



April 4, 2025

Dear Chairs Collins, Capito-Moore, Cole, Aderholt, Cassidy, Walberg, Vice Chair Murray, and Ranking Members Baldwin, DeLauro, Sanders, and Scott,

The Consortium for Constituents with Disabilities (CCD) is writing to implore that you **take no action**—through appropriations or authorizing statutes—to weaken or dismantle the U.S. Department of Education (Department). As the nation’s premier advocacy organization for the 9.5 million infants, toddlers, youth, and adults served by the Individuals with Disabilities Education Act (IDEA) and through Section 504 of the Rehabilitation Act of 1973 (Section 504), we oppose such proposals and are supported by millions of children and their families, educators, specialized support personnel, researchers, and other disability advocates across the nation. Annual appropriations bills should not be used to alter requirements established through bipartisan education, civil rights, and disability authorizing statutes.

The Department is a critical federal agency for students with disabilities. In fact through the authority established by Congress in multiple federal statutes, the Secretary of Education is required to oversee the implementation of bipartisan laws designed to promote early intervention, K-12 education, transition planning for career and post-secondary education and employment, as well as provide civil rights protections to disabled children.¹ Indeed, all children with disabilities (ages 0-21) have the right to a free, appropriate public education (FAPE) free from discrimination, as guaranteed by the federal government.

As you know, children with disabilities represent about 15 percent of the nation’s K-12 students, and more than 90 percent attend a traditional or public charter school where they are provided with FAPE according to their Individualized Education Program (IEP). Infants and toddlers are identified by states and provided early intervention support and services in their natural environments and/or in childcare or preschool settings according to their Individualized Family Support Plan (IFSP). Parents, along with experts and others knowledgeable about the child, are included in the development of an IFSP or IEP.

To support these complex activities, the Department provides billions of dollars to states and districts to provide early intervention, educate students, and help prepare and train school leaders, teachers, and related service providers in the use of evidence-based practices, accessible education materials, and assistive technologies that impact whether students achieve meaningful outcomes. These funds also support technical assistance and parent information centers, empowering parents with critical knowledge of their rights under federal laws. Meanwhile, the Department’s Office for Civil Rights (OCR) safeguards the civil rights of students with disabilities by investigating patterns of discrimination, including the rampant abuse and school use of restraint and seclusion that impacts millions of children with disabilities in schools nationwide.

¹ See: P.L. 93-112, Rehabilitation Act of 1973 (Section 504 and also as amended by Title IV (Vocational Rehabilitation) included in P.L. 113-128, the Workforce Investment Opportunity Act-2017; P.L. 108-446, Individuals with Disabilities Education Act; P.L. 110-315, Higher Education Opportunity Act; P.L. 114-95, Elementary and Secondary Education Act (as amended by the Every Student Succeeds Act); P.L. 115-224, Carl D. Perkins Career and Technical Education Act, P.L. 113-128, Workforce Investment Opportunity Act.



Considering the Department's integral role in fiscal and programmatic oversight of IDEA and other laws -that provide a necessary ecosystem to improve access to education and employment for students with disabilities- as well as the unique expertise they offer to help states and districts meet federal requirements, CCD is deeply troubled by the prospect that programs supporting students with disabilities could be moved to other agencies. Specifically, Members of Congress [included in this letter] and others have stated their interest in proposing or supporting policy proposals, including as part of Fiscal Year 2026 appropriations, which would move the functions and activities authorized by IDEA to the Department of Health and Human Services (HHS). Such a move is intolerable for these reasons:

1. **Segregates Students with Disabilities from School-Based Resources and Support:** Moving IDEA-related programs and responsibilities to HHS would promote a medical model of disability that could only lead to stigmatizing, segregating, and "othering" children with disabilities. It is only the Department that holds the specific authority from Congress as well as the expertise to support key programs for students with disabilities. In addition to not having authority, HHS is not equipped to work directly with state education agencies, which are delegated the responsibility to oversee the implementation of IDEA in school districts; and, HHS is unable to support and provide essential technical assistance to parents as is currently conducted through a state and regional parent training and information (PTI) network designed specifically to support children and families.
2. **Segregates Students with Disabilities from Bipartisan Programs Authorized Under Education and Career Access Laws:** As noted above, the majority of students with disabilities are general education students. Therefore, IDEA activities and programs must not be siloed or 'segregated' from other federal education statutes that were intentionally aligned by Congress to support educational equity and access for students with disabilities to K-16 education, career training, and employment opportunities alongside their peers. These federal statutes include: the Elementary and Secondary Education Act—supporting Title I schools that educate millions of low-income children with disabilities; the Carl D. Perkins Act—providing support to middle and high schools for career/technical education; Title IV of the Workforce Innovation and Opportunity Act—providing access to state-led vocational rehabilitation programs so disabled young adults can access competitive integrated employment; and, the Higher Education Act—funding for teacher and school leader preparation, college access programs like TRIO, and more.

