



Ethics Program Review

U.S Department of Education

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The U.S. Office of Government Ethics (OGE) conducted a review of the U.S. Department of Education (Education) ethics program during January through July 2026. The review covered program activities for calendar year 2025. The following summarizes the results of that review.

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Objectives, Scope and Methodology

Objectives: OGE provides leadership and oversight of the executive branch ethics program designed to prevent and resolve conflicts of interest. The Ethics in Government Act gives OGE the authority to evaluate the effectiveness of executive branch agency ethics programs.¹ OGE uses this evaluation authority largely to conduct reviews of agency ethics programs. The purpose of a review is to identify and report on the strengths and weaknesses of an ethics program by evaluating (1) agency compliance with ethics requirements as set forth in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures for administering the program.

Scope: OGE’s review examined all elements of Education’s ethics program including program administration, financial disclosure, ethics education and training, ethics advice and counseling, agency-specific ethics rules on outside employment,² conflict remedies, enforcement, and special government employees. This report includes findings based on the review of materials collected for calendar year 2025. Additionally, information about subsequent changes to the program are noted as needed to contextualize OGE’s recommendations.

Methodology: OGE examined a variety of documents provided by Education ethics officials, including the response to OGE’s 2025 Annual Agency Ethics Program Questionnaire, written procedures for administering the ethics program, samples of public and confidential financial disclosure reports filed in 2025, ethics training materials used in 2025, and samples of

¹ See 5 U.S.C. § 13122; 5 C.F.R. § 2638.

² Education has a supplemental standard of conduct regulation at 5 C.F.R. part 6301 requiring employees to obtain written approval prior to engaging in outside employment.

ethics advice and counsel provided to employees. In addition, OGE received clarification of gathered information from ethics officials and followed up on issues identified during the review.

Agency Background

Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access for students of all ages. Education operates under the leadership of the Secretary, a presidentially appointed, Senate-confirmed (PAS) official, and is headquartered in Washington, DC. The department has a workforce of approximately 2,300 employees.

Program Administration

In early 2025, the Education ethics program was administered by the Ethics Division within the Office of the General Counsel (OGC). In March 2025 Education initiated a reduction in force (RIF) and a department-wide reorganization. The Ethics Division within the Office of General Counsel (OGC) was eliminated and re-established as a division in the Office of the Secretary. The Secretary designated the Deputy General Counsel as the Designated Agency Ethics Official (DAEO) and the Administrative Appeals Counsel to the Secretary as the Alternate Designated Agency Ethics Official (ADAEO). However, the DAEO departed at the end of November 2025 and a new DAEO was then designated in December 2025. The newly designated DAEO departed the agency in May 2026 (outside the scope of this program review) and Education currently does not have an assigned DAEO. Presently, the ethics team consists of the ADAEO, four attorneys from the Office of the Inspector General with part-time ethics duties, one attorney with full-time ethics duties, and two other attorneys with part-time duties, assigned to the Ethics Division.

Re-forming the ethics team within the Office of the Secretary involved rebuilding the ethics program with guidance and collaboration from the Department of Health and Human Services (HHS), Office of the General Counsel (OGC) and the General Services Administration's (GSA) Ethics Law Division (ELD). The top priorities for the ethics team were ensuring the comprehensive review of nominee reports, drafting well-crafted ethics agreements, and ensuring the timely completion of initial ethics training for new employees. HHS/OGC officials assisted by conducting the comprehensive review of Presidentially Appointed/Senate Confirmed (PAS) officials' nominee reports and their initial ethics briefing. GSA/ELD officials aided in reviewing the backlog of public and confidential financial disclosure reports.

Concerns

Program Administration:

Education's ethics program administration was disrupted due to the elimination of the OGC Ethics Division. From March 2025 onward, Education experienced delays and program compliance issues while it reorganized its offices and re-established its ethics team.

Public and Confidential Financial Disclosure:

During Education's reorganization, the new ethics team attempted to prioritize ethics compliance requirements for both public and confidential financial disclosure programs, but the ethics program experienced backlogs and delays in all program-related areas. Education closed out 2025, lacking accurate lists of public and confidential financial disclosure filers while they tried to identify all covered staff who onboarded in 2025.

Initial Ethics Training and Annual Ethics Training:

The Secretary's ethics briefing was conducted late due to staffing turnover at the time of the Secretary's appointment to the position. In addition, other appointees also received late briefings because ethics officials were furloughed when they were appointed to their positions.

