

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

ANCHORAGE SCHOOL DISTRICT, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION, *et al.*,

Defendants.

Case No. _____

DECLARATION OF JHARRETT BRYANTT

I, Jharrett Bryantt, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

1. I am the Superintendent of the Anchorage School District in Anchorage, Alaska. I have been in this position for three years. I make this declaration based on my personal knowledge, by Anchorage School District's business records, and by public records in the School District's possession.

2. I hold doctoral and master's degrees in education from the University of Texas at Austin. I have worked in public education leadership since 2015, leading a variety of operational and instructional departments in large urban school systems.

3. As Superintendent, I serve as the chief executive of Alaska's largest public school district. I am responsible for leading ASD's educational programs, budget development and oversight, staffing allocations, and compliance with all applicable state and federal education laws, including the administration of federal grants.

I. Background on the Anchorage School District

4. The Anchorage School District (ASD) is Alaska's largest and most diverse school system, with approximately 3,108 educators and 1,942 support staff serving more than 42,000 students in 94 schools in a region spanning more than 2,000 square miles. ASD's educational landscape is one of the most expansive in Alaska, offering over 130 distinct programs that give families the ability to select schools and instructional models that best fit their needs. This includes traditional neighborhood schools, Language Immersion programs, Charter and Alternative Schools, Correspondence and Homeschool Support, Highly Gifted and Optional Programs, and expansive Career and Technical Education opportunities. ASD offers multiple academic interventions, including in-class supports, after-school tutoring, virtual credit recovery, and summer school programs. These are strategically targeted to students from low-income households, English learners, and students with disabilities. ASD has implemented a districtwide literacy strategy grounded in the Science of Reading (SoR), which serves as the foundation for all early literacy instruction and intervention efforts. Through its wide array of program options, science-based literacy strategies, and commitment to access, ASD is deeply aligned with the U.S. Department of Education's FY26 priorities and is positioned to lead systemic improvement across all age bands, student populations, and community contexts.

5. The focus of the Anchorage community is to produce citizens who are effective communicators and collaborators. The School District's goal is that its graduates will be fully engaged learners with strong career and life skills who have positive senses of self and purpose.

6. ASD is a minority-majority district, with 61.85% of students identifying as non-white, and more than 100 languages spoken across its 94 schools. Approximately 18% of students are English learners, and over 50% are economically disadvantaged, qualifying the

district for substantial Title I funding under the Elementary and Secondary Education Act (ESEA). Additionally, 19% of students receive special education services, and ASD serves nearly 10,000 students annually who are eligible for Title VI Indian Education and Migrant Education services. 31 ASD schools qualify as Title I due to high concentrations of poverty, and the district receives ESEA allocations to support English learners, students experiencing homelessness, and youth who are neglected, delinquent, or migratory. Title I-C supports families whose economic situation may necessitate frequent moves or gaps in instructional access due to agricultural work, logging, or fishing activities for commercial income or personal subsistence use. Approximately 24% of ASD's Migrant Education enrollment includes Indigenous Education students, a federally recognized tribal designation.

7. These federal funds are essential for maintaining supplemental supports that promote academic success and whole-child development. They enable high-quality educator training, strengthen core curriculum instruction, and provide targeted interventions for students requiring additional support. These funds also support initiatives that reduce chronic absenteeism, boost early literacy, and offer targeted credit recovery.

II. Elementary and Secondary Education Act Grants to the Anchorage School District

8. To provide a quality education to all students in our district, especially those from low-income families, we rely on financial assistance provided by the Department of Education under several Elementary and Secondary Education Act (ESEA) grant programs.

9. During the last two school years, 2023-2024 and 2024-2025, we received financial assistance under the following ESEA grant programs:

- i. Title I-C, which allows us to serve the needs of migratory students. In the 2023 school year, we received an allocation of \$5,420,487.32, and in the

2024 school year, we received an allocation of \$6,038,642.00 under this program.

