The Consortium of State School Boards Associations Weekly Education Report

FEBRUARY 2, 2026

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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**
   - **Teacher Recruitment and Retention**
     - **How the Childcare Crisis Could Strain Teacher Retention**: As the childcare industry faces an ongoing affordability issue alongside an onrush of policy change and uncertainty under the Trump administration, this broader challenge is likely to put further strain on the teacher workforce, according to childcare experts.

2. **Budget and Appropriations Wrap-up**
   - **Impact on State School Board Associations**

3. **In Brief – Last Week in Washington**
   - **Education Department Finds California in Violation of FERPA**: This week, the Department of Education's Student Privacy Policy Office (SPPO) found that the California Department of Education (CDE) has been violating the Family Educational Rights and Privacy Act (FERPA) through policies that encourage school districts to withhold information about students' gender identity and gender transitions from parents.
   - **ED, Treasury Release Information on Education Freedom Tax Credit:** The Departments of Education (ED) and Treasury (TREAS) have released a fact sheet on the Education Freedom Tax Credit, enacted as part of last year's HR 1.

- **Urban Institute Highlights New Tool for Measuring Student Poverty:** On Tuesday, the Urban Institute held a webinar titled, “Using MEPS 2.0 to Consistently Measure School-Level Student Poverty Rates Over Time.”
- **HELP Committee Examines School Choice Policy and Equity Concerns:** On Wednesday, the Senate Health, Education, Labor, and Pensions (HELP) Committee held a hearing to examine the Educational Choice for Children Act and the broader role of school choice in improving K–12 outcomes, with members and witnesses debating how expanded parental options.

4. New Publications

- **Students With Disabilities: Assistive Technology Challenges and Resources in Selected School Districts and Schools**
  U.S. Government Accountability Office (January 2026)
  GAO found that while assistive technology can help students with disabilities participate more fully in school, districts struggle to provide it effectively due to limited staff knowledge, rapidly changing technology, and broader challenges such as inadequate training time, staffing problems, and funding constraints.

5. In the News

- **Trump Admin. Drops Legal Appeal Over Anti-DEI Funding Threat to Schools and Colleges**
  Education Week (January 21, 2026)
- **School Choice Lets Parents Decide How Much AI Belongs in Education**
  U.S. Department of Education (January 26, 2026)
- **Red States Have Many Wins to Celebrate for National School Choice Week**
  The Washington Post | Ripple (January 28, 2026)

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

- **Federal Tax Credits for Afterschool**: The Afterschool Alliance and STEM Education Coalition will hold a 30-minute STEM Talk webinar on the new funding opportunity for afterschool, summer, and other out-of-school time programs contained in the One Big Beautiful Bill Act (OBBBA, H.R.1).
  Wednesday at 1pm ET
- **Bullying in Public Schools**: The Heritage Foundation will hold a discussion on "Policy Answers to Bullying in Public Schools."
  Thursday at 11am ET
- **Federal Tax Credits to Reduce Child Poverty**: The Brookings Institution will hold a discussion on "Pathways to reduce child poverty: Impacts of federal tax credits."
  Thursday at 3pm ET
- **Federal Voucher Program and Impacts on Public Schools**: Public Funds Public Schools, the National Coalition for Public Education, and several more public education advocacy groups will co-host a webinar to provide the latest updates about the Trump-backed federal voucher law enacted in 2025 and share resources for advocacy encouraging states not to opt in to the harmful program.
  Thursday at 3pm ET

7. **On The Floor of Congress This Week**
- **Senate floor:** Consideration of nominations
- **House floor**
  - **H.R. H.J. Res. 142** – Disapproving the action of the District of Columbia Council in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025.
  - **H. Res. ___** – Report to accompany the Resolution Recommending that the House of Representatives find William J. Clinton in Contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Oversight and Government Reform
  - **H. Res. ___** – Report to accompany the Resolution Recommending that the House of Representatives find Hillary R. Clinton in Contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Oversight and Government Reform
  - **H.R. 4090** – Critical Mineral Dominance Act
  - **Legislation that may be Considered: Senate Amendment to H.R. 7148** – Consolidated Appropriations Act, 2026