Given the ableist comments made by the Administration and some Members of Congress about programs for "special needs students being moved to HHS" and the complete silence regarding specialized laws and related programs overseen by the Department that impact early intervention and access for infants and toddlers as well as vocational rehabilitation programs for young adults with disabilities, we find any proposal to dismantle the Department short-sighted, insulting, and unacceptable.

Students with disabilities must continue to receive support from an agency whose roles and functions are designed to ensure that every student is expected to achieve academically and to access career training and post-secondary education. A health-centered agency is not equipped to help students accomplish education and employment success. Given the recent announcement about cutting staff at HHS and merging its divisions, it would also be irresponsible to send any program there.



Finally, and as we have emphasized throughout this letter, Congress has worked in a bipartisan fashion for decades, with support from our community of stakeholders, to infuse, integrate, and align the nation's K-16 laws and attach necessary funds so that the federal research, practice, technical assistance, and other components of the education ecosystem ensure students with disabilities are general education students with access to each and every opportunity provided their peers. Congress must NOT break this apart.

CCD reiterates our strong plea for you to stand firm and protect our nation's students with disabilities from policy proposals that intend to dismantle the Department and/or that will eliminate or reduce funding for key education, disability, and civil rights laws. We know these actions would have lasting negative impacts on students, families, educators, and the future of millions of children with disabilities.

The nearly 50 undersigned organizations stand united with the children, families, educators, specialized personnel, researchers, and others and will continue to fight for the hard-won access to education and the civil rights of children with disabilities. Together with allies in Congress and across the U.S., we will work to protect access to IDEA, Section 504, and other laws that support educational access and opportunity in America's schools. We ask you to stand firm in your commitment to these children and their families.

Sincerely,

Access Ready, Inc.

Allies for Independence

American Association on Health and Disability

American Foundation for the Blind

American Music Therapy Association

American Physical Therapy Association

American Speech-Language-Hearing Association

Assistive Technology Industry Association (ATIA)

Association of Assistive Technology Act Programs (ATAP)

Association of People Supporting Employment First (APSE)

Association of University Centers on Disabilities

Autism Society of America

Autistic Self Advocacy Network

Autistic Women & Nonbinary Network

Bazelon Center for Mental Health Law

CAST

Center for Public Representation

Children and Adults with Attention-Deficit/Hyperactivity Disorder

CommunicationFIRST

Council for Exceptional Children

Council for Learning Disabilities

Council of Parent Attorneys and Advocates (COPAA)

Disability Rights Education & Defense Fund

Division for Early Childhood of the Council for Exceptional Children (DEC)



Division for Learning Disabilities of the Council for Exceptional Children
Easterseals
Epilepsy Foundation of America
Higher Education Consortium for Special Education
Lakeshore Foundation
Learning Disabilities Association of America
National Association of Councils on Developmental Disabilities
National Association of the Deaf
National Center for Learning Disabilities
National Disability Rights Network (NDRN)
National Down Syndrome Congress
National Respite Coalition
Parent to Parent of Georgia
Perkins School for the Blind
Quality Trust for Individuals with Disabilities
School Social Work Association of America
SPAN Parent Advocacy Network
TASH
Teacher Education Division of the Council of Exceptional Children
The Advocacy Institute
The Arc of the United States
The Center for Learner Equity
The Kelsey
US International Council on Disabilities

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cc: House Appropriations Committee, Senate Appropriations Committee

The CCD Education Task Force leads, advocates for, and monitors federal legislation and regulations that address the educational needs of children and youth with disabilities and their families, including policy efforts affecting the funding and implementation of federal laws such as IDEA, Every Student Succeeds Act (ESSA), Section 504, and the Americans with Disabilities Act (ADA). We advocate for high expectations for children with disabilities under these and other laws.