- ii. Title II-A, which allows us to recruit and train high-quality educators. In the 2023 school year, we received an allocation of \$3,304,627.00, and in the 2024 school year, we received an allocation of \$3,395,049.00 under this program.
- iii. Title III-A allows us to provide support for English language learners and teachers of English language learners. In the 2023 school year, we received an allocation of \$579,607.00, and in the 2024 school year, we received an allocation of \$507,321.00 under this program.
- iv. Title IV-A, which allows us to provide a range of academic enrichment programs, including K-12 counseling support, character skill development, portrait of a graduate post-secondary readiness skills, and effective utilization of technology in the classroom, including responsive learning about AI tools and risks. In the 2023 school year, we received an allocation of \$2,003,838.00, and in the 2024 school year, we received an allocation of \$2,024,239.00 under this program.
- v. Title IV-B, which allows us to provide after-school enrichment programs. In the 2023 school year, we received an allocation of \$1,562,494.00, and in the 2024 school year, we received an allocation of \$1,718,743.40 under this program.

10. These funds are critical to the Anchorage School District's provision of services to allow every student to succeed. Briefly, these funds allow us to do the following:

- i. Title I-C personnel provide direct instructional and support services to migratory students and their families to support their academic success. This program supports families whose economic situation may necessitate frequent moves or gaps in instructional access due to agricultural work, logging, or fishing activities for commercial income or personal subsistence use. Title I-C funds are utilized to increase graduation rates, promote postsecondary access, support out-of-school youth, and provide credit recovery opportunities. The withholding or delay of these funds will immediately impair the district's ability to deliver these statutorily authorized services, and, to the extent the District remains obligated to serve this population under federal law, would effectively convert these into unfunded mandates.
- ii. Title II-A aims to support effective instruction through building district systems and staff capacity to ensure that educators working directly with students are delivering high-quality instruction. Funds are primarily used to support staff positions, trainings, and added staff activities (professional development and team planning) to improve reading and math instruction through a Multi-Tiered System of Supports (to meet the wide ranging needs of all students, whether requiring additional support or enrichment for optimal growth), facilitate Professional Learning Communities in which educators regularly review and respond to data through a cycle of inquiry to improve outcomes (PLCs), provide new teacher and

paraprofessional coaching, enhance principal leadership development, and reduce chronic absenteeism.

- iii. Title III-A works directly with English learners and their families to attain English proficiency and develop high levels of academic achievement in English; assist all English learners to achieve at high levels in academic subjects so that all English learners can meet the same challenging State academic standards that all children are expected to meet; assist teachers (including preschool teachers) principals and other school leaders, State educational agencies, local educational agencies, and schools in establishing, implementing, and sustaining effective language instruction education programs designed to assist in teaching English learners, and to assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners to enter all-English instructional settings; and to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.
- iv. Title IV-A supports three categories, and utilizes staff positions, trainings, and added staff activities (professional development and team planning) to build capacity in school-based staff. “Safe and Healthy Schools” relates to elementary counseling, crisis response, and Positive Behavior Intervention Systems to ensure positive school environments that utilize high-leverage

practices to minimize behavioral disruptions and increase student resiliency and connectedness using a trauma-responsive perspective.

“Well-Rounded Education” increases access districtwide and for specific programs/schools related to career and college readiness, world language instruction, and Alaska Native/Indigenous Education. “Effective Technology” is utilized to provide training for educators to navigate changing needs to ensure appropriate and up-to-date use of technology embedded in instructional practice.

- v. Title IV-B funds are used to provide after-school enrichment opportunities at high needs Title I schools, directly serving up to 840 students for the school year. Programming includes early reading intervention, preteaching math vocabulary and concepts, robotics/coding, resiliency skills, and enrichment field trips, guest speakers, and activities to enhance real-world vocabulary and knowledge.

III. How and When Funds are Provided to the Anchorage School District

11. The ESEA funds that we receive from the Department of Education flow to the Anchorage School District through the Alaska Department of Education & Early Development (“DEED”). Because the funds are provided under entitlement programs, we do not need to request in advance that DEED provide us with the funds. Rather, each year, DEED informs Anchorage (as well as other Local Educational Agencies around the state) of the amounts that they will receive in advance of the school’s fiscal year.

12. Our fiscal year runs from July 1 to June 30, and our academic year runs from approximately mid-August to Memorial Day. In order to sufficiently plan for the academic year

and ensure we are adequately staffed, we begin planning for the following year's budget in the fall.

13. The amount of funds we will receive for our Title I-C, II-A, III-A, and IV-A activities factors heavily into our budget for school programming each academic year. We do not have adequate resources to fund all of the educational materials, translation services, staff, and other resources necessary to carry out these activities on our own.