Education ethics officials confirmed that a certain number of covered employees failed to complete annual ethics training in 2025 despite receiving repeated reminders. Although ethics officials believe they have accurate reporting numbers for all periods after March 2025, they do not have complete records for trainings conducted prior to March.

Special Government Employees (SGE) Board Members:

The new ethics team tried to prioritize ethics compliance for SGE board members at the end of 2025. However, lack of access to email and electronic storage used by the former Ethics Division hindered the processing of SGE ethics reviews.

Financial Disclosure

Title I of the Ethics in Government Act requires that agencies administer public and confidential financial disclosure systems. Financial disclosure serves to prevent, identify, and resolve conflicts of interest by providing for a systematic review of the financial interests of officers and employees. The financial disclosure process also offers an opportunity for ethics officials to provide ethics-related counseling to report filers.

To evaluate Education's financial disclosure systems, OGE evaluated the required written procedures for administering the systems and a sample of public and confidential financial disclosure reports required to be filed by employees.

Financial Disclosure Written Procedures

Each executive branch agency must establish written procedures for collecting, reviewing, evaluating, and where applicable, making available to the public, financial disclosure reports filed by the agency's officers and employees.³ OGE's review found that Education's

³ See 5 U.S.C. § 13122(d)(1).

written procedures covering the public and confidential financial disclosure programs met all compliance requirements.

Notices to the DAEO

Agency human resources offices play a vital role in ensuring the effective administration of the ethics program. Without the necessary information about agency employees, ethics officials cannot successfully carry out their important work. Among other things, the lead human resources official is required to notify the DAEO within 15 days of all appointments to positions that require incumbents to file public or confidential financial disclosure reports. The lead human resources official must also notify the DAEO of terminations of employees in positions that require incumbents to file public financial disclosure reports no later than 15 days after termination.⁴ This supports the timely collection of financial disclosure reports.

Notices for Public and Confidential Financial Disclosure Filers

The ethics team is notified of new political appointees, including PAS, by the Office of Human Resources (OHR) Executive Resources Division (ERD) while OHR's Recruitment, Staffing, and Compensation Division (RSCD) provides the notices for career public filers. OHR also notifies the ethics team of departing public filers.

Education's ethics program receives biweekly notifications from human resources on all newly hired confidential filers, as well as transfers and promotions involving confidential filers. The ethics office creates a tracking list of filers from these notifications. An ethics specialist subsequently coordinates with the principal office component of the new confidential filing employee and notifies the new filer of the requirement to file an OGE Form 450. Because of the disruptions and challenges caused by the agency restructuring, OGE could not assess with confidence that Education's DAEO is notified within 15 days of appointments of public and confidential filing officials, as well as departures of public filing officials. OGE will therefore conduct a follow-up review to assess the timeliness of such notices to the DAEO.

Public Financial Disclosure

Within 30 days of assuming a covered public filing position, an individual must file a public financial disclosure report.⁵ The individual must subsequently file an annual report by May 15 each year and a termination report within 30 days of departing the public filing position.⁶ The reports are required to be reviewed for potential conflicts of interest and certified within 60 days of receipt by the ethics office, unless additional information is being sought from the filer or remedial action is being taken.⁷

⁴ See 5 C.F.R. § 2638.105(a)(1) and (2).

⁵ See 5 C.F.R. § 2634.201(b).

⁶ See 5 C.F.R. § 2634.201(a) and (e).

⁷ See 5 C.F.R. § 2634.605.

Due to the magnitude of the disruption to the Education ethics program in 2025, employees were not timely provisioned in the **Integrity**⁸ system nor timely identified by the agency as being filers. As a result, establishing the master list of 2025 filers remains a work in progress. Because of these circumstances OGE could not accurately assess the ethics team’s administration of the public financial disclosure system. However, OGE examined a sample of 81 available reports and the results are presented in Table one. OGE’s review found that 89% of reports sampled were filed timely, and 48% were certified timely.

Table 1. OGE’s Examination of Education’s Public Financial Disclosure Reports

	New Entrant	Annual	Termination	Total
Reports Examined	45	6	30	81
Filed Timely	38 (84%)	6 (100%)	28 (93%)	72 (89%)
Certified within 60 Days	8 (18%)	1 (17%)	30 (100%)	39 (48%)

The prompt review and certification of financial disclosure reports is critical to the prevention of conflicts of interest. This is particularly true of new entrant reports as the interests disclosed have not been previously examined relevant to the particular filer and their duties. It is also often the case that new entrant filers have not received the training that would allow them to recognize real or potential conflicts on their own prior to their appointment. OGE will therefore conduct a follow-up review to assess whether Education has established an accurate master list of public financial disclosure filers and whether such reports are filed and reviewed timely.

