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*“Religion has laid the foundation of government.”*  
*Calvin Coolidge*

**Education Department Releases Dear Colleague Letter on ESEA Transferability**

The Education Department has recently released a [Dear Colleague letter](#) that clarifies state and local education agencies’ (SEAs and LEAs) flexibility in the Elementary and Secondary Education Act (ESEA). Congress passed the ESEA in 1965. The law provides money for certain title funds, such as Title I, Part A, which goes to qualifying schools that serve students from low-income families. A private school with students using services funded by Title I is not the recipient of federal financial assistance: the program funds services to a student, not a school, no matter how the services or funding is allocated. The letter reminds SEAs and LEAs that they have the authority to transfer certain title funds to other programs. For instance, an SEA may transfer funds from Title II, Part A, to Title I, Part A. LEAs may also transfer certain funds to other programs, including Title I, Part A. The letter contains a [full list](#) of which funds SEAs and LEAs may transfer. SEAs and LEAs do not need approval before transferring the funds but must provide notification at least 30 days in advance of the transfer. This letter builds upon the Department’s commitment to return education to the states and advance educational freedom. For instance, the Department has released another [Dear Colleague letter](#) that highlights how SEAs and LEAs can serve eligible private school students. Kirsten Baesler, assistant secretary for the Office of Elementary and Secondary Education, [celebrated](#) the announcement as “another bold step forward in strengthening states’ ability to fully harness the flexibilities already at their fingertips.”

**Report Offers Reason for Learning Loss**

American students are in the midst of a years-long decline in grades, labeled as a learning recession, according to a [report](#) released by Education Scorecard. Under the No Child Left Behind Act (NCLB), strict federal accountability measures were put into place for underachieving schools. This system was controversial but produced higher grades. [Opponents](#) of the NCLB criticized the testing standards and the lack of funding allocated to achieve them as unrealistic. Beginning in 2011, under the Obama administration, the rules were relaxed, allowing states to seek waivers to avoid the strict requirements. These waivers were a welcome reprieve from the stringent standards set by the NCLB. By 2014, [44 states](#) had received waivers, which rendered the accountability aspect of the law ineffective. Researchers at [Education Scorecard](#) identified that “the slowdown in learning coincided with a dismantling of test-based accountability.” NCLB was replaced in 2015 by the Every Student Succeeds Act. This act allowed the states to set their own standards for improvement; however, the number of schools singled out for improvement remained [under those previously under NCLB](#). Evidence of decline began to appear around 2013, and the trend continued for the next seven years, eventually bottoming out during the pandemic. Thomas Kane, a Harvard education researcher speaking about the decline, [said](#), “the pandemic was just the mudslide that followed seven years of steady erosion in student achievement.” [Since the pandemic](#), however, math achievement has improved at its fastest rate since 2013. Reading achievement stayed low in the years following the pandemic but has shown positive gains over the past year. The researchers’ recommendations for further improvement include an additional study of student social media use and a special focus on the growing trend of student absenteeism. *Written by AACCS intern Seth Walker*

## Department of Ed Looks to Hire

The Department of Education is looking to hire more staff to fill roles in the Federal Student Aid office. The hiring comes after the Department [downsized](#) significantly as part of President Trump's goal to return the functions of the Department to the states or move them to other federal agencies. The hiring announcement also comes on the heels of new regulations to reform federal student loans. On April 30, the Department released its [final rule](#) on Reimagining and Improving Student Education (RISE), implementing key aspects of the One Big Beautiful Bill Act passed by Congress last year. Changes include new caps on graduate and professional programs, streamlining repayment options into two plans, and allowing borrowers to rehabilitate their loans two times. These reforms could place greater pressure on the Department to issue guidance and provide support for colleges and students as they adapt to major changes to the federal student loan system. In March 2025, the Department [announced](#) that it would reduce its workforce by about 50%, including at the Federal Student Aid office. FSA employed about 730 staff in April 2026. Now, the Department is [hiring](#) nearly 400 employees, even as the administration [declared](#) that the Department of the Treasury would begin to manage the government's \$1.7 trillion student loan portfolio. Under a new interagency agreement, Treasury will begin to collect on defaulted student loans before taking on greater responsibility for the student loan portfolio. According to a [fact sheet](#), FSA and Treasury will work together throughout the transition to provide support and information to students. In addition, Education Secretary Linda McMahon has indicated that she hopes to hire more employees for the Department's Office for Civil Rights, as the AACCS has [reported](#).

## HHS Brings Back Religious Freedom Division

The Conscience and Religious Freedom Division (CRFD) has returned to the Department of Health and Human Services' Office for Civil Rights (OCR) after its forced hiatus during the Biden administration. The division will now serve as the OCR's third division of focus, alongside the Civil Rights Division and the Health Information Privacy, Data, and Cybersecurity Division. In an official [statement](#), Health and Human Services Secretary Robert F. Kennedy, Jr. said, "This reorganization restores the HHS Civil Rights Division and the Conscience and Religious Freedom Division and strengthens the Office for Civil Rights' ability to defend religious liberty, enforce conscience protections, and combat unlawful discrimination." The CRFD was originally formed under President Donald Trump in 2018 to handle federal enforcement of the nation's laws. The goal of the CRFD was to prevent discrimination based on race, color, national origin, sex, disability, age, or membership in patriotic youth organizations. This division allowed religious individuals and organizations that might suffer from religious discrimination to seek protection under the law by using the CRFD. In 2023, the Biden administration [dissolved and merged](#) the CRFD with the Civil Rights Division into a "policy division." In May 2026, the HHS announced a reorganization of the OCR, reintroducing the CRFD. Elsewhere in the statement, the office served to "improve OCR's effectiveness and efficiency to advance the protection of conscience rights, address race-based discrimination in a color-blind manner, eradicate antisemitism and anti-Christian bias, and restore biological truth." Many hope the reinstatement of the CRFD will continue to provide protections for America's religious liberties for years to come. *Written by AACCS intern Johnathan Dys*

## In Case You Missed It:

[Weekly Market Update](#) provided by Jeff Beach of the [AACCS Investment Team at Merrill Lynch](#)

[Practical Legal Help for Christian Schools: ADF Ministry Alliance](#)

[A Snapshot of Private School Trends in 4 Charts](#)

[An Overview of Online Abortion Drug Access in Post-Dobbs America](#)