14. The U.S. Department of Education typically provides states with draft funding allocations in the spring, well in advance of the next academic year.

15. DEED, in turn, provides each Local Education Agency, including Anchorage, with draft funding allocations under each program, typically in the spring.

16. In general, based on recent data, we can expect that our funding allocation will be at least 95% of what we received for the prior fiscal year.

17. Using these draft allocations based on 2024-2025 amounts, we submit a draft budget to DEED for approval by the end of June. After we submit the budget, DEED "substantially approves" within a few days, in advance of receiving final allocations for the fiscal year beginning on July 1. At this time, the budget is only substantially approved because Private School Allocations, Budget, and Signed Assurances for all impacted Title Programs, as well as completed Eligibility, Set Asides, and Public School Allocations-PPA pages for Title IA based on 2024-2025 allocations, are complete. After our budget is substantially approved, it can be modified once allocations for 2025-2026 are allocated. Our budget typically receives final approval in September of the current fiscal year, typically with minor modifications.

18. At the start of our fiscal year on July 1, after our budget has been substantially approved, we can begin incurring the expenses necessary to administer a particular ESEA program.

19. DEED is awarded ESEA funds through a Grant Award Notification from the Department of Education. Historically, DEED has received a final Grant Award Notification from the Department of Education shortly before July 1, and funds provided under the Grant Award Notification have become available to DEED on July 1.

20. The timeliness and predictability of this process are critical to the financial stability of our ESEA-funded activities and staff. We do not have sufficient financial resources to fully operate these programs without knowing when or if we will receive reimbursement, nor do we have the funds to fully operate the programs for long periods of time without reimbursement.

IV. This Year's Abnormal Allocation Process and the Department of Education's Last-Minute Announcement to Withhold Federal ESEA Funds

21. This year, the U.S. Department of Education's budget allocations did not follow the usual process, causing substantial disruption to the Anchorage School District's budget and planned programming for the upcoming school year.

22. The U.S. Department of Education has not released draft allocations for Titles II-A, III-A, IV-A, or IV-B as it typically does in the spring of each year.

23. On July 1, ASD received an email from the Alaska Commissioner of Education stating that FY2025 formula grant funds would not be disbursed on July 1 as expected. The Commissioner indicated that the delay was part of a broader review process following the transition to a new federal administration. She went on to say that there was no timeline provided for when funds might be made available.

24. As a result of these actions, we have a substantially approved budget. However, we have been notified that we may not obligate funds related to an expected FY26 allocation.

V. Harms to the Anchorage School District and the Teachers and the Students and Families it Serves

25. Normally, we would have already started spending ESEA allotted funds to prepare for ESEA activities during the upcoming school year. But because these funds have been withheld, we cannot begin spending them.

26. Due to the ongoing uncertainty surrounding the release of federal education funds, the Anchorage School District (ASD) is already experiencing significant and compounding disruptions to critical student support services. Support personnel who work directly with some of our most vulnerable populations, particularly English language learners, have been notified that their positions will be eliminated. After-school programs and credit recovery initiatives, which are vital for at-risk students who require extended learning time, have been uncertain. Similarly, our Migrant Education Program has begun scaling back services to students and families, facing the very real prospect of full closure in the upcoming school year.

27. In addition to the loss of these essential student supports, ASD has been compelled to cancel educator training sessions traditionally held in July and August. These trainings are critical for preparing teachers to meet the academic and social needs of students at the outset of the school year. Their cancellation directly impairs the district's ability to deliver a high-quality, well-prepared learning environment for all students.

28. Furthermore, ASD has initiated formal layoff and reassignment processes for numerous employees whose roles were funded through the affected federal grants. These staff members play key roles in supporting student learning, instructional delivery, and school

operations. Their loss further diminishes the district's capacity to meet its educational mission and comply with both state and federal expectations.

29. The consequences of this funding disruption extend well beyond individual positions and programs. To mitigate further harm, ASD has been forced to reallocate financial resources from other areas of the budget not initially intended to absorb such gaps. This reallocation compromises the district's fiscal flexibility, puts strain on core services, and creates instability across multiple operational areas.