Recommendations

1. Ensure Education’s human resources offices provide the ethics team with timely notices of all newly hired employees, all transfers, and all departures.
2. Ensure backlogged new entrant, annual and termination public financial disclosure reports filed in 2025 are reviewed and certified.
3. Establish a complete and accurate master list of public financial disclosure filers.
4. Ensure all public reports filed in 2026 are reviewed and certified within 60 days of filing.
5. Implement programmatic internal controls to ensure that all public reports are reviewed and certified timely in the future.

Confidential Financial Disclosure

Within 30 days of assuming a covered confidential filing position, an individual must file a confidential financial disclosure report.⁹ The individual must also subsequently file an annual

⁸ Integrity is the executive branch wide electronic filing system for public financial disclosure reports.

⁹ See 5 C.F.R. § 2634.903(b).

report by February 15 each year.¹⁰ The reports are required to be reviewed for potential conflicts of interest and certified within 60 days of receipt by the ethics office. Final certification may, as a necessity, occur later, when additional information is being sought from the filer or remedial action is being taken.¹¹

Education’s confidential financial disclosure reports were maintained in **FDOnline**, an online financial disclosure system. However, Education’s access to **FDOnline** ended in February 2025, as the system was rendered inoperative due to a lapse or cancellation of the contract. While many employees had already filed in the system prior to the loss of access, all filers were requested to submit their form 450 reports in PDF format to a shared mailbox. Current ethics team officials only became aware of this issue in early 2026 and are still trying to ascertain how many email submissions were required once **FDOnline** became inaccessible. The **FDOnline** contract, and the ethics team’s access, were restored sometime in early 2025 after the former Ethics Division was eliminated. Additionally, the filer lists were not updated during and after the previous ethics team’s dissolution. Consequently, removing from the system employees who separated during both 2024 and 2025 remains ongoing. Lastly, an additional number of filers from the Office of the Inspector General were not captured on the current list of form 450 filers. Ethics officials explained that they plan to conduct comprehensive records review of the former ethics team’s records.

Because of the wide-ranging challenges discussed above, OGE, similar to its review of the public financial disclosure system, could not assess with reasonable confidence the true condition of the confidential filing system in 2025, including whether records older than the required retention period are properly destroyed. OGE nevertheless examined a sample of available annual and new entrant confidential financial disclosure reports and Table 2 below shows that of the available reports, 87% were filed timely and 81% were certified timely.

Table 2. OGE’s Examination of Education’s Confidential Financial Disclosure Reports

	New Entrant	Annual	Total
Reports Examined	6	25	31
Filed Timely	5 (83%)	22 (88%)	27 (87%)
Certified within 60 Days	4 (67%)	21 (84%)	25 (81%)

As with the public financial disclosure system, OGE will conduct a follow-up review to assess whether Education has established an accurate master list of confidential financial disclosure filers and whether such reports are filed and reviewed timely.

Recommendations

6. Establish a complete and accurate master list of confidential financial disclosure filers.

¹⁰ See 5 C.F.R. § 2634.903(a).

¹¹ See 5 C.F.R. § 2634.605(a).

7. Establish programmatic internal controls to ensure the accuracy of identifying and tracking confidential financial disclosure filers with the continued coordination with Education's Human Resources Office.
8. Destroy confidential financial disclosure reports in accordance with retention requirements and establish a process to ensure review and destruction of reports that have reached the end of the retention period.

Education and Training

Each executive branch agency is responsible for maintaining a compliant government ethics education program. A compliant ethics education program raises awareness among employees about applicable ethics laws and rules and the availability of agency ethics officials to provide ethics counseling. The training program must include briefings for certain PAS employees; notices for prospective employees and newly appointed supervisors regarding their ethics-related obligations; initial ethics training for new employees; and annual ethics training for public and confidential financial disclosure report filers and certain other employees.¹²

Ethics Briefing for Certain Agency Leaders

Certain PAS officials must complete an ethics briefing to discuss their immediate ethics obligations no later than 15 days after their appointment, unless the DAEO grants an extension. Any extension of more than 15 days requires the DAEO to make a written determination that extraordinary circumstances make it necessary to provide the briefing at a later date.¹³

Education had six PAS officials who required ethics briefings in 2025. OGE's review found that five of the six received an ethics briefing or training within 15 days of appointment, as required. One PAS official did not receive the ethics briefing within their initial 15 days. However, a live initial ethics training and ethics briefing was held for the official at a later date.

