

Feb. 20, 2025

Dear Superintendents and BOCES Leaders,

It was great seeing many of you at the CASE Winter Leadership Conference!

For today's update, I am sharing:

- [Executive Order: "Keeping Education Accessible and Ending COVID-19 Vaccine Mandates in Schools"](#)
- [Council of Chief State Schools Officers \(CCSSO\)'s Guidance on 2/14/25 Dear Colleague Letter](#)
- [2/19 US Department of Education COVID-19 Funding Guidance](#)

Executive Order: "[Keeping Education Accessible and Ending COVID-19 Vaccine Mandates in Schools](#)"

A new Executive Order from Feb. 15, 2025, directs the Secretary of Education to issue guidelines to LEAs, SEAs, and institutions of higher education on "legal obligations with respect to parental authority, religious freedom, disability accommodations, and equal protection under law" related to COVID-19 vaccination. We have not yet received guidance or any other communications from the US Department of Education on this executive order. **As a reference point, Colorado does have any requirements for COVID vaccinations for K-12 students.**

CCSSO Guidance on 2/14/25 Dear Colleague Letter

We received the following message from CCSSO on Feb. 19:

On February 14, 2025, the U.S. Department of Education's (ED) Office of Civil Rights (OCR) published a [Dear Colleague Letter \(DCL\)](#) about [Title VI of the Civil Rights Act of 1964](#) and related federal laws that prohibit discrimination based on race, color, or national origin in programs or activities that receive federal financial assistance. The DCL provides guidance about OCR's current interpretation of Title VI and related federal laws "but does not have the force and effect of law and does not bind the public or create new legal standards" ([DCL, page 1, footnote 3](#)).

The DCL, by itself, is not an enforcement mechanism. Title VI enforcement is governed by [federal regulations](#) that require ED to take specific steps before taking enforcement actions. For example, [ED may not suspend, terminate, or refuse to grant or continue federal financial assistance until](#) it has provided the recipient with notice of noncompliance, attempted to secure compliance through voluntary means, provided an opportunity for a

hearing, made an express finding of noncompliance on the record, filed a written report with Congress, and waited 30 days after filing the report. ED's OCR has [authority](#) to conduct periodic [compliance reviews](#) and [directed investigations](#) of Title VI compliance absent a specific complaint. ED also has [authority to investigate specific complaints](#), explained in more detail on [OCR's website](#). When ED investigates a potential civil rights violation, it follows a [formal process](#).

2/19 US Department of Education COVID-19 Funding Guidance

CDE received information in a 2/19 update about how states will be required to access reimbursements for CARES, CRRSA, and ARP Act programs through the late liquidation process. We don't believe that this has any impact on our state's districts, as your ESSER funds were finalized earlier this school year. CCSSO also confirmed that the 2/19 message did not affect any other ED programs like ESEA, IDEA, and Perkins.

We will share an update again on Monday afternoon.