

AASA Federal Education Policy Update

Tuesday, March 12, 2024



FY24 Appropriations



- Fiscal Responsibility Act (and subsequent agreement) provides spending caps for FY24 and FY25
- FY24 levels (with additional budgetary adjustments) are similar to FY23
- Some programs have already received increases due to policy changes, which means that other programs will receive cuts
- Congress has until March 8 and March 22 to fund the government (Education funding will expire March 22)



Forecasting FY25



- President's FY 2025 budget will likely be delayed
- We can't fully analyze FY25 proposal until we have FY24 actuals
- The debt ceiling bill from early 2023 established the funding caps for FY24 and FY25
 - FY25 will require the cutting of about \$25 billion from non-defense discretionary spending due to “budgetary adjustments” that were available for FY24 and not for FY25

IDEA FULL FUNDING COALITION

IDEA FULL FUNDING (S.2217/HR.4519)

- AASA is proud to co-sponsor the IDEA Full Funding Coalition
- We held our first in-person IDEA Funding hill briefing in more than 5 years
- Successfully introduced stand alone bills in both chambers
 - Democrat-only bill in the Senate (30 sponsors)
 - Bipartisan Bill in the House (134, total: 123 D and 11 R)
- The bill provides a ten-year glide path to help Congress realize its funding commitment
- IDEA currently at 13%



Secure Rural Schools Funding

- Proud to partner the in the SRS Coalition
- We've introduced legislation in both chambers to extend funding for SRS, but the path forward is anything but certain
 - House (HR 5030) is bipartisan with 42 co-sponsors
 - Senate (S 2581) is bipartisan with 33 co-sponsors

**American
Rescue Plan
(ARP) Spending
Update
MT Balances**

- **ESSER III:** 47.7% remains
- **ARP Homeless Children and Youth:** 60% remains
 - SchoolHouse Connection has [numerous resources](#) on how to expedite spending of ARP HCY to support students
- Source: [USASpending.gov](#)

American Rescue Plan Late Liquidation

Start reaching out to your SEA right now if you think you would like beyond January 2025 to extend contracts

Reminder: you have automatic liquidation extension through January

Districts, with the support of their SEA, will be able to apply for up to 14 more months to liquidate ARP funding (including HCY)



Title IX Regulations



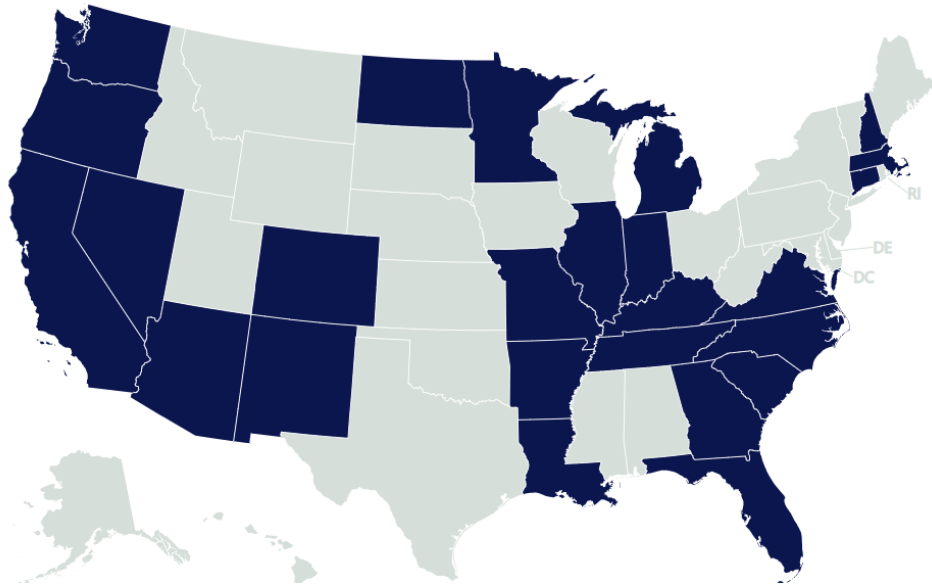
- Two regs: First ones were focused on grievance procedures and the second was on athletic participation
- First regs (comment period wrapped Sept 2022) are now moving forward; should be out by April 30
- No timeline on athletics regs
- Implementation window for grievance procedure regs likely SY24-25



Title IX Regulations


- Applies to all sex-based discrimination INCLUDING sexual harassment complaints, parenting students, sex-discrimination re discipline, single sex education programs, employment, athletic equity, LGBTQ students, retaliation, etc.
- Simplifies grievance process for many complaints, allowing for more local discretion. However, 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.
- Extends Title IX protections to transgender students by expanding the definition of “sex” to include gender identity. This includes compelling schools to accommodate transgender students by allowing them to use bathrooms that align with their gender identity, ban bullying based on their gender identity and ensure they are addressed by their correct pronouns