Notices to Prospective Employees

Written offers of employment for positions covered by the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct) must include: a statement regarding the agency's commitment to government ethics; notice that the individual will be subject to the Standards of Conduct and the criminal conflict of interest statutes; information on how to obtain additional information on applicable ethics requirements; and, where applicable, notice of the time frame for completing initial ethics training and information regarding the filing of new entrant financial disclosure reports.¹⁴

OGE examined the procedures established by Education to provide notices to prospective employees and a sample of notices that were sent to prospective employees in 2025. Based on

¹² See 5 C.F.R. Part 2638 Subpart C.

¹³ See 5 C.F.R. § 2638.305.

¹⁴ See 5 C.F.R. § 2638.303.

this examination, OGE determined that there was reasonable assurance that prospective employees received the required information.

Notices to New Supervisors

An agency must provide each employee upon initial appointment to a supervisory position with certain written materials within one year of appointment. The written materials must include: contact information for the agency's ethics office and the text of the regulation specifying the government ethics responsibilities of supervisors;¹⁵ a copy of, or a hyperlink to, or the address of a web site containing the Principles of Ethical Conduct; and such other information as the DAEO deems necessary for new supervisors.¹⁶

OGE's examination of the procedures established by Education to provide notices to new supervisors and a sample of notices that were sent to new supervisors found that the required text of 5 C.F.R. § 2638.103 and a copy of a hyperlink to or the address containing access to the Principles of Ethical Conduct was missing from the notices.

Recommendations

9. Ensure the notice template for issuing notices to new supervisors is updated to include required text of 5 C.F.R. § 2638.103 and a copy of a hyperlink to or the address containing access to the Principles of Ethical Conduct, as required.

Initial Ethics Training

Each new employee subject to the Standards of Conduct must complete initial ethics training within three months of appointment, unless excluded by the DAEO. The training must be interactive and focus on government ethics laws and regulations that the DAEO deems appropriate. The training must address financial conflicts of interest, impartiality, misuse of position, and gifts. In addition to the training presentation, the agency must provide the employee with either written copies of or written instructions for accessing: the summary of the Standards of Conduct distributed by OGE or an equivalent summary prepared by the agency; provisions of the agency's supplemental regulations or a summary thereof, as determined appropriate by the DAEO; and, instructions for contacting the agency's ethics office.¹⁷

Education provides live ethics training to all new employees at the department's HQ and employees at field offices join via online communication services. OGE examined the content of the training and found that it meets all applicable requirements. Records provided by Education indicate that 162 of 182 (89%) new employees received initial ethics training within the required three months and 95% (173) of new employees received initial ethics training. Education's reorganization disrupted the normal process for providing initial ethics training. By late 2025, the

¹⁵ See 5 C.F.R. § 2638.103.

¹⁶ See 5 C.F.R. § 2638.306.

¹⁷ See 5 C.F.R. § 2638.304(e)(2).

ethics team had resumed providing training during HR orientations to minimize future missed trainings.

Written Procedures for Initial Ethics Training

Agencies are required to establish written procedures for, among other things, initial ethics training, which the DAEO must review each year.¹⁸ Further, in agencies with 1,000 or more employees, any office that is not under the supervision of the DAEO, but has been delegated responsibility for issuing notices or conducting training, must submit the following materials to the DAEO by January 15 each year: a written summary of procedures that office has established to ensure compliance with initial ethics training requirements; and written confirmation that there is a reasonable basis for concluding that the procedures have been implemented.¹⁹

OGE's review found that Education's written procedures covering the initial ethics training program sufficiently met all compliance requirements.

Annual Ethics Training for Public Filers

Generally, live training must be provided each calendar year to each employee whose pay is set at Level I or Level II of the Executive Schedule. Agencies must provide live training to other PAS officials every other year, with interactive training provided in the intervening years. Agencies must provide interactive training to other employees who are required to file public financial disclosure reports each calendar year. The training presentation, whether live or interactive, must focus on government ethics laws and regulations that the DAEO deems appropriate and must address financial conflicts of interest, impartiality, misuse of position, and gifts. In addition to the training presentation, the agency must provide the employee with either written copies of or written instructions for accessing: the summary of the Standards of Conduct distributed by OGE or an equivalent summary prepared by the agency; provisions of the agency's supplemental regulations or a summary thereof, as determined appropriate by the DAEO; and, instructions for contacting the agency's ethics office.²⁰

OGE examined the training presentation and determined it did not meet applicable content requirements. The training was designed to cover outside activities and did not address impartiality or gifts. In 2025, Annual Ethics Training was provided via an online module. Following the training, employees were provided, via email, with a PDF copy of the training and links to a summary of the Standards of Conduct and Education's supplemental Standards of Conduct. The new ethics team is still working on updating tracking lists of covered filers who required ethics training. Because this process was not complete at the time of the review, training completion totals could not be assessed.

