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The Advocacy Ridge

Presents

Understanding Recent Federal Changes

A Statement and Advocacy Guide for Special Education Families

From Mountain to Mountain Advocacy, LLC and The Disability Advocate, LLC | June 2026

IMPORTANT NOTE

This guide reflects information available at the time of publication. Federal policies and agency actions can evolve. Families should continue monitoring official updates. This guide does not predict future policy decisions, agency actions, court decisions, or legislative changes.

A Statement to Our Community

We see you. We hear you. And we want to speak directly to the fear that is moving through our community right now.

The U.S. Department of Education recently announced that the Office of Special Education and Rehabilitative Services (OSERS) will move to the Department of Health and Human Services, and the Office for Civil Rights (OCR) will move to the Department of Justice. For families who have been fighting inside this system — sometimes for years, sometimes for their child's entire life — this news landed hard. Inboxes are full. Group chats are going. Parents are scared.

We understand that. We want to be honest with you about what we know, what we don't know, and what we are going to do.

The Most Important Thing to Know Right Now

Student Rights Have Not Changed

- ✓ IDEA remains federal law
- ✓ Section 504 remains federal law
- ✓ ADA protections remain in place
- ✓ State special education laws remain in place

Students with disabilities continue to have the same legal rights and protections they had before these announcements.

Schools Are Still Required To Provide:

- ✓ Child Find
- ✓ Evaluations
- ✓ Eligibility determinations
- ✓ Developing IEPs
- ✓ Implementing IEPs and 504 Plans
- ✓ Providing FAPE
- ✓ Considering LRE
- ✓ Following procedural safeguards
- ✓ Providing parent participation opportunities

Parent Rights Remain Available:

- ✓ State complaints
- ✓ Mediation
- ✓ Due process hearings
- ✓ OCR complaints
- ✓ Section 504 protections
- ✓ ADA protections
- ✓ Independent Educational Evaluations (IEEs)
- ✓ Records access rights

What We Know

The Department of Education has existed since 1980 — 46 years. For most families raising children with disabilities today, it has always been the structure. It is the only framework many of us have ever known. Change of this magnitude, to a system this familiar, produces fear. That is not irrational. That is human.

We also know this: IDEA is still the law. Section 504 is still the law. The ADA is still the law. No executive action has repealed those statutes. They were passed by Congress and they require Congressional action to eliminate. The agency that administers them is changing. The law itself has not. The practical effects of these administrative changes remain largely unknown and will depend on how implementation occurs over time.

A Personal Note From Both of Us

We want to share something that may surprise some people coming from advocates.

We believe it is reasonable to acknowledge that many families have experienced significant frustrations with the current system.

We are not saying these changes are good.

We are not saying these changes are bad.

We do not believe there is enough information available today to make that determination, and we are not going to pretend otherwise.

Anyone claiming with certainty that these changes will either solve longstanding problems or create immediate catastrophe is getting ahead of the evidence.

What we can say is this:

Many families have struggled for years to obtain evaluations, services, accommodations, appropriate placements, implementation of IEPs, and meaningful accountability when violations occur.

As advocates, we have worked with families across multiple states. We have seen situations where schools, districts, and state agencies responded appropriately and effectively. We have also seen situations where families experienced significant delays, barriers, noncompliance, and frustration despite clear legal rights and protections.

We also think it is important to acknowledge that those frustrations are not isolated experiences. According to the U.S. Department of Education's most recent IDEA determinations, only 19 states currently received a **"Meets Requirements"** determination under IDEA.

That fact alone does not tell the entire story. It does not mean the remaining states are failing students in every area, nor does it automatically mean federal oversight has failed. However, it does suggest that many states continue to struggle with aspects of compliance, implementation, monitoring, accountability, or outcomes.

We think it is reasonable for families to ask questions about how well the current system has been working, just as it is reasonable to ask questions about how these newly announced partnerships will function moving forward.

The existence of challenges within the current system does not automatically mean these changes will improve things. Likewise, concerns about these changes do not erase the very real frustrations many families have experienced under the existing structure.

At this point, there are still many unknowns.

What matters most to us is not which agency is involved or which political viewpoint someone holds.

What matters is whether students receive the services, supports, protections, accountability, and educational opportunities they are entitled to under the law.

If these changes ultimately result in stronger accountability, better coordination, improved access to services, and better outcomes for students and families, we will acknowledge that.

If they result in reduced protections, weaker enforcement, increased barriers, or poorer outcomes, we will acknowledge that as well.

One thing families can be certain of:

We are not going anywhere.

We will continue monitoring developments, reviewing information as it becomes available, educating families about their rights, and advocating for students based on the law, the facts, and the individual needs of each child.

We will not pretend to have certainty we do not have. We will continue distinguishing between confirmed facts, informed concerns, and speculation so families can make decisions based on accurate information.

No matter what changes occur at the federal level, our focus remains where it has always been: helping families understand their rights, navigate the process, build documentation that holds up over time and supports accountability, and advocate for the supports, services, and educational opportunities their children need.

