

**A RESOLUTION EXPRESSING GRAVE DISPLEASURE AT THE UNCONSTITUTIONAL
WITHHOLDING OF FEDERAL FUNDS APPROPRIATED BY CONGRESS AND APPROVED BY THE
PRESIDENT FOR PUBLIC EDUCATION FOR FISCAL YEAR 2025-26**

WHEREAS, the federal Office of Management and Budget (OMB) withheld funding authorized by the Continuing Appropriations and Extension Act, which passed Congress and was signed by President Trump on March 15, 2025, to fund programs established in Every Student Succeeds Act (ESSA) of 2015; and

WHEREAS, this action by OMB delayed the distribution to states of \$6.2 Billion of funds duly authorized by Congress and approved by the President, which were scheduled to be disbursed on July 1, 2025, which amounted to an implicit threat by President Trump's administration to permanently and unconstitutionally impound these funds; and

WHEREAS, as a consequence of these actions, the Commonwealth of Kentucky faced the possibility of an \$87 million federal funding shortfall for fiscal year 2025-26, which the Kentucky Department of Education allocates to every public school district in the Commonwealth; and

WHEREAS, this funding freeze, mere weeks before the beginning of the 2025-26 school year, would have negatively impacted the capacity of schools in every public school district in Kentucky and, indeed, the nation, to serve the needs of its student and families; and

WHEREAS, this withholding of funds from Kentucky included:

- \$7,912,543 in Title I Part C. funds for Migrant Education;
- \$33,638,143 in Title II, Part A. funds for Supporting Effective Instruction;
- \$5,757,040 in Title III, Part A. funds for English Language Acquisition;
- \$20,290,765 in Title IV, Part A. funds for Student Support and Academic Enrichment; and
- \$19,441,421 in Title IV, Part B. funds for 21st Century Learning Centers; and

WHEREAS, based on the allocation of federal funds for fiscal year 2024-25, the financial impact of the withholding of these funds for Jefferson County Public Schools (JCPS) was estimated to have been \$11,042,000, including:

- \$5,280,000 in Title II, Part A. funds for Supporting Effective Instruction;
- \$2,102,000 in Title III, Part A. funds for English Language Acquisition; and
- \$3,660,000 in Title IV, Part A. funds for Student Support and Academic Enrichment; and

WHEREAS, because JCPS must follow strict federal reporting guidelines regarding how federal money is budgeted and spent, the District has detailed information regarding the direct negative impact on specific programs these cuts would have made, with detrimental consequences to student success; and

WHEREAS, the impact of the \$5,280,000 that was being withheld from JCPS for Title II, Part A, funds for Supporting Effective Instruction, would have represented the 100 percent elimination of federal funding supporting:

- Salaries for nine positions;
- Human Resources Programming: Teacher Upbeat Survey & Principal Coaching; Teacher Recruitment Programs; Critical Shortage Area Tuition Recruitment Programs;
- Schools Division Leadership Development Programming: Aspiring Principal and Emerging Leaders Programs; New Principal Coaching and Mentoring;
- Multilingual Learner Programming: Tuition and Praxis Exam reimbursement for English as a Second Language (ESL) endorsement programs to increase staffing; and
- District-wide Professional Development (PD): PD stipends; facilitator extra service pay; vendor contracts; support for PD Flex Days; New Teacher Induction and ongoing support; and National Board-Certified Teacher support programs; and

WHEREAS, the impact of the \$2,102,000 that was being withheld from JCPS in Title III, Part A, funds for English Language Acquisition would have represented the 100 percent elimination of federal funding supporting:

- Salaries for six positions;
- Resources, instructional materials, and supplemental curriculum for the English Language Development (ELD) program;
- Technology hardware, digital access to progress monitoring platforms, assistive technology, and data analysis tools; and
- Multilingual Learner (ML) and ELD professional development and parent, family, and community engagement activities (e.g. Family Language University, La Casita Center; and

WHEREAS, the impact of the \$3,660,000 that was being withheld from JCPS in Title IV, Part A, funds for Student Support and Academic Enrichment would have represented the 100 percent elimination of federal funding supporting:

- Salaries for fifteen positions;
- Professional development and add-on allocations to schools for programs in Art, Music, Health and Physical Education, and World Languages;
- Character Strong programming for schools;
- Academic innovation - space redesign cohorts; and
- Private non-public school allocations; and

WHEREAS, these funds are targeted to support strong and thriving learning environments for all students through professional development, academic enrichment, and English language acquisition, which are central to providing the quality education every child deserves; and

WHEREAS, these cuts would not have been replaceable with local or state funds because they come at a very fiscally challenging time for public school districts across the nation, including JCPS, as districts work to manage the fiscal cliff resulting from the end of federal COVID-19 Elementary and Secondary Emergency Relief (ESSER) funds and increased operational costs; and

WHEREAS, on July 25, 2025, after weeks of uncertainty, forcing school boards and districts across the nation to begin to consider agonizingly tough decisions, the U.S. Department of Education notified the Kentucky Department of Education and other state education agencies that these funds are going to be released after all; and

WHEREAS, the actions of the Trump administration represent a reckless disregard for the law, and are the antithesis of good public policy and effective governing;

NOW THEREFORE, BE IT RESOLVED BY THE JEFFERSON COUNTY BOARD OF EDUCATION:

1. The Jefferson County Board of Education is relieved that the Office of Management and Budget and the U.S. Department of Education altered course and decided to release these federal education funds previously appropriated by Congress as required by law.
2. The Board is dismayed at the irresponsible and cavalier actions of the federal government which wasted significant time and resources of thousands of public school districts for no logical or articulable reason at precisely the time when districts need to be intensely focused on having a strong start to the beginning of the new school year.
3. The Board strongly urges the administration to refrain from any further illegal withholding of duly appropriated federal funds, as such actions cause undue anxiety and alarm for dedicated educators and administrators as they engage in the already challenging profession of education, striving to offer all children the knowledge and skills necessary for success in life.
4. The Board is grateful to the members of the Kentucky Congressional delegation for advocating on behalf of the children and families of JCPS and all Kentucky school districts with President Donald J. Trump, the U.S. Secretary of Education Linda McMahon, and the Director of the Office of Management and Budget Russell Vought.
5. The Board believes that the federal government has an important role to play in Pre K-12 public education working in partnership with states and local school districts to:
 - Support high quality educational opportunities for all students;
 - Protect all students from discrimination in education;
 - Provide free, nutritious high-quality meals to students; and
 - Respond to the needs of our nation's most vulnerable students, including students with disabilities, students who are homeless or living in foster care, multilingual students, and students experiencing the multi-faceted impacts of poverty.

JCPS looks forward to continuing that partnership for decades to come.

6. The Board believes that future federal funding for Pre K-12 public education must be significantly increased to the degree commensurate with the importance of high-quality public education to the future of our democracy and our nation.

IN WITNESS WHEREOF, we have set our hands, and caused the seal of the Board of Education of Jefferson County, Kentucky to be affixed on the 29th day of July, 2025. This resolution shall take effect upon its passage. I, _____, Assistant Secretary to the Board, do hereby certify that the above is a true and accurate copy of the resolution adopted at the July 29, 2025 meeting of the Jefferson County Board of Education at which a quorum was present and voted.

Superintendent Brian Yearwood

Board Chairperson Corrie Shull