¹⁸ See 5 C.F.R. § 2638.304(f).

¹⁹ See 5 C.F.R. § 2638.310.

²⁰ See 5 C.F.R. § 2638.308(f)(2).

Annual Ethics Training for Confidential Filers and Certain other Employees

Generally, interactive training must be provided each calendar year to employees who are required to file a confidential financial disclosure report pursuant to 5 C.F.R. § 2638.307(a); employees appointed by the President and employees of the Executive Office of the President; contracting officers; and, other employees designated by the head of the agency. The training presentation must focus on government ethics laws and regulations that the DAEO deems appropriate and must address financial conflicts of interest, impartiality, misuse of position, and gifts. In addition to the training presentation, the agency must provide the employee with either written copies of or written instructions for accessing: the summary of the Standards of Conduct distributed by OGE or an equivalent summary prepared by the agency; provisions of the agency's supplemental regulations or a summary thereof, as determined appropriate by the DAEO; and, instructions for contacting the agency's ethics office.²¹

As with the content of public filers' annual training, confidential filers received the same online annual training, and it did not address impartiality and gifts. The ethics team is updating the lists of covered employees required to receive annual ethics training. Because this process was not complete at the time of this review, training completion totals could not be assessed.

Recommendations

10. Complete the reconciliation of covered employee lists that required ethics training.
11. Ensure that annual ethics training covers all required concepts: financial conflicts of interest, impartiality, misuse, and gifts.
12. Ensure all covered employees receive annual ethics training as required.

Ethics Counseling

The DAEO is required to ensure that a counseling program for agency employees concerning ethics and the Standards of Conduct, including post-employment matters, is developed and conducted.²² The DAEO may delegate to one or more deputy ethics officials the responsibility for developing and conducting the counseling program.²³

OGE reviewed samples of written ethics advice and counsel provided to employees by Education ethics officials. These samples covered impartiality, gifts, outside activities, and outside employment. OGE's review found that ethics officials responded timely and provided accurate determinations based on relevant regulation(s).

²¹ See 5 C.F.R. § 2638.307(e)(2).

²² See *id.* § 2638.104(c).

²³ See *id.* § 2638.104(e).

Agency-Specific Ethics Rules

An agency may modify or supplement the Standards of Conduct, with the concurrence of OGE, to meet the particular needs of that agency.²⁴ A supplemental standards of conduct regulation is issued jointly by the agency and OGE and is published in title 5 of the Code of Federal Regulations.

Education has a supplemental standards of conduct regulation codified at 5 C.F.R. Part 6301. The supplemental standards require employees, except for special government employees, to obtain written approval before engaging, with or without compensation, in certain outside activities and outside employment. Once a request is made, frontline supervisors conduct an initial review followed by Ethics Division officials who make the final determination.

To evaluate the administration of Education's supplemental regulation, OGE examined report samples from the public and confidential financial disclosure section above to determine whether approval was granted for any reported outside activities and outside employment. OGE identified 45 instances of reported outside activities and outside employment. The ADAEO confirmed that all identified outside activities and outside employment received appropriate approval, except for two instances where the former Ethics Division's records could not be located.

Conflict Remedies

The criminal conflict of interest law prohibits an employee from participating in an official capacity in a particular matter in which he or she has a financial interest.²⁵ Congress included two provisions that permit an agency to issue a waiver of this prohibition in individual cases. Agencies must consult with OGE, where practicable, prior to issuing such a waiver.²⁶ OGE's review found that Education issued three waivers in 2025 and consulted with OGE on each of these waivers as required.

In addition, the Ethics in Government Act expressly recognizes the need for PAS nominees to address actual or apparent conflicts of interest by requiring written notice of the specific actions to be taken in order to alleviate the conflict of interest,²⁷ commonly known as an "ethics agreement." OGE's review found that 50% (3 out of 6) PAS officials confirmed in 2025 certified their ethics agreement timely. Education explained that the other three certifications occurred late due to the furlough along with the departure of the former DAEO.

