



TO: House and Senate Education Committees

FROM: Chelsea Myers, Executive Director, Vermont Superintendents Association

RE: Impacts of Federal Changes

DATE: March 13, 2025

In the first several months of President Trump's second term, school districts have faced significant uncertainty from a barrage of executive orders, congressional action, and pending court decisions. This testimony outlines key developments and their impact on K-12 schools across the country and here in Vermont.

Executive Orders and Government Agencies

Executive orders do not create new laws or amend existing ones; rather, they direct federal agencies on how to enforce laws already in place. While these orders signal policy priorities, they do not independently change the legal landscape unless accompanied by congressional action or judicial rulings. Federal agencies may adjust their enforcement strategies in response to executive orders, but their authority remains constrained by existing statutes and court interpretations. The current executive orders are broad in scope but lack detailed guidance, making it difficult to predict their full impact on schools. Nevertheless, they have had a significant impact on school environments and operations to date.

Since taking office, President Donald Trump has signed over 80 executive orders (EOs), many of which significantly impact K–12 schools and students. While the anticipated EO to eliminate the Department of Education has yet to be issued, several signed orders have reshaped policies concerning diversity, equity, inclusion (DEI), gender identity, and language accessibility in education.

This [ongoing summary from EducationCounsel](#) provides an overview of the executive orders impacting schools and their subsequent analysis. There are many lawsuits challenging the Executive Orders. It is very difficult for educators and administrators to know how to interpret and act (or not) on the Executive Orders.

Typically, the Office for Civil Rights has a robust process for investigating complaints; however, activity in Maine suggests a different approach. This is how AASA - The School Superintendents Association described it: "In Maine, OCR HHS just issued findings of Title IX noncompliance without investigations or voluntary resolution opportunities for the State/district. OCR's approach suggests that federal civil rights agencies may be shifting toward aggressive enforcement tactics that bypass traditional investigative processes, allowing them to pursue violations without expending significant resources."

There is an anticipated executive action to dismantle the Department of Education, pointing to perceived ineffectiveness through NAEP scores and ARP spending. Secretary McMahon was tasked with facilitating closure within legal limits, acknowledging congressional authority over the department's core functions. The department began cutting over 1,300 jobs and closing offices to this end, heightening over the last couple of days. Lawmakers have questioned what this means for vital programs like Title I and IDEA. Concerns remain despite Secretary of Education Linda McMahon suggesting that the programs would persist.

The Trump administration launched a public portal, EndDEI.Ed.Gov, encouraging reports of diversity, equity, and inclusion practices in public schools, which they label as "divisive ideologies" and "indoctrination." This initiative, celebrated by Moms for Liberty, who strongly oppose diversity, equity, and inclusion efforts, coincides with a deadline threatening schools with federal funding cuts if they fail to eliminate such programs. The portal allows parents, students, teachers, and community members to report instances of discrimination based on race or sex in publicly funded K-12 schools, effectively creating a mechanism to police and potentially dismantle diversity, equity, and inclusion initiatives nationwide.

The U.S. Department of Agriculture is ending two programs, totaling roughly \$1 billion, that provided funding for schools and food banks to purchase food directly from local producers. This includes the Local Food for Schools program and the Local Food Purchase Assistance Cooperative Agreement. While FY25 funding for schools will remain, future funding cycles under these programs will be canceled.

Congressional Activity

Federal funding is front and center in Congress. The current Continuing Resolution expires on March 14, 2025. This marks approximately halfway through fiscal year 2025 (October 1 - September 30).

FY25 Appropriations Proposals			
Program	FY24 Final	FY25 House	FY25 Senate
Title I	\$18.407 billion	\$14.626 billion (-4.7b)	\$18.687 billion (+280 m)
IDEA	\$14.214 billion	\$14.239 billion (+25 m)	\$14.509 billion (+295 m)
Title II	\$2.19 billion	\$0 (-2.19 billion)	\$2.19 billion (level)
Title III	\$890 million	\$0 (-890 m)	\$895 million (+5 m)
Title IV, Part A	\$1.39 billion	\$1.39 billion (level)	\$1.39 billion (level)
ImpactAid	\$1.625 billion	\$1.630 billion (+5 m)	\$1.645 billion (+20 m)
REAP	\$220 million	\$225 million (+5 m)	\$230 million (+10 m)

Image Credit: AASA - The School Superintendents Association

It is unclear whether Congress will move through the remainder of FY25 funding (school year 2025-2026) via continuous resolutions. The best references we have to what may result from FY26 (school year 2026-2027) funding proposals come from what we know from the last Trump administration and the FY25 House Appropriations proposals (see above). The former was marked by block grants and cuts to critical programs. The latter, seen in the above chart, makes considerable cuts to vital Title programs, impacting communities serving high proportions of vulnerable populations.

Other areas anticipated to have contemplated cuts are federal support for school meals by creating a stricter eligibility requirement, and the impact of broad-sweeping Medicaid cuts. School-based Medicaid programs are among the smallest Medicaid programs in a state, and as mental health needs grow in schools, costs will have to be out of local budgets. Vermont already restricts Medicaid reimbursement to students with IEP, as a restriction that is no longer required.

Another area to watch is the expansion of federal programs in support of private school vouchers. The Educational Choice for Children Act (ECCA; H.R. 833/S. 292) proposes a \$10 billion annual federal tax credit program to fund private school vouchers through Scholarship Granting Organizations (SGOs). The program would divert taxpayer funds from public schools, with studies showing that most voucher recipients already attend private schools. In a tax credit scholarship system, individuals fund vouchers instead of paying taxes, reducing the government's revenue by that amount. These tax incentives would be available to both individuals and corporations.

Supreme Court Activity to Watch

E-Rate: The U.S. Supreme Court will decide the fate of the E-rate program as it reviews two cases challenging the funding mechanism for the FCC's Universal Service Fund. This follows a July ruling by the 5th U.S. Circuit Court of Appeals, which deemed the fund's financing structure unconstitutional. Since E-rate relies on this fund to help schools and libraries access broadband services, the Court's decision could have significant implications for its future.

Mahmoud v. Taylor: In January 2025, the U.S. Supreme Court agreed to hear Mahmoud v. Taylor, a case concerning the constitutionality of a group of parents in Montgomery County, Maryland. They argue that their inability to opt their children out of lessons involving storybooks with LGBTQ+ characters violates their First Amendment right to freely exercise their religion. This will determine whether the exposure of views contrary to one's religious beliefs is enough to violate the Free Exercise Clause.

Oklahoma Statewide Charter School Board v. Drummond: This will determine whether barring a nonsecular school from participating in a state's charter school program is unconstitutional.

Vermont's Response

The only thing that is clear is the tremendous amount of uncertainty that Vermont's educators are contending with right now. Given this uncertainty, the Vermont Superintendents Association has three clear asks of state leadership:

1. Ensure there is clear guidance and support for schools to interpret the activity at the federal level. Consistent communication with school leaders is key right now.
2. Don't make us more vulnerable to the federal expansion of vouchers and continued court cases surrounding nonsecular participation in choice. Address the lingering disconnect between the tuitioning programs, the Carson v. Makin decision, and Vermont's compelled support clause.
3. Commit to and outline a statewide approach for contending with potential funding cuts. If we leave it up to individual districts, the districts with the highest reliance on federal funding and those with the highest percentage of students in poverty will be shouldering the brunt of the cuts.
4. Recognize the impact that all of the information shared today has on the morale of educators and the feelings of fear and uncertainty across communities. Consider the impact as you navigate the education transformation proposal in your committees.

Thank you.