

Unpacking the Secretary of Education's Supplemental Priorities for Competitive Grants

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On 5/21/25, U.S. Department of Education (USED) Secretary Linda McMahon <u>proposed</u> her first set of three supplemental grant priorities and later added four additional proposed priorities in July and September. This updated Deep Dive provides an overview of USED supplemental priorities and their importance, and then summarizes each of the following seven supplemental priorities:

- 1. Promoting Evidence-Based Literacy
- 2. Expanding Education Choice
- 3. Returning Education to the States
- 4. Advancing Artificial Intelligence in Education
- 5. Promoting Patriotic Education
- 6. Expanding Career Pathways and Workforce Readiness
- 7. Meaningful Learning Opportunities

Overview of USED Supplemental Priorities and their Importance

Every Secretary of Education has the ability to identify a set of priorities for any **competitive** grant to supplement priorities already established by Congress for that grant. Thus, these supplemental Secretarial priorities do not impact **formula** programs such as Title I. Secretary McMahon's supplemental priorities, once finalized, will replace former USED Secretary Miguel Cardona's, which themselves replaced the priorities he inherited. Secretaries sometimes update their own supplemental priorities to help drive funding toward emerging priorities. Indeed, in its initial <u>press release</u>, USED noted that Secretary McMahon anticipates publishing additional priorities later this year, which she has now done twice, bringing the total to five to date.

Competitive grant priorities can play a significant role in determining *who* gets funded to do *what*. Once the menu of supplemental priorities is established, the Secretary can choose to insert any of them in any grant competition, and also decide how the priorities will be used in the competition. At the Secretary's discretion, the priorities can be deployed in three ways:

• In some grants, the Secretary may establish that a particular priority is an **absolute** priority that applicants *must* address in their application to qualify for funding. This means that an entire grant program's funds will go to proposals aligned with the chosen absolute priority.

- For other competitions, the Secretary may set one of the priorities as a **competitive** priority that awards *additional points* to applicants should they choose to address the priority in their application. This can be a significant lever to advance an administration's agenda as applicants are likely to propose to use funding in line with a competitive priority given that extra points make them more likely to win the funding.
- A third use of the priorities is as an **invitational** priority, which encourages aligned proposals but *does not award* them additional points in the grant competition.

Note that, per the notice, the "Secretary may choose to use an entire priority for a grant program or a particular competition or use one or more of the priority's component parts."

Summary of Secretary McMahon's Supplemental Priorities

Secretary McMahon can use the supplemental priorities in currently-authorized as well as future discretionary grant programs. The Secretary has named five priorities so far including (1) Evidence-Based Literacy, (2) Education Choice, (3) Returning Education to the States, (4) Advancing Artificial Intelligence in Education, and (5) Promoting Patriotic Education. The first three were finalized on 9/9/25, and are already beginning to appear in new grant competitions. Where appropriate, we have included in the summaries below a brief description of any changes from the initial to final versions of each priority.

1. Promoting Evidence-Based Literacy

The first finalized priority, "Promoting Evidence-Based Literacy," is focused on using federal education funds to support proficiency in reading through "Science of Reading"-aligned instruction. The priority states that programs "should be supported by strong or moderate evidence that relates to explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension."

Note that this priority incorporates the Every Student Succeeds Act's (ESSA's) evidence tiers, but it would limit qualifying evidence only to Tier 1, which requires experimental studies (e.g., randomized control trials), and Tier 2, which requires quasi-experimental studies. The other two tiers of evidence—covering correlational studies and research-based-but-untested innovations—are excluded from the priority.

• <u>Changes in the finalized priority</u>: According to the notice announcing the final priorities, a few minor changes were made to the first priority from its proposed to final version: revising the definitions of "evidence framework" to be aligned across the priority and "evidence-based literacy instruction" to include writing, oral, and sign language.

