approved funding for the remainder of FY 25 via the long-term CR before they left town, there are still questions about programmatic-level funding for certain education programs. The Department of Education has not updated its [budget page](#) with final FY 2025 funding, and education advocates are nervous about the many programs whose levels were not specified in the bill text of the FY 25 CR. Education policy wonks are troubled that the CR doesn't include the usual details that lay out funding levels for each program. Typically, under a Continuing Resolution Congress expects the Administration to fund the programs exactly the way

they were the previous year; however the concern is that the Administration will make its own decisions about whether to fund programs despite Congress' expectation. Maybe the Department will move money around. The prospects of either or both are provoking anxiety and prompting vigilance.

As for President Trump's budget request, regardless of when it's released, it will have many proposed cuts to Department of Education programs. It could also expand on the White House's desire to "dismantle" the agency, and Republican appropriators have indicated that they are open to moving the Education Department functions out of the Labor, Health and Human Services and Education spending bill, if that is what the White House wants. For example, President Trump has suggested federal student aid programs could be managed by the Small Business Administration. That would mean moving to the Financial Services funding bill any proposed funding for the Office of Federal Student Aid, including Pell Grants, Federal Work Study, Student Aid Administration.

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3. In Brief – Last Week in Washington

ALL4ED RELEASES BRIEF ON ED SECRETARY ESEA WAIVER AUTHORITY

All4Ed and Education First have published [a brief](#) to help K-12 education stakeholders understand the Elementary and Secondary Education Act (ESEA) waiver process and the Secretary of Education's waiver authority. The resource comes after news that a number of states are considering applying for unprecedented leeway in the use of ESEA funds. In the wake of the White House's Executive Order directing Secretary of Education Linda McMahon to minimize the role of the federal government and send education decisions "back" to states and local communities, some states are arguing that they should receive Title I, Title II and other ESEA funds in one "block grant" and then decide how best to spend it. The brief explains that waivers that are available under the ESEA are designed to provide flexibility for states, Indian tribes, districts, and schools to improve student academic achievement by exempting them from certain statutory and regulatory requirements. However, waiver requests related to state testing or data reporting must ensure transparency by maintaining or improving public reporting on student performance across various demographics, including racial and ethnic groups, economically disadvantaged students, students with disabilities, and English language learners. While ESEA Section 8401 grants the Secretary of Education the authority to approve waivers, the brief explains that this power does not extend to bypassing other federal education laws such as the Individuals with Disabilities Education Act (IDEA), the McKinney-Vento Homeless Assistance Act, or the Higher Education Act (HEA). Additionally, the Secretary is legally prohibited from waiving certain fundamental provisions of ESEA, such as Title I funding formulas, fiscal requirements, and civil rights protections. These "Un-Waive-Ables," according to the brief, ensure that critical educational equity and funding structures remain intact. Due to the flexibility already embedded in the Every Student Succeeds Act (ESSA)—the current iteration of ESEA, states often do not require waivers to set academic targets, select accountability indicators, or design school improvement strategies. However, when a waiver is needed, only State Educational Agencies (SEAs) and Indian tribes—not school districts—may request one, although SEAs may submit requests on behalf of local districts. The full brief can be viewed [here](#).

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Department of Education Encourages States to Expand Education Choice by Leveraging Flexibilities in Title I Funds

US Department of Education (March 31, 2025)

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THIS WEEK IN WASHINGTON

7. Weekly Calendar

Monday, March 31, 2025

Webinar: Child Welfare Priorities of Trump Administration

Subject: The American Enterprise Institute for Public Policy Research (AEI) will hold a virtual discussion on "Putting Children First: Child Welfare Priorities for the New Administration."

Participants: Jedd Medefind, president, Christian Alliance for Orphans; Tom Rawlings, CEO, Child Warfare & Justice Transformation; Eachel Morrison, fellow, Ethics & Public Policy Center; Darcy Olsen, founder, Center for the Rights of Abused Children; and Naomi Schaefer Riley, senior fellow, AEI.

Time: 4:00 p.m.

Contact: Register [here](#).

Tuesday, April 1, 2025

Hearing: Senate Agriculture Committee on Whole Milk for Healthy Kids Act

Subject: The Senate Agriculture, Nutrition and Forestry Committee will hold a hearing on "Review S. 222 (119), the 'Whole Milk for Healthy Kids Act,' and Improving Children's Health."

Time: 10:00 a.m.

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

Hearing: House Education and Workforce Subcommittee on AI in Education

Subject: The House Education and the Workforce Early Childhood, Elementary, and Secondary Education Subcommittee holds a hearing on "From Chalkboards to Chatbots: The Impact of AI on K-12 Education."

Time: 10:15 a.m.

Witnesses: Sid Dobrin, chair, University of Florida's Department of English; Julia Rafal-Baer, CEO, ILO Group; Chris Chism, superintendent, Pearl Public School District (MS); and Erin Mote, CEO, InnovateEDU/EDSAFE AI Alliance.

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

Webinar: Revamping Classroom Instruction

Subject: The American Enterprise Institute for Public Policy Research (AEI) will hold a virtual discussion on "School Rethink 2.0: Revamping Classroom Instruction."

Participants: Brent Maddin, executive director, Next Education Workforce; Arthur VanderVeen, CEO, New Meridian; Joel Rose, CEO, New Classrooms; Larry Berger, CEO, Amplify; and Frederick Hess, director of education policy studies, AEI

Time: 4:00 p.m.

Contact: Register [here](#).

Wednesday, April 2, 2025

Webinar: Using Childcare Contracts to Expand Afterschool Access in Underserved Areas

Subject: The Afterschool Alliance will host a webinar on 2024 regulations to the Childcare and Development Fund (CCDF) and the opportunity for afterschool providers to collaborate with state agencies, identify service gaps, and explore ways school-age programs can be included in funding opportunities to meet underserved needs.

Time: 2:00 p.m.

Contact: Register [here](#).

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8. On The Floor of Congress This Week

Senate Floor:

- Consideration of Matthew Whitaker to be United States Permanent Representative on the Council of NATO

House Floor:

- [H.R. 1526](#) – No Rogue Rulings Act (*Sponsored by Rep. Issa / Judiciary Committee*)

- **S.J. Res. 18** – A joint resolution disapproving the rule submitted by the Bureau of Consumer Financial Protection relating to "Overdraft Lending: Very Large Financial Institutions." (*Sponsored by Sen. Scott (SC) / Financial Services Committee*)
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9. Links for Up-to-Date Information on Hearings, Legislation, and Events

[U.S. House and Senate 2025 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](#)

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

[Congressional Budget Office](#)

[Federal legislative information](#)

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10. 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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