8. **Important U.S. House and Senate Links**

9. **About BPAG**

1. COSSBA Policy Priorities

TEACHER RECRUITMENT AND RETENTION

HOW THE CHILDCARE CRISIS COULD STRAIN TEACHER RETENTION

As the childcare industry faces an ongoing affordability issue alongside an onrush of policy change and uncertainty under the Trump administration, this broader challenge is likely to put further strain on the teacher workforce, said one childcare expert. Among educators who chose to stop teaching in the 2021-22 school year, 15% of those former teachers said they left for personal reasons including pregnancy and child care, according to a report by the National Center for Education Statistics. Teacher turnover can have both financial and academic consequences for districts. For instance, it costs $25,000 for large districts to replace just one teacher, according to a January report released by the National Council on Teacher Quality. Read more.

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2. Budget and Appropriations Wrap-Up

The U.S. House of Representatives left Washington, DC, week before last assuming that the Senate would approve the six-bill mini-bus they passed that would fund major federal agencies including Defense, Labor, Health and Human Services, Education, Transportation, Housing and Urban Development, Homeland Security, and others. That mini-bus reflects modest budget changes from fiscal year ’25, seemingly rejecting most of the significant cuts included in the Trump administration’s initial budget proposal, including reductions for education, health, research, science and environmental programs.

The Senate finally advanced late Friday the mini-bus after blocking it all week largely because Democratic senators withheld support over the inclusion of Department of Homeland Security

(DHS) funding and its provisions for Immigration and Customs Enforcement (ICE). The Upper Chamber passed a five-bill funding package along with a separate two-week stopgap for Homeland Security after Minority Leader Schumer struck a deal with the White House, giving Congress until February 13 to work on ICE reforms.

Given that the Senate made changes, the funding bills will need House approval, thus the Government is currently shutdown again (although many observers believe it will be short.) that the Schumer-White House deal discussions did not include House Minority Leader Hakeem Jeffries, leaving Speaker Johnson likely to try to move the funding package through the House this week with a difficult, GOP-only rules vote amid internal Republican dissent. The House is scheduled to vote on Tuesday to pass the Senate compromise package

Meanwhile, Democrats such as Schumer and Senator Angus King (I-ME) have stressed the need for accountability reforms in DHS before they will support its funding. This standoff highlights how policy disputes — not just budgetary differences — are shaping the FY 2026 appropriations process during a critical deadline week.

How does this impact State School Board Associations?

Because current government funding expired at midnight on January 30, the delay has resulted in a partial federal government shutdown—which includes the Department of Education. Yet, House Speaker Mike Johnson (R-LA) has indicated the House will act swiftly to approve changes once back in session today. "We can't have the government shut down," Johnson said. The House Rules Committee will meet at 4pm today to begin the process. After that, Johnson and other House Republican leaders must get the rule approved on the floor, even as they face pushback from conservative members such as Rep. Anna Paulina Luna (R-FL), who has warned she could block proceedings over the Senate's refusal to take up a new voter ID bill.

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3. In Brief – Last Week in Washington

EDUCATION DEPARTMENT FINDS CALIFORNIA IN VIOLATION OF FERPA

This week, the Department of Education's Student Privacy Policy Office (SPPO) found that the California Department of Education (CDE) has been violating the Family Educational Rights and Privacy Act (FERPA) through policies that encourage school districts to withhold information about students' gender identity and gender transitions from parents. As a condition of receiving federal education funds, FERPA requires that parents be given access to all education records related to their children under age 18. SPPO noted that state laws and CDE guidance have coerced districts into noncompliance (1) by discouraging parental notification and (2) by promoting the use of separate gender support plans kept outside students' cumulative files. The Department rejected CDE's actions, holding that any school-maintained record directly related to a student is subject to parental inspection under federal law, regardless of how it is labeled. Rather than moving immediately to enforcement, SPPO offered CDE the opportunity to voluntarily resolve the violations by issuing statewide guidance affirming parents' FERPA rights and certifying district compliance. SPPO also suggested implementing approved FERPA training within existing educator training programs. These findings reflect a broader federal push to reassert parental rights and limit state policies that conflict with federal privacy law. If California declines to adopt the

corrective actions, the Department could escalate to formal enforcement, including potential risks to federal education funding. For more information on this investigation, click here.