2. Expanding Education Choice

The second finalized priority, "Expanding Education Choice," provides a mechanism to direct competitive grant funding to choice mechanisms ranging from vouchers and homeschooling to tutoring and open enrollment. The priority provides a "menu" of options for grantees to expand school choice, including the following:

- Public charter schools and other innovative school models, such as public laboratory schools, magnet schools, public microschools, course-based choice, or regional academies
- b) Open enrollment or course-based choice;
- c) Dissemination of information for all education choice options for students, including private school enrollment, education savings accounts, tax credit scholarships, home-based learning and homeschooling, learning pods and co-ops, public charter schools, and district public schools through open enrollment or course based choice;
- d) Development or implementation of education savings accounts;
- e) Dissemination of information about education savings accounts;
- f) Home-based education programs;
- g) Dual or concurrent enrollment programs or early college high schools or other programs where secondary school students begin earning credit toward a postsecondary degree or industry-recognized credential prior to high school graduation;
- h) Education services that accelerate learning such as high-impact tutoring;
- i) Military schools or academies;
- Other high school or postsecondary level programs like distance education, competency-based or skills-based education, pre-apprenticeships, apprenticeships (for in- and out-of-school youth), work-based learning, or shortened time-to-degree models;
- k) Part-time coursework and career preparation; or
- I) Programs or coursework that lead to in-demand, industry-recognized credentials.

Although some of the options include programming that can take place within the traditional public school system, such as magnet schools and high-impact tutoring, the Secretary can decide to use just some of the component parts of a priority, meaning that these public-school-friendly options may not appear in the actual grant competitions.

• Changes in the finalized priority: The notice describes five changes made to the final priority from the proposed version. The changes expand the implementation of technical assistance to include supporting charter schools and charter school operators in addition to states and authorizers that were included in the proposed version. Magnet schools were added to the list of innovative school models. Additionally, the section of the priority that describes expanding access to different learning models (both K-12 and postsecondary), the final priority changes "Apprenticeships" to "Registered Apprenticeships" followed by a specific reference to "including apprenticeships for in-school and out-of-school youth."

3. Returning Education to the States

The third finalized priority, "Returning Education to the States," declares that "education decisions should be made at the State level, and that those states must be empowered to create opportunity through policies that are more responsive, effective, and aligned with the needs of their communities." Whenever the Secretary chooses to incorporate this priority in a competition, programs funds will prioritize proposals that will be carried out by one or more of the following:

- a) State educational agencies;
- b) Governors;
- c) State workforce development agencies or boards;
- d) State vocational rehabilitation agencies;
- e) State higher education agencies;
- f) Entities identified, designated, or endorsed by a Governor or chief State education official for purposes of implementing the project or proposal;
- g) An Indian Tribe, Tribal organization, or Tribal educational agency;
- h) Consortia of the entities identified under this priority.

In practice this priority could mean that other eligible entities for a competitive grant program such as non-profit organizations, universities, or even school districts would be at a significant disadvantage. However, option "f" appears to open the door for an entity outside the state government that might not otherwise be eligible to receive a grant (or priority points) so long as a state official endorses their proposal.

• Changes in final priority: No changes were made to the third priority.

4. Advancing Artificial Intelligence in Education

The fourth priority (which has not yet been finalized), "Advancing Artificial Intelligence in Education," calls for expanding both the *understanding* of AI and the appropriate *use* of AI tools in education. To do so, the proposed priority would support projects that:

- Integrate Al literacy into teaching practices to improve student outcomes;
- Expand AI and computer science education in K-12 schools and higher education institutions;
- Support professional development for educators on teaching AI and computer science fundamentals; and
- Use AI to personalize learning and support differentiated instruction to improve outcomes for students.

The proposed priority also encourages schools and districts to adopt AI to "enhance classroom efficiency, reduce administrative burdens, and improve teacher training and evaluation." The priority is aligned with President Trump's 4/23/25 Executive Order, "Advancing Artificial Intelligence Education for American Youth," which called for "promoting the appropriate integration of AI into education." The public comment period for the additional priority ended on 8/21/25, and USED will publish a Notice of Final Priority following its review of the comments.

• <u>Note</u>: The announcement of the new priority came with a corresponding <u>Dear Colleague Letter</u> to grantees and future grantees highlighting the allowable uses of existing federal education

formula and discretionary grant funds to support AI in education. These include, among other things, using federal funds for instructional materials, high-impact tutoring, and college and career pathway "exploration and navigation" that incorporate AI.