Medicaid in Schools: It's time to Engage with your State



25 states have taken steps to let LEAs get reimbursed for healthcare services beyond the IEP

- Montana is *not* one of them.
- New grant competition for 20 states to further expand, start expanding is open now through March 25



Next up: Rescission of Medicaid Parental Consent Regulation

- AASA, CASE and other education groups have asked ED to rescind the requirement that districts obtain parental consent before billing Medicaid
- The requirement is redundant, burdensome, and often confusing for parents
- Expected by end of April



Overtime Regs

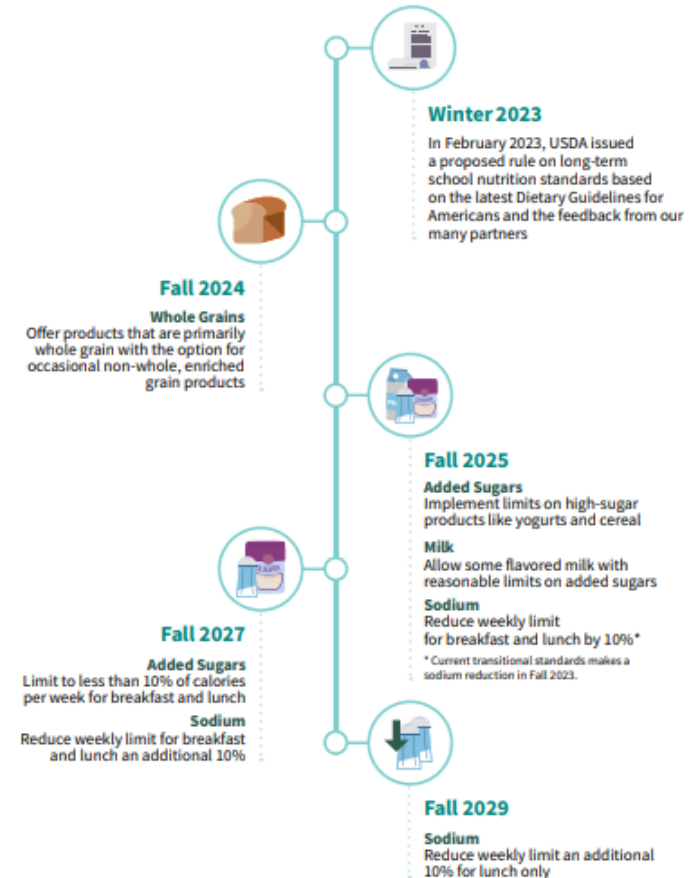
- Targeted to release final regs April 2024
- Increases the threshold Increases the minimum salary threshold from \$35,586 to \$55,068 – 55%
- Implements automatic increases to the threshold, every 3 years
- Does not make any changes to the professional exemption, meaning teachers and administrators will continue to be ineligible for OT

Nutrition Regs and Policy Updates

- Final rule expected April 2024
- Proposed implementation timeline starts in SY24-25, with complete implementation SY29-30.
- Expect limits on added sugars, reductions of sodium, possible changes to milk offerings.

PROPOSED IMPLEMENTATION TIMELINE FOR UPDATING THE SCHOOL MEAL STANDARDS

USDA is proposing science-based updates to the school meal standards to make them even more nourishing for kids, yet feasible for our school meal partners. We're building in plenty of time for planning and implementation to ensure school nutrition professionals, state agencies, the school food industry, families, and all our school meal partners have the best chance for long-term success. We welcome your feedback on this approach through [public comments](#).



E-Rate

- FCC: Learn Without Limits
 - Three-pronged proposal from the FCC
 - Allows E-Rate to pay for Wi-Fi on buses
 - Allow E-Rate to pay for Hot Spots
 - Creates \$200 m, 3-year pilot using USF Funds
- Congress
 - Eyes on the Board Act
- Courts
 - Circuit cases questioning the constitutionality of USAC



Stay Connected

- AASA Advocacy App
- PEP Talk Podcast
- Leg Corps Weekly Newsletter
- The Leading Edge (blog)
- Social Media
 - X: @AASAAdvocacy
 - Threads: aasadvocacy
 - Bluesky:
@aasadvocacy.bsky.social

Questions?

Noelle Ellerson Ng
Associate Executive Director
@Noellerson
nellerson@aasa.org

Tara Thomas
Policy Analyst
@TaraEThomas1
tthomas@aasa.org

Sasha Pudelski
Director of Advocacy
@SPudelski
spudelski@aasa.org

Kat Sturdevant
Advocacy & Governance Coordinator
@K_Sturdevant
ksturdevant@aasa.org

