



Viewpoints

Executive Orders Impacting K-12 Public Education



On January 29, 2025, President Trump issued two executive orders related to K-12 public education.

Executive Order: “Expanding Educational Freedom and Opportunity for Families”

One of the Trump Administration’s educational policy priorities is the expansion of K-12 school choice, which includes providing parents the opportunity to use federal funds to enroll their children in faith-based or other private schools. This Executive Order directs the Secretary of Education to issue guidance regarding states’ use of federal funds to support such programs and to prioritize school choice programs in the Department’s discretionary grant programs. It also directs the Secretary of Education and the Secretary of Labor to identify, evaluate, and make recommendations regarding using relevant discretionary grant programs to further education freedom for students and teachers.



The Order does not define “school choice” or “education freedom.” It is not clear from the Order or its accompanying **fact sheet** whether or how “school choice” includes allowing families to enroll in non-charter public schools outside of their geographically-assigned school districts.

In addition, the Order directs the Secretary of Defense to create a plan for military-connected families to use Department of Defense funds to send their children to schools of their choice, including private, faith-based, or public charter schools. The Order specifies that the plan should be ready for implementation by next school year. The Order does not define “military-connected family.” Similarly, the Order directs the Secretary of the Interior to create a plan to allow families of Students eligible to attend Bureau of Indian Affairs (“BIE”) schools to use federal funds to pursue options such as private, faith-based, or public charter schools, also for implementation during the 2025-2026 school year. The Order further directs the Secretary of the Interior to report on BIE schools’ performance and “identify educational options in nearby areas.”

Finally, the Order directs the Secretary of Health and Human Services to issue guidance addressing whether and how states receiving block grants for families and children can use those grants to “support families who choose educational alternatives to governmental entities,” including faith-based and private options.

While no guidance has been issued at this time, the Order directs the Secretary of Education to issue guidance on federal funds supporting school choice initiatives within 60 days; the Order directs issuance of all other guidance within 90 days.

Executive Order: “Ending Radical Indoctrination in K-12 Schooling”

President Trump also issued an Executive Order in line with his campaign promise to block funding for public schools whose curriculum content includes content involving gender, gender identity, race, and racism that some find objectionable. The Order directs Secretary of Education, the Secretary of Defense, and the Secretary of Health and Human Services, in consultation with the Attorney General, to develop an “Ending Indoctrination Strategy” to include an analysis of their agencies’ ability to “prevent or rescind Federal funds, to the maximum extent consistent with applicable law, from being used by an ESA, SEA, LEA, elementary school, or secondary school to directly or indirectly support or subsidize the instruction, advancement, or promotion of gender ideology or discriminatory equity ideology” in K-12 curriculum, instruction, programs, or activities and teacher certification and curriculum, instruction, programs, or activities. The Order also re-establishes the 1776 Committee and directs institutions receiving federal funds to comply with existing law to promote “patriotic education.”

In addition, the order directs the Attorney General to coordinate with state attorneys general to file actions against educators who facilitate social gender transitions of students. Nevertheless, state laws may not have changed. Schools should continue to follow state laws in this area until they have been modified.



F3 Law

F3 law will continue to monitor the status of the matters described in these and other Executive Orders and their impacts on our school clients.

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