

# **Looking Ahead: Potential Consequences of Dismantling the U.S. Department of Education**

**December 9, 2025**

**Presented by: Disability Rights Education &  
Defense Fund and Council of Parent Attorneys  
and Advocates**

# Housekeeping

## This is a Zoom Webinar

- All attendees are muted, and cameras are turned off.
- If there is enough time, we will take questions at the end.

## Live Captioning is Available

- Select “Show Captions” in the Zoom meeting control bar to enable captions, and to view the full transcript. There is a drop down menu to choose English or Spanish language.
- Or, to get the captions in a web browser, go this link [bit.ly/DREDF-CART](http://bit.ly/DREDF-CART), which will also be dropped in the Chat.

Please use the Q&A or reach out to me, Drew McKay, by email at [dmckay@dredf.org](mailto:dmckay@dredf.org) with any questions and/or comments.



Disability Rights Education & Defense Fund

- Unique alliance of people with disabilities and parents of children with disabilities.
- National law and policy center dedicated to protecting and advancing disability civil and human rights.
- Disability rights are civil rights.
- **Vision:** a just world where all people live full and independent lives free of discrimination.
- Educate legislators and policy makers on affecting rights of people with disabilities.

# Council of Parent Attorneys and Advocates

**Mission:** to protect and enforce the legal and civil rights of students with disabilities and their families.

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# COPAA

[www.copaa.org](http://www.copaa.org)

# Presenters

## **Denise Marshall**

Chief Executive Officer

Council of Parent Attorneys and  
Advocates

## **Jinny Kim**

Managing Attorney

Disability Rights Education &  
Defense Fund

## **Karma Quick-Panwala**

Children & Family Advocacy

Services Director

Disability Rights Education &  
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# Topics

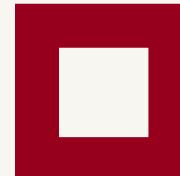
- Overview of the Department of Education
- Examples of OSEP Oversight and Enforcement
- RIFs, Shutdown and Dismantling
- What Parents, Students, and Professionals Should Know and What you Can Do

# Overview of U.S. Department of Education



# Department of Education

- Created by Congress in 1979
- Can only be closed or its functions transferred by an act of Congress, **not** by an Executive Order or other actions that in effect amount to the same result
- Responsible for special education, low-income school funding (Title I) and student federal loans
- Serves 50 million K-12 students



## **IDEA Part B: Primary and Secondary Education Special Education Services and Provision of FAPE**

- Funding for FAPE provisions
- Congressional funding and appropriations
- State funding
- Section 619 – Preschool funding and implementation of preschool special education

# Students with Disabilities

- Enforces the Individuals with Disabilities Education Act
- Enforces Section 504 of the Rehabilitation Act
- Provides federal funding to states and local agencies
- Investigates complaints of civil rights violations
- OESE: Office of Elementary and Secondary Education
- OSERS: Office of Special Education and Rehabilitative Services

# OESE (Moved to Labor in Part)

- Federal pre-K-12 programs including the Elementary and Secondary Education Act (ESEA)
- Title I
- Rural education programs
- Programs that support mental health services
- Programs that support migrant and unhoused students
- All students with disabilities who qualify for support, services, and accommodations are also general education students.

# OSERS

- Rehabilitation Services Administration (RSA) + Office of Special Education Programs (OSEP)
- OSERS serves 7.5 million students with disabilities
- RSA ensures that students with disabilities have access to targeted services to prepare for independence and employment
- Includes career counseling, job coaching and financial aid to support post secondary transition

# OSEP

- OSEP oversees implementation of the IDEA and ensures protections for students with disabilities
  - Administers funding
  - Provides technical assistance
  - Oversees special education data collection
  - Reports outcomes to Congress and the public
  - Conducts state monitoring visits

- Investigates civil rights complaints in public education institutions and those receiving federal funding
- 2024: about 23,000 complaints with a majority falling under disability or sex-based discrimination
- Does not have authority under IDEA, but addresses complaints about disability discrimination under Section 504 and Title II of the ADA

## OCR (Continued)

- The Civil Rights Data Collection (CDRC)
- Title VI: Discrimination Based on Race, Color, or National Origin
- Title IX: Discrimination Based on Sex
- Section 504 and ADA Title II: Discrimination Based on Disability
- An Examples of OCR Impact
  - Frederick County, Maryland
  - Apache Junction Unified School District in Colorado
- Families and advocates can and should continue to file OCR complaints when discrimination occurs

# Examples of OSEP Oversight and Enforcement



## ED Enforcement - Examples

- **Pennsylvania** (Prior to 2020) – Statewide failure in public school districts and charter schools to appropriately accommodate and educate students with complex medical needs and complex disabilities.
- **Texas** (2004-2017) – For 13 years, the Texas Department of Education capped the rate of students made eligible for special education at 8.5% statewide. TDE also threatened to withhold state funding for special education for any school district with a higher rate of eligibility than 8.5%.

## ED Enforcement - Examples

- **Virginia** (2020-2021) – Roughly 50% of IEPs in the state had no annual goals, and the Virginia Department of Education ignored compliance complaints.
- **New York Department of Education** (NYC, 2022) – Widespread failure across the school district to meet federal timelines for initial evaluations/re-evaluations and IEP meetings.