30. To provide more detail of the cascading consequences, it must be understood that the District has built a system to meet the wide range of needs by carefully coordinating federal funds into our strategic plan. Through the Multi-Tiered System of Supports (MTSS) model, classroom-based staff are able to deliver rigorous core instructional access to all students, differentiating for those needing remediation, targeted support, enrichment, or acceleration. Many teacher expert support positions, made possible through these funds, support educators at every level, through paraprofessional development to enhance classroom support and teacher training for all staff with an emphasis on the many new educators that comprise a large percentage of our current workforce due to typical teacher turnover patterns seen across the nation, and exacerbated by our distance from the continental United States and declining local population. Also similar to other states, there is a vast amount of principal turnover, necessitating significant work to prepare new administrators to handle the complex nature of leading schools towards improved outcomes.

31. Reduced access to these preplanned funds have an impact on many student outcomes, as they interrupt the infrastructure they currently support, or displace other school-based needs such as gifted and talented instruction, extended learning activities after school or

during the summer, and credit recovery efforts to raise graduation rates. Supports through all of the affected grants have worked to turn the post-covid tide of chronic absenteeism, with initial results already showing an impact for focus schools, programs, and populations of students. Our Title IV-A funds directly support foundational needs that help students reach academic access through indirect means, such as reducing exclusionary discipline and increasing student belonging and connectedness to minimize disruptions in learning and set forth positive conditions that enable students the best outcomes.

32. For elementary students, efforts to improve instruction based on the SoR will be impacted, despite recent success in decreasing risk levels and increasing proficiency, setting a foundation for future learning. Secondary students will have a significant decrease in options for credit recovery for 4-year graduation, and opportunities that prepare students for college readiness or career/vo-tech opportunities will be reduced.

33. Moreover, the ongoing crisis has diverted substantial administrative time and energy away from strategic instructional initiatives and toward emergency budget realignments and crisis management. This redirection of capacity significantly hinders the district's ability to focus on its primary responsibility: ensuring effective teaching and learning for all students.

34. The cumulative impact of these disruptions is severe, wide-reaching, and not easily quantifiable. However, the harm is already being felt by students, families, and staff, and will only continue to grow the longer these federal funds remain unavailable.

35. The freezing of federal funds designated for federally mandated programs has the unintended yet deeply disruptive effect of undermining the very policy priorities advanced by the U.S. Department of Education, namely, equity, academic achievement, and student well-being. By withholding these targeted funds, the Department has made it operationally and fiscally

unfeasible for the District to implement programs that are not only aligned with federal priorities but are also legally required. The District remains obligated under federal law to provide these services regardless of funding availability. As a result, the Department's actions effectively convert statutory entitlements into unfunded mandates, likely compelling the District to divert current or future limited general funds from other critical services, such as gifted and talented programs, elective coursework, and enrichment opportunities, to satisfy federal compliance requirements. This reallocation creates a cascading harm across the District. Moreover, the absence of clear guidance or a timeline for the release of congressionally appropriated funds has severely impaired the District's ability to make timely hiring decisions, finalize school schedules, and ensure continuity in essential student support services.

36. The withholding of federal education funds has had a profound and destabilizing impact on the Anchorage School District's ability to provide equitable, high-quality education to all students. The loss of these critical resources has disrupted instructional continuity, diminished student supports, and impeded the district's capacity to meet the diverse academic and developmental needs of its population. These effects are particularly acute for students who rely on federally funded services, such as multilingual learners, students from low-income backgrounds, and migrant youth, who are now at significantly increased risk of learning loss, disengagement, and reduced academic achievement.

37. The erosion of these supports not only compromises day-to-day educational services but also undermines long-term efforts to close achievement gaps and promote educational growth for all students. As detailed in the accompanying declarations, the cumulative harm to students, staff, and school communities is already substantial and continues to grow with each passing day, as federal funds remain unavailable.

38. Below is a table reflecting our approximate expected funding for FY26:

Title I-C	Title II-A	Title III-A	Title IV-A	Title IV-B
\$6,038,642	\$3,395,049	\$507,321	\$2,024,239	\$1,778,916**

*Based on current “substantially approvable budget” submitted in June.

** \$1,423,133 is the current official allocation as a result of Alaska DEED providing a FY2025 carry-over allocation of 80% for this program as of July 11, 2025.

Executed on July ____, 2025.

Dr. Jharrett Bryantt