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How Dismantling the US Department of Education Would Directly Impact Students with Disabilities

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The United States Department of Education (ED) is the backstop for ensuring that students with disabilities across the country have equal access to education and receive the services and supports that will prepare them to achieve their postsecondary goals.

Amid efforts to eliminate these longstanding protections and divert the department’s work to other agencies, it is important to understand how essential ED is for all students with disabilities. Dismantling it would deprive students of critical funding, eliminate essential guidance, severely limit state and local implementation of individualized education plans and related services, and erase an enforcement mechanism that has defended students’ and parents’ rights for decades.

Dismantling ED Would Impact:

1) How We Pay for Necessary Special Education Services for Students with Disabilities

Since Congress passed the Individuals with Disabilities Education Act (IDEA), our nation has made significant progress toward ensuring that all students with disabilities are [learning in inclusive schools, graduating at high rates, and achieving positive postsecondary outcomes](#). Each year, ED distributes more than [\\$15 billion through grants to states](#) to support special education programs in local schools to help accomplish these goals. ED uses its expertise to properly calculate and deliver these funds – funds that local schools cannot generate on their own. ED also works to ensure that these funds go to programs that will have the greatest benefit for students with disabilities. Without an agency with education expertise determining funding, it is unclear how funding would be allocated or whether it would be maintained.

2) How We Pay for Critical Interventions for Students with Disabilities

ED also distributes Title I funds to schools with [high concentrations of students experiencing poverty](#) in rural, urban, and suburban parts of every state, including to schools with [high representation of students with disabilities](#). These funds are used by schools for a variety of reasons – for example, to allow for smaller class sizes, provide reading specialists, and expand mental health counseling – which are all important supports for students with disabilities. Without Title I funds, the losses would be felt by all students, especially students with disabilities, who often benefit from these supports to learn in classrooms alongside their peers. Some estimate that eliminating Title I funding could result in the loss of [180,000 teaching positions](#).

3) How We Ensure States and Schools Comply with the IDEA

ED is the agency ultimately responsible for ensuring that [State Educational Agencies](#) and [Local Educational Agencies](#) (individual school districts and charter schools) comply with the IDEA. ED is

the only agency directly responsible for ensuring state and local compliance with the IDEA. ED provides [essential guidance to states and schools](#) about how to implement and comply with the law, particularly when there are unexpected changes impacting schools. For example, when schools were forced to shut down in 2020 due to the COVID-19 pandemic, ED [immediately alerted all states](#) that the rights of students with disabilities remained intact and any losses experienced by students would need to be made up. Without ED, the rights of students with disabilities and the services they and their families depend on are in jeopardy. Without the oversight and enforcement mechanism of ED, state and local educational agencies that refuse – or fail – to provide needed services would face few repercussions if they violate the rights of students and parents.

4) How We Learn What Works for Students with Disabilities

ED is a [vital source](#) of [valuable data](#) from states and local schools regarding all aspects of the school experience for students with disabilities, including participation in inclusive programs, transition to adulthood, student discipline, and postsecondary outcomes. This data is then used in many ways, including informing research on [cutting-edge educational approaches](#), shaping [policies that directly impact students with disabilities](#), [preventing exclusionary school discipline](#), and guiding [practices to ensure all students make meaningful progress](#) in school. Current efforts to eliminate these longstanding sources of data mean we would no longer learn about what works or what doesn't work for students with disabilities. Instead of [expanding opportunities](#) for children with disabilities and better preparing them to transition to adulthood, these actions limit their futures.

5) How We Enforce Vital Disability Discrimination Laws

ED is the largest investigator of complaints nationwide regarding discrimination in schools. During the last year, ED received more than [22,000 complaints of discrimination, with discrimination based on disability](#) a leading cause of the complaints. ED investigates incidents of discrimination, seeks resolutions to ensure equal access for students, and issues decisions when schools perpetuate discriminatory actions. In addition, ED publishes policy resources addressing [disability discrimination](#) on a wide range of topics, reminding schools of their responsibilities under the law. Without ED, millions of students with disabilities and the families who advocate for them would not only lose the oversight and leadership of a dedicated federal agency to turn to when discrimination occurs, but state and local enforcement would be significantly weakened, leaving parents with little recourse to protect the rights of their children.

What Would Dismantling ED Mean for Your Child with Disabilities?

- Fewer trained special education teachers in the classroom
- Less inclusive classrooms
- Inability to successfully challenge delays in obtaining an evaluation or failure to provide the supports and services mandated by your child's IEP, lack of robust transition services, and unaddressed deficiencies
- Paying for services and interventions out of pocket.

For all of these reasons, dismantling ED would have direct and devastating consequences for the [7.5 million](#) students with disabilities who rely on special education services to learn.

[Ensuring that all of Pennsylvania's children have equal access to a quality public education.](#)