²⁴ See Exec. Order No. 12,674, § 102, 54 Fed. Reg. 15,159 (Apr. 14, 1989), as modified by Exec. Order No. 12,731, 55 Fed. Reg. 42,547 (Oct. 19, 1990); 5 C.F.R. § 2635.105.

²⁵ See 18 U.S.C. § 208.

²⁶ See Exec. Order No. 12,674, § 102, 54 Fed. Reg. 15,159 (Apr. 14, 1989), as modified by Exec. Order No. 12,731, 55 Fed. Reg. 42,547 (Oct. 19, 1990); 5 CFR § 2640 subpt. C.

²⁷ See 5 U.S.C. § 13111.

Enforcement

Executive branch offices are required to notify OGE when they refer a potential violation of a conflict-of-interest law to the Department of Justice (DOJ).²⁸ Education's Office of Inspector General (OIG) is responsible for referring potential violations of the criminal conflict of interest statutes to DOJ and concurrently notifying OGE of the referral. OGE's review found that Education made one referral to the Department of Justice (DOJ) in 2025 and notified OGE of the referral as required.

Special Government Employees

A special government employee (SGE) is an officer or employee of the executive or legislative branch retained, designated, appointed, or employed to perform official duties, full-time or intermittently, for not more than 130 days in any 365-day period. SGEs are required to file financial disclosure reports and receive ethics training.²⁹

Education had four committees with SGEs in 2025, two of which were Federal Advisory Committee Act FACA committees. To evaluate the ethics services provided to SGEs, OGE reviewed the financial disclosure reports required in 2025 and the ethics training materials provided to two of the four committees: the National Advisory Committee on Institutional Quality and Integrity (NACIQI), a FACA committee, and the National Assessment Governing Board (NAGB), a non-FACA committee.

Financial Disclosure

NACIQI included 17 SGE members in 2025. The members are required to file confidential financial disclosure reports (OGE Form 450). OGE examined the reports filed by members in 2025 and determined that 16 (94%) were filed timely, but just two (12%) were certified timely. Eleven (65%) were never certified at all.

Twenty-six NAGB SGEs were required to file confidential reports in 2025. OGE examined the reports and found that just 13 (50%) were filed timely. Furthermore, 19 of 26 (73%) reports were never certified.

According to Education, the issues with timely certification at NACIQI and timely filing and certification at NAGB stem from the March 2025 elimination of the Office of General Counsel Ethics Division. While other staff took on ethics compliance duties, these staff had to balance competing priorities, resulting in the above timeliness statistics.

²⁸ See 5 C.F.R. § 2638.206.

²⁹ See 18 U.S.C. § 202(a).

Recommendations:

13. Review and update as needed the programmatic internal controls for SGE confidential report filing and certification to ensure the reports will be filed and certified timely.
14. Certify the uncertified NACIQI and NAGB reports filed in 2025, as required.

Ethics Training

In 2025, NACIQI and NAGB SGE members received two kinds of training. New members received live training via PowerPoint presentation, which they were subsequently provided a copy of. OGE reviewed the slide deck used and found that it met applicable content requirements. Due to staff reductions, doing live or interactive training for returning NACIQI and NAGB members was deemed impracticable. In accordance with 5 C.F.R. 2638.307(d)(2), Education provided returning members with required written materials to satisfy their annual training requirement. OGE determined that the training given to NACIQI and NAGB SGE members met the applicable content and format requirements. OGE also determined that 17 of 17 (100%) NACIQI and 24 of 27 (89%) NAGB SGE members received the required ethics training timely in 2025.

Agency Comments

“The Department of Education’s ethics program experienced challenges during a period of reorganization starting in early 2025. Even amidst the Department’s reorganization, leadership prioritized ethics resources to ensure substantial compliance by departmental employees with all ethics statutes and regulations. In particular, the Department prioritized training new employees on ethics basics and provided timely advice on concurrent and post-government employment, gifts and event attendance (including in-kind travel), and Hatch Act matters. The unprecedented furlough in late 2025 and the departure of the Department’s DAEO in December 2025 and again in May 2026 forced the Department to prioritize the highest risk matters.

Throughout 2026, the Department has reallocated resources with the goal of addressing each of OGE’s recommendations. In particular, the Department is implementing new standard operating procedures to improve compliance with financial disclosure requirements. The DAEO position is in the process of being moved to the Office of the Secretary, putting ethics advice closer to senior leadership. The Office of Personnel Management must complete a panel interview process before the DAEO position is filled for which the Department has now waited over three months.”