5. Promoting Patriotic Education

The fifth priority (which is newly-proposed and open for public comment through 10/17/25), "Promoting Patriotic Education," places an emphasis on programs "that promote a patriotic education that cultivates citizen competency and informed patriotism ... and communicates the American political tradition to students at all levels." Specifically, the priority invites projects that are "designed to provide an introduction to and understanding of the founding documents and primary sources of the American political tradition, in a manner consistent with the principles of a patriotic education." The priority also includes the following two new definitions:

- American political tradition: "the founding documents, essential principles of republican
 government, and historical development of America's government; the history of Western
 Europe linked to the history and development of the United States; the role of faith; and the
 founding documents and primary sources of the American founding (ideas, traditions,
 institutions, and texts essential to American constitutional government) with a focus on the first
 principles of the founding."
- <u>Patriotic education</u>: "a presentation of the history of America grounded in an accurate, honest, unifying, inspiring, and ennobling characterization of the American founding and foundational principles; a clear examination of how the United States has admirably grown closer to its noble principles throughout its history; and the concept that commitment to America's aspirations is beneficial and justified."

Projects aiming to address this priority may feature one of more of the following topics: United States Constitution, government, civics, history, geography, military and diplomatic history, literature, rhetoric, and art, as well as, "the founding documents and primary sources of Western Civilization, American founding and their influence on the American political tradition, and the influence of Western Europe upon the American political tradition."

→ ESSA and other federal laws *prohibit* the federal government from getting involved in state and local decisions about K-12 curriculum, including ESSA's § 8526A that specifically addresses grant priorities:

No officer or employee of the Federal Government shall condition or incentivize ... the receipt of any priority or preference under such grant ... upon a State, local educational agency, or school's adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of [ESSA].

USED's notice about this fifth priority seems to acknowledge these legal restrictions by including a statement that "[n]othing in this definition should be construed as implicating a particular curriculum, program of instruction, or specific academic content." For more on this topic, see our blog post.

6. Expanding Career Pathways and Workforce Readiness

The sixth priority (open for public comment until 10/27/25), "Expanding Career Pathways and Workforce Readiness," would help the Administration shift more USED funding to a "range of education pathways that meet the needs of a rapidly changing economy." Specifically, the priority names "integrating career exploration, career readiness, technical education, and work-based learning opportunities...so that a broader array of education providers can access existing funding in a manner that aligns outcomes with the demands of today's workforce."

The priority, as proposed, would invite projects that:

- (a) Support workforce development programs that are aligned with state priorities, including activities that:
 - (i) Align to state and local workforce priorities.
 - (ii) Support alignment of workforce activities across state agencies that support workforce development (e.g., education, higher education, job and family services, etc.).
 - (iii) Activities that support states in identifying in-demand and high-value industry-recognized credentials and/or re-evaluating existing lists of credentials.
 - (iv) Providing support for the skilled trades.
 - (v) Developing industry-led sector partnerships.
 - (vi) Promoting the attainment by individuals of an in-demand and high-value industry-recognized postsecondary credential.
 - (vii) Providing work-based learning opportunities (e.g., internships, externships, pre-apprenticeships, and registered apprenticeships) for which a student receives wages, academic credit, or both.
 - (viii) Expanding the availability of preapprenticeships and registered apprenticeships, including through dual or concurrent enrollment, by doing one or more of the following: (1) Supporting apprenticeship intermediaries; (2) Creating pre-apprenticeships; (3) Creating new registered apprenticeships to include apprenticeships for in-school and out-of-school youth; (4) Providing technical assistance for states to create new registered apprenticeships to include apprenticeships for in-school and out-of-school youth.
- (b) Provide career and/or college exploration and advising opportunities to promote greater awareness of the range of postsecondary educational and career options.
- (c) Provide opportunities for students to use financial tools to compare the cost and benefits of the career options and educational pathways they are considering, including the long-term impact of taking out student loans on their financial security, including likely entry and mid-career earnings in fields selected by students as compared to entry and mid-career earnings in high wage, high growth, and high demand occupations in each of the career clusters.
- (d) Support the development of talent marketplaces (including credential registries, skills-based job description generators, and learning and employment records) that connect employers, students, and jobseekers by converting job descriptions and learning assertions into discrete, industry-recognized competencies.

7. Meaningful Learning Opportunities

The seventh priority (open for public comment until 10/27/25), "Meaningful Learning Opportunities," is "intended to guide the development and implementation of strategies that prepare students for success in an increasingly complex, interconnected and technology-rich world and ensure all students are prepared for employment, enrollment, enlistment, or entrepreneurship." The proposed priority includes a significant number of options for projects, all of which could, in some way, "emphasize the importance of designing meaningful learning experiences that promote strong core instruction, personalized and relevant learning opportunities, and support deep understanding of foundational subject areas."