## ED Enforcement - Examples

- **Illinois** (2022) – Extremely high rates of restraint and seclusion of students with disabilities. No notice provided to parents, little documentation or tracking of restraint and seclusion use by the state.
- **Alaska** (2023) – Students were secluded for any behaviors (including non-threatening behaviors).

## ED Enforcement - Examples

- **Connecticut** (2023-2024) – School districts in the state reported a total of approximately 46,000 incidents of restraint and seclusion. 18 students required medical attention as a result of restraint at school.
- **California** (Ongoing) – Despite AB2657 in 2018 regarding limits on restraint and seclusion, implementation of proper behavior supports and services, as well as training and appropriate response to behaviors has been inconsistent state-wide. CDE oversight has also been inconsistent between SELPAs and school districts.

## If OSEP is Dismantled:

- It will still require an act of Congress to move OSEP to another Department or agency, or dismantle altogether
- Block grants to state departments of education rather than specific allocations (no control or transparency on where funds go or how they are used by states)
- Unequal enforcement of IDEA across states, especially on systematic issues
- IDEA remains in effect but no oversight; solely up to individual parents to enforce the IDEA
- Documentation is key—obtain education records, emails, and record IEP meetings if possible



# RIFs, Government Shutdown and Dismantling



- OCR (3/20 25): closed 7 of 12 offices, fired half of staff
- 465 ED staff (20% of remaining workforce) received layoff notices in October; lawsuits challenge RIFs
- NCYL filed a lawsuit against Department, COPAA is co-counsel as is SPLC and COPAA is org plaintiff along with 7 families: *Carter, et al v. USDOE*
- *Somerville v. Trump* (now consolidated with *New York v. McMahon*)
- On December 5, 2025, ED ordered hundreds of fired employees to "return to duty" later this month

# Government Reopening

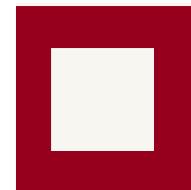


- Longest government shutdown ended on November 12, 2025
- Federal government is funded through January 30, 2026
- Reversed layoffs of thousands of federal employees and prevents further federal layoffs

# Parts of ED Moved to Other Departments

- LABOR: “Postsecondary Education Partnership”
- INTERIOR: “Indian Education Partnership”
- STATE: “International Education and Foreign Language Studies Partnership”
- HHS: “Foreign Medical Accreditation Partnership” and “Child Care Access Means Parents in School Partnership”

# What Parents, Students and Professionals Should Know and What You Can Do



## How Families Can Take Action Now: Other

### States

- State Departments of Education complaints
- Due process hearings
- ED OCR Complaints still filed when discrimination occurs
- State court suits
- Pennsylvania Dept of Education OCR legislation proposed (PA Senate)
- Policy advocacy with state agencies and legislatures
- Advisory Commission on Special Education
- Find COPAA members in each state or territory
- Protection and Advocacy organizations
- LEA Board of Education or State Board of Education

## How Families Can Take Action Now: California

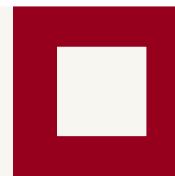
- Involvement at local or SELPA (County Office of Education) level
- LEA Board of Education or State Board of Education
- Follow Advisory Commission on Special Education
- Brown Act/public records requests of public agencies
- State education budgets (contact assembly members and state senators, follow hearings, give input and comment on legislation)
- California Office for Civil Rights (coming 2026)

# IEPs Across State Lines

- What the IDEA requires receiving school district to do for students who move across state lines:
  - Provide FAPE
  - Provide comparable services to the previous IEP in consultation with parents/ed rights holder
  - Until district adopts previous IEP or conducts an evaluation (if needed) and develops a new IEP consistent with state/federal law.

# CA's AB 1412 for Military Families

- Receiving school districts must proactively work with families and obtain student's education records from previous district
- School district may also work with family to use unofficial records or diagnoses that will help to develop the IEP until education records from previous school district are received.



# Contact Us



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**TikTok:** [tiktok.com/@disabilityrights](https://tiktok.com/@disabilityrights)

**DREDF**

# Contact Us

DREDF provides information and training to parents/guardians of school-age children with disabilities (up to age 26), and professionals who serve these students and their families. To see the Northern California counties that we serve, visit [dredf.org/vertical/pti](http://dredf.org/vertical/pti)

Contact us to request help from an **Education Advocate**:

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**Website:** [www.dredf.org](http://www.dredf.org)

**Facebook:** [www.facebook.com/dredf.org](http://www.facebook.com/dredf.org)

# Parent Training and Information Centers

- PTIs help families understand and use the education rights of their children with a disabilities.
- PTIs offer **free** trainings for parents of children with disabilities, youth and community members.
- There is a PTI in every state and territory in the United States.
- To find a PTI near you, visit the: [Center for Parent Information Resources](#)
- The PTI at DREDF now serves the North Coast Region!  
To Contact us:
  - 800-348-4232 (toll free)
  - 510-644-2555 x5227 (voice)
  - [iephelp@dredf.org](mailto:iephelp@dredf.org) (Email)



# COPAA Contact Information

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