ED, TREASURY RELEASE INFORMATION ON EDUCATION FREEDOM TAX CREDIT

The Departments of Education (ED) and Treasury (TREAS) have released a fact sheet on the Education Freedom Tax Credit, enacted as part of last year's HR 1. A recent ED press release described it as the largest national expansion of education choice in history, providing families up to $1,700 in federal tax relief for contributions to Scholarship Granting Organizations (SGOs). SGOs may use these funds to offer scholarships for K–12 education expenses, including private school tuition, tutoring, classroom supplies, and support services for students with disabilities. To participate, states must opt in. Taxpayers in participating states can claim the credit when contributing to state-approved SGOs, and unused portions may be carried forward for up to five years. Students from households earning up to 300% of the area's median income are eligible. The program is intended to empower families to choose the educational services and schools that best fit their children's needs while promoting parental involvement, which the Departments identified as a key driver of student success. The guidance cites research indicating that school choice can improve academic outcomes, civic engagement, and parental satisfaction, as well as help address COVID-era learning disruptions. As of January 2026, 23 states have opted in, with additional states able to make advance elections for 2027. The Departments emphasized that the program does not divert existing public-school funding but instead leverages voluntary charitable contributions to expand educational opportunities. According to ED, early projections estimate the program could generate $24 billion in annual scholarship funding, potentially reaching millions of students nationwide. The Departments of Education and Treasury plan to issue further guidance and implementing rules later this year to support taxpayers, states, and SGOs in participating. For more information, read the fact sheet and press release here.

URBAN INSTITUTE HIGHLIGHTS NEW TOOL FOR MEASURING STUDENT POVERTY

On Tuesday, the Urban Institute held a webinar titled, "Using MEPS 2.0 to Consistently Measure School-Level Student Poverty Rates Over Time." Led by Urban Institute researchers Kristin Blagg and Emily Gutierrez, the event focused on the challenges of measuring student poverty due to changes in school meal reporting and the expansion of the Community Eligibility Provision (CEP). The speakers emphasized that traditional Free and Reduced-Price Lunch (FRPL) data has become increasingly unreliable for understanding student poverty, particularly after two years of pandemic-era universal free meals. To address this issue, the Urban Institute presented an updated Model Estimates of Poverty in Schools (MEPS). The revised methodology links district-level poverty estimates and FRPL data with federal funding and school-level expenditure data, producing more accurate estimates. The dataset also expands the original timeline from 2013–2019 to 2009–2023 and corrects earlier methodological flaws. The webinar highlighted two research applications. First, MEPS 2.0 was used to examine school-level spending and federal funding distributions, including Elementary and Secondary School Emergency Relief (ESSER) grants, finding that school spending became more progressive toward low-income students following the pandemic; however, this trend weakened by 2023 and varied substantially across states. Second, a Pennsylvania case study evaluating state mental health grants found that pandemic-era federal funding improved student-to-counselor ratios statewide, though staffing shortages constrained program expansion. Overall, the speakers argued that MEPS 2.0 enables more accurate analyses of educational equity and student support, while acknowledging that

funding unpredictability and data shortages continue to hinder efforts to fully address these disparities.