The priority would encourage projects or proposals that are designed to do one or more of the following:

- (a) **Strengthen core instruction** through one or more of the following:
 - (i) Improving mathematics instruction to promote student achievement through one or more of the priority areas:
 - (1) Assisting states in developing comprehensive statewide plans to raise mathematics achievement that align with mathematics instruction based on strong, moderate, or promising evidence (as defined in 34 CFR 77.1);
 - (2) Selecting, adopting, and/or implementing high-quality instructional materials in mathematics;
 - (3) Developing and implementing pathways to accelerate conceptual understanding of mathematics or advanced mathematics coursework, including strategies like automatic enrollment that encourage participation in such pathways;
 - (4) Developing and implementing strategies that provide opportunities for the early identification and support for students struggling with foundational and developmental mathematics concepts;
 - (5) Developing and implementing strategies for the identification of gifted and talented students, including strategies for students to access higher grade-level and/or advanced placement in mathematics;
 - (6) Offering high-quality professional development based on strong, moderate, or promising evidence (as defined in 34 CFR 77.1) in mathematics for educators; or
 - (7) Integrating explicit and systematic teaching strategies for mathematics or programming to build subject matter expertise for mathematics into preservice training for general or special education educators.
 - (ii) Providing or **expanding access to high-quality instructional materials** in a science, technology, engineering, or mathematics (STEM) discipline, including computer science;, English Language Arts; or Social Studies.
 - (iii) Providing or **expanding access to training on implementing high-quality instructional materials** in a STEM discipline, English Language Arts; or Social Studies.
 - (iv) Creating **competency-based instructional models** that provide timely and actionable insights for students, parents, and educators.
 - (v) Creating strategic staffing models, instructional leadership roles, or developing models for teacher advancement that incentivize high-performing educators with opportunities and leverage their time, resources, and talent in innovative ways to better support student learning and achievement.
 - (vi) Planning or implementing a **new school day schedule** to allow more opportunities for meaningful learning.

- (b) Expand high-quality interventions or accelerated learning supports for students based on strong, moderate or promising evidence aimed at improving student outcomes through one or more of the following priority areas:
 - Providing remedial or accelerated learning opportunities focused on individualized, differentiated, and scaffolded supports for students to access grade-level (or above grade-level) content;
 - (ii) Identifying and implementing strategies for delivering effective **personalized supports** to all students;
 - (iii) Supporting states in defining, implementing, or improving **statewide tiered educational frameworks** that meet the varied needs of students;
 - (iv) Implementing, expanding, or scaling high-impact tutoring programs that occur during the regular school day, are aligned with practices based on strong, moderate, or promising evidence to accelerate student learning in literacy and mathematics, which may include innovative delivery models or approaches, such as outcomes-based contracting, artificial intelligence (AI), technology-enabled platforms, or strategic partnerships and staffing; or
 - (v) Leveraging **outcomes-based contracting** or grantmaking to improve student achievement.
- (c) Provide career-connected learning through one or more of the following priority areas:
 - (i) Career and academic advising and mentorship opportunities for all students;
 - (ii) Integrating career-connected and work-based learning into K-12 education, including approaches to help all students connect core academic instruction with real-world career skills and foster career awareness, exploration, and advising throughout their education journey; or
 - (iii) Supporting vocational rehabilitation for students with disabilities (pre-employment transition services and transition services); or
 - (iv) Supporting States in developing, piloting, or scaling statewide plans for career-connected learning.
- (d) Advance innovative assessment models through one or more of the following priority areas:
 - (i) Supporting the development, implementation, and scaling of new or innovative assessment models that accurately and fairly measure all student's learning and progress, including competency- and mastery-based assessments;
 - (ii) Supporting the development, implementation, and scaling of assessment models that provide timely and useful information to educators, students, and families to address student learning needs;
 - (iii) Encouraging the use of adaptive technologies for assessments;
 - (iv) Developing a clear methodology for early identification and subsequent ongoing support of students at-risk, students with disabilities, or gifted and talented students; or
 - (v) Supporting states to re-envision state assessment systems through research activities, planning, piloting, and/or scaling new or innovative assessment models.
- (e) Supporting parents in providing meaningful at home learning, which could include providing resources, educational materials, and access to learning platforms to support student learning needs.

DISCLAIMER: Consistent with our mission, EducationCounsel is working to update and support the field as federal actions consequential to education are unfolding. The information provided above does not serve as legal counsel and, given the pace of action, could be outdated quickly. The information in this document is current as of September 30, 2025.

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