



**PHILADELPHIA**  
1800 JFK Blvd., Suite 1900A  
Philadelphia, PA 19103  
T 215-238-6970  
F 215-772-3125

**PITTSBURGH**  
429 Fourth Ave., Suite 1910  
Pittsburgh, PA 15219  
T 412-258-2120  
F 412-535-8225

## **ELC-PA to State Leaders: Do Not Abandon Civil Rights Protections**

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Contact: Lindsay Wagner, Education Law Center-PA, 215-701-4264, [lwagner@elc-pa.org](mailto:lwagner@elc-pa.org)

The federal administration's unlawful [decision](#) to move the Office for Civil Rights (OCR) and the Office of Special Education and Rehabilitative Services (OSERS) out of the U.S. Department of Education marks an abandonment of both critical civil rights protections and the federal government's longstanding commitment to students with disabilities. This harmful action should be challenged in Congress and in federal court. It also demands a strong response from Pennsylvania state leaders, the Pennsylvania Human Relations Commission (PHRC), and local public schools to renew their legal commitment to upholding the rights of children with disabilities and protecting students and families from discrimination based on race, ethnicity, national origin, sex, and disability.

Congress authorized OCR to enforce federal anti-discrimination laws in the education context because it recognized the need for specialized expertise to investigate student complaints and drive systemic and meaningful reform. For decades, OCR has investigated complaints of discrimination and worked to ensure that schools comply with federal laws protecting students from discrimination based on disability, race, color, national origin, sex, and other protected characteristics. Similarly, Congress assigned responsibility for implementing the Individuals with Disabilities Education Act (IDEA) to the Department of Education. For decades, OSERS has issued key guidance and provided monitoring, oversight, and technical expertise to states and tens of thousands of school districts to ensure that students with disabilities receive the services and supports guaranteed to them under federal law.

Over the past year and a half, both OCR and OSERS have been eviscerated through widespread layoffs and funding cuts, eliminating robust federal enforcement of anti-discrimination laws and weakening protections guaranteed by the IDEA. Moving these functions out of the Department of Education and into agencies that lack any education-specific expertise will irreparably harm children with disabilities and the increasing number of students whose education is impeded by discriminatory conduct.

For years, the federal government has failed to adequately fund special education; now, it is retreating from its oversight and implementation responsibilities as well, at a time when schools are serving increasing numbers of students with disabilities and student needs continue to grow. Students and families have depended on meaningful federal oversight when their rights are violated.

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

Now, in the absence of federal oversight, enforcement, guidance, technical support, and systemic intervention, our state and school leaders must step up and stand up for students' rights. Pennsylvania's Department of Education (PDE) must engage in more rigorous oversight by strengthening its monitoring, enforcement, and support for students, families and schools. The PHRC must step up by vigorously enforcing our state's anti-discrimination laws in schools by actively investigating and expeditiously resolving the growing number of complaints filed with their agency.

Students' rights under federal law remain unchanged — but ensuring those rights are protected will now depend on state and local leaders to provide the oversight, expertise, and accountability that Pennsylvania students and parents desperately need, are legally entitled to obtain, and will no longer receive from our federal government. Failing our students is not an option.

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*The **Education Law Center-PA (ELC-PA)** is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, community engagement, and policy advocacy, ELC-PA advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, multilingual learners, LGBTQ+ youth, children experiencing homelessness, and children at the intersection of multiple underserved identities. For more information, visit [elc-pa.org](http://elc-pa.org) or [@edlawcenterpa.bsky.social](https://www.bsky.app/profile/edlawcenterpa.bsky.social) on Bluesky, [@edlawcenterpa](https://www.instagram.com/edlawcenterpa) on Instagram, [Education Law Center-PA](https://www.linkedin.com/company/education-law-center-pa) on LinkedIn, and [facebook.com/educationlawcenter](https://www.facebook.com/educationlawcenter) on Facebook.*