

July 29, 2026

Disability, Education, and Civil Rights Partners Support the Bipartisan Bill that Prohibits Move of Special Education Programs

Washington, DC - In response to the announced Senate Health, Education, Labor and Pensions (HELP) Committee [markup](#) on July 30, 2026, the undersigned organizations issued the following statement:

This week's markup of key bills that protect the Office of Special Education and Rehabilitative Services (OSERS) from the harmful transfer proposed by the Administration recognizes what disability advocates, families, and educators have been saying all along: moving OSERS is a mistake. While we appreciate Chairman Cassidy's acknowledgment of the issue and his willingness to act, the *Special Education Administration Protect Act (S. 5038)* falls short of providing the protections students with disabilities urgently need. The bill would not prevent the Administration from relocating OSERS to another federal agency, leaving the office—and the millions of children and families who rely on it—vulnerable to disruption and uncertainty. Because this bill fails to meet that standard, we cannot support it.

We do support S. 5046, a bipartisan bill that explicitly prohibits the Administration from transferring four ED offices—the Office of Indian Education, the Office of Special Education and Rehabilitative Services (OSERS), the Office of Elementary and Secondary Education (OESE), and the Office of Postsecondary Education (OPE)—out of the U.S. Department of Education (ED). More than 8 million children with disabilities are counting on Congress to safeguard their rights and access to services. Congress must enact a clear and unequivocal prohibition on any effort to move OSERS outside the Department of Education. We also call on Congress to protect the Office for Civil Rights and all other education programs from transfers out of ED.

Read a [statement signed by over 730 local, state and national organizations](#) about the critical need to keep the Department of Education intact, including keeping OSERS at ED and protecting the Office for Civil Rights from a move to the Department of Justice.

Signed:

AFT: Education, Healthcare, Public Services

All4Ed

Assistive Technology Industry Association

Autistic Women & Nonbinary Network
Bazelon Center for Mental Health Law
Council for Exceptional Children
Council of Administrators of Special Education
Council of Parent Attorneys and Advocates
Disability Rights Education & Defense Fund
Diverse Charter Schools Coalition
Down Syndrome Association of Greater Charlotte
EDGE Partners
EdTrust
Educators for Excellence
INCLUDEnyc
InnovateEDU
League of Education Voters
Mississippi Coalition for Citizens with Disabilities
Muscular Dystrophy Association
National Association for Family, School and Community Engagement (NAFSCE)
National Association of School Psychologists
National Center for Learning Disabilities
National PLACE
Parent to Parent of Georgia
Parents Helping Parents
PAVE
PEAK Parent Center
Perkins School for the Blind
Service Employees International Union (SEIU)
The Advocacy Institute
The Arc of the United States
The Center for Learner Equity