HELP COMMITTEE EXAMINES SCHOOL CHOICE POLICY AND EQUITY CONCERNS

On Wednesday, the Senate Health, Education, Labor, and Pensions (HELP) Committee held a hearing to examine the Educational Choice for Children Act and the broader role of school choice in improving K–12 outcomes, with members and witnesses debating how expanded parental options—such as charter schools, vouchers, and Education Savings Accounts—could support innovation and better serve diverse learners while raising concerns about equity, oversight, and public-school funding. Republicans largely framed school choice as a pathway to opportunity and workforce readiness, highlighting successful state models like Florida, while Democrats warned that voucher programs could create a two-tiered system and divert resources from traditional public schools. Witness testimony reflected this divide, with proponents emphasizing career-focused education, individualized pathways, and competitive pressures that can drive improvement, and critics pointing to rising costs, uneven access, and accountability gaps. Despite these differences, participants expressed bipartisan agreement on the need to strengthen student outcomes, invest in educators, and promote collaboration among policymakers, families, and schools, as federal agencies continue developing guidance on related tax-credit scholarship programs and states weigh whether to participate. A comprehensive summary of the hearing prepared by BPAG is here.

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4. New Publications

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5. In the News

Trump Admin. Drops Legal Appeal Over Anti-DEI Funding Threat to Schools and Colleges

Education Week (January 21, 2026)

School Choice Lets Parents Decide How Much AI Belongs in Education

U.S. Department of Education (January 26, 2026)

Red States Have Many Wins To Celebrate For National School Choice Week

The Washington Post | Ripple (January 28, 2026)

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THIS WEEK IN WASHINGTON

6. Weekly Calendar

Wednesday, February 4, 2026

Event: Federal Tax Credits for Afterschool
Subject: The Afterschool Alliance and STEM Education Coalition will hold a 30-minute STEM Talk webinar on the new funding opportunity for afterschool, summer, and other out-of-school time programs contained in the One Big Beautiful Bill Act (OBBBA, H.R.1).
Participants: Jodi Grant, executive director, Afterschool Alliance.
Time: 1:00 p.m.
Contact: Register **here.**

Thursday, February 5, 2026

Event: Bullying in Public Schools
Subject: The Heritage Foundation will hold a discussion on "Policy Answers to Bullying in Public Schools."
Participants: Stephen Gilchrist, commissioner, US Commission on Civil Rights; Jonathan Butcher, acting director, Heritage Center for Education; and Charles Stimson, former senior legal fellow and deputy director, Heritage Center for Legal and Judicial Studies.
Time: 11:00 a.m.
Contact: Register **here.**

Event: Federal Tax Credits to Reduce Child Poverty
Subject: The Brookings Institution will hold a discussion on "Pathways to reduce child poverty: Impacts of federal tax credits."
Participants: Tara Watson, director, Center for Economic Security and Opportunity, Brookings; James Sullivan, professor of economics, University of Notre Dame; Michael Strain, director of economic policy studies, American Enterprise Institute; and others.
Time: 3:00 p.m. – 4:00 p.m.
Contact: Full agenda and register **here.**

Event: Federal Voucher Program and Impacts on Public Schools
Subject: Public Funds Public Schools, the National Coalition for Public Education, and several more public education advocacy groups will co-host a webinar to provide the latest updates about the Trump-backed federal voucher law enacted in 2025 and share resources for advocacy encouraging states not to opt in to the harmful program.
Participants: Rep. Julie Von Haefen, North Carolina House of Representatives (D-36); Damaris Allen, executive director, Families for Strong Public Schools; Sasha Pudelski, director of advocacy, AASA; and Jessica Levin, director, Public Funds Public Schools.
Time: 3:00 p.m.
Contact: Register **here.**

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7. On The Floor of Congress This Week

Senate Floor:
Consideration of nominees

House Floor:
H.J. Res. 142 – Disapproving the action of the District of Columbia Council in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025. *(Sponsored by Rep. Gill / Oversight and Government Reform Committee)*

H. Res. ___ – Report to accompany the Resolution Recommending that the House of Representatives find William J. Clinton in Contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Oversight and Government Reform *(Sponsored by Rep. Comer / Oversight and Government Reform Committee)*

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H.R. 4090 – Critical Mineral Dominance Act *(Sponsored by Rep. Stauber / Natural Resources Committee)*

Legislation that may be Considered:
Senate Amendment to H.R. 7148 – Consolidated Appropriations Act, 2026*(Sponsored by Rep. Cole / Appropriations Committee)*

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

U.S. House and Senate 2026 Schedule
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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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