

United States Senate

WASHINGTON, DC 20510

October 22, 2025

The Honorable Linda McMahon
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary McMahon,

I am writing to express outrage over the Administration's reductions in force (RIFs) within the U.S. Department of Education (ED) initiated on October 10, 2025, which impacted 465 ED employees and gutted the workforce responsible for upholding protections and services for students with disabilities across the nation.¹ New Yorkers are scared of what these RIFs mean for students with disabilities. One advocate told my office that if they could speak with you, they would say, "You're picking a fight with the powerless." Students with disabilities have incredible potential to contribute to our communities, and someday the workforce, but they cannot reach their full potential if we fail to serve them in schools. Gutting services and protections for these students does a disservice to our Nation, especially here in New York.

For this reason, I strongly urge ED to immediately restore these offices to their previously held staffing levels and uphold its commitment to protect and ensure civil rights for students with disabilities. I also strongly object to efforts to move special education services to another federal agency and strongly urge you to keep these vital programs at ED, where they can best serve students, educators, and families.

These RIFs obliterated staff in key offices—including the Office of Special Education Programs (OSEP), the Rehabilitation Services Administration (RSA), the Office for Civil Rights (OCR), and the Office of Elementary and Secondary Education (OESE).² This action is devastating to the approximately 7.5 million students with disabilities nationwide³, including the 546,566 students with disabilities in New York state.⁴ The RIFs within OSEP in particular, which reportedly involved cutting nearly all the staff, completely undermine the federal government's ability to ensure that children with disabilities are protected within our education system under the *Individuals with Disabilities Education Act (IDEA)*.

IDEA mandates that schools provide a free appropriate public education to eligible children with disabilities by ensuring special education and early intervention services are available to preschool and K-12 students.⁵ Before IDEA, children with disabilities were not guaranteed a right to an education. Many were excluded from general education classrooms, or schools altogether, because of their disability.⁶ Today, IDEA ensures identification and services to students with disabilities by providing services to support education in the least restrictive environment possible. The deliberate and careless decision to fire

¹ <https://www.k12dive.com/news/education-department-layoffs-what-to-know-special-education-civil-rights-lawsuits/802779/>

² <https://www.k12dive.com/news/education-department-layoffs-what-to-know-special-education-civil-rights-lawsuits/802779/>

³ [https://nces.ed.gov/programs/coe/indicator/cgg/students-with-disabilities#:~:text=In%202022%E2%80%9320the%20number,learning%20disabilities%20\(32%20percent\).](https://nces.ed.gov/programs/coe/indicator/cgg/students-with-disabilities#:~:text=In%202022%E2%80%9320the%20number,learning%20disabilities%20(32%20percent).)

⁴ <https://www.p12.nysed.gov/sedcar/goal2data.htm>

⁵ <https://www.ed.gov/laws-and-policy/individuals-disabilities/idea>

⁶ <https://www.npr.org/2024/12/26/nx-s1-5213714/a-1975-law-helped-kids-with-disabilities-access-education-schools-now-need-more-help#:~:text=For%20a%20long%20time%2C%20children,a%20new%20civil%20rights%20movement.>

the staff at OSEP who are responsible for enacting and enforcing IDEA will harm every student in the nation and perpetuate inequities and injustices in our education system.

Furthermore, eliminating the workforce of both OCR and OSEP robs students and schools of the resources, expertise, and potentially funding, they need to allow children with disabilities to thrive while simultaneously destroying their ability to seek justice. OCR works to identify, end, and remedy systemic violations of civil rights laws, including those that protect students with disabilities, in tens of thousands of institutions, including every state and local educational agency and many institutions of higher education.⁷ OCR's critical investigative and enforcement work is more important now than ever, and the destruction of this agency will certainly lead to fewer remedies for civil rights violations for students with disabilities and leave them with less recourse than they have had in decades.

The RIFs announced at ED on October 10, 2025, are indefensible. You cannot claim to care about students with disabilities and stand behind this decision. These actions will have a direct and acute impact on all students, not just students with disabilities. It is our responsibility to provide a free appropriate public education for all students, and undermining decades of progress to revert to a system that allowed students to be abused, secluded, restrained, and isolated in educational settings with no recourse is unforgivable. It is for these reasons that I strongly urge you to immediately reverse this decision and restore staffing at ED to previously held levels.

I have included below examples of questions that I have received from parents and advocates of children in New York who will be harmed by these cuts. These questions reflect real-world concerns of families in New York. They are worried about their children's education, accommodations, and the enforcement of their rights. They are also worried that there is nobody working at ED to address these concerns. In addition to restoring staffing levels at ED to previously held levels, we request that you answer these verbatim questions from New York constituents. Please provide a response that I can share with my constituents by Friday, October 31st, 2025:

- 1) Will this affect Individualized Education Programs (IEPs)?
- 2) Will schools still have to provide therapy and other accommodations to students?
- 3) What does this mean for tuition reimbursement under IDEA for already-approved services? Will parents be responsible for paying for this?
- 4) If a parent has a problem or an issue that they would otherwise call these offices about, "Who will pick up the phone at the Department of Education?"
- 5) If parents escalate issues relating to safety at school for their children with disabilities, will these problems be addressed and by whom?

Sincerely,



Kirsten Gillibrand
United States Senator

⁷ <https://www.ed.gov/about/ed-offices/ocr/about-ocr>