What Was Announced

The U.S. Department of Education announced several new partnerships with other federal agencies related to:

- special education and disability-related programs
- civil rights enforcement
- student privacy protections
- training and advisory services

The announcements are part of a broader federal initiative referred to as "Returning Education to the States." The partnerships are being implemented through Interagency Agreements (IAAs) — a commonly used federal mechanism that allows agencies to collaborate and provide services to one another while maintaining their statutory responsibilities.

According to the Department, the stated goals include improving coordination between agencies, reducing bureaucracy, improving efficiency, and strengthening services for students, families, and individuals with disabilities.

Special Education Partnership: Education and HHS

The Department of Education announced a partnership with the U.S. Department of Health and Human Services (HHS). Under the partnership, HHS will provide support for administration of programs currently overseen through ED's Office of Special Education and Rehabilitative Services (OSERS), including:

- IDEA Part B
- IDEA Part C (Early Intervention Services)
- IDEA Part D
- Rehabilitation Act programs
- Vocational Rehabilitation programs
- Randolph-Sheppard programs
- Disability Innovation Fund programs
- National Technical Institute for the Deaf
- Helen Keller National Center
- American Printing House for the Blind
- Gallaudet University-related programs

HHS will assist with grant administration, stakeholder outreach, compliance and monitoring activities, data collection and reporting, technical assistance, performance determinations and assessments, and administration of federal funds — while ED maintains statutory oversight responsibilities.

Why HHS? According to the fact sheet:

HHS already administers numerous disability-related programs that overlap with and complement IDEA services, including Medicaid, CHIP, Head Start, Centers for Independent Living, Maternal and Child Health programs, disability services through the Administration on Disabilities, and various early childhood and community-based support programs. The stated goal is to improve coordination across these systems and better serve individuals with disabilities throughout their lifespan.

"The protections and responsibilities guaranteed under IDEA predate the Department of Education — and will continue after."

— U.S. Department of Education Fact Sheet

"This partnership does not alter that obligation."

— U.S. Department of Education Fact Sheet

Civil Rights Partnership: Education and DOJ

The Department of Education announced a partnership with the Department of Justice (DOJ) related to civil rights enforcement. According to the fact sheet, the agencies intend to coordinate enforcement efforts, strengthen enforcement procedures, improve coordination between agencies, utilize DOJ expertise and resources, and increase enforcement capacity and efficiency.

IMPORTANT NOTE

The fact sheet specifically states that OCR remains available, individuals may still file OCR complaints, OCR retains authority to investigate disability discrimination complaints, and OCR staff remain available to answer questions regarding complaint status. Students, parents, and advocates may continue filing disability discrimination complaints with OCR.

The Department also announced a partnership between ED and DOJ related to student privacy protections — DOJ will assist with reviewing complaints and conducting investigations while ED maintains final authority regarding enforcement decisions, policies, and programs.

What Has NOT Changed

Many online discussions have suggested that IDEA or Section 504 protections have been eliminated. That is not what has been announced. At this time:

- ✗ IDEA has not been repealed
- ✗ Section 504 has not been repealed
- ✗ FAPE requirements have not been eliminated
- ✗ LRE requirements have not been eliminated
- ✗ Child Find obligations have not been eliminated
- ✗ Procedural safeguards have not been eliminated
- ✗ Parent participation rights have not been eliminated
- ✗ IEP requirements have not been eliminated
- ✗ State complaint processes have not been eliminated
- ✗ Due process rights have not been eliminated
- ✗ OCR complaint rights have not been eliminated

Filing Complaints and Using Dispute Resolution Processes

At this time, the information currently available indicates that families continue to have access to the same complaint and dispute-resolution options available before these announcements.

This includes:

- ✓ State complaints
- ✓ Mediation
- ✓ Due process hearings
- ✓ OCR complaints
- ✓ Section 504 grievance procedures
- ✓ Other rights and procedural safeguards available under applicable federal and state law

The fact sheets indicate that existing complaint and enforcement processes remain available while implementation of these partnerships continues. Families should continue using the same procedures, timelines, and filing processes currently in place unless and until official changes are announced.

Why People Are Concerned

Many families, advocates, disability organizations, educators, school districts, state educational agencies, and other stakeholders have expressed concerns regarding:

- how oversight responsibilities will function in practice
- staffing and expertise at the receiving agencies
- complaint investigations and timelines
- monitoring and enforcement activities
- accountability mechanisms
- implementation of the new partnerships
- resource allocation
- long-term impacts on students and families

These concerns are understandable. For many families, special education and disability services affect daily life in significant ways.

IMPORTANT NOTE

It is important to distinguish between what has happened and what people are concerned may happen in the future. It is possible for two things to be true at the same time: Student rights remain unchanged today AND families, educators, advocates, and organizations may still have legitimate questions or concerns about how these changes will function in practice over time. Acknowledging those concerns does not change the current facts, and recognizing the current facts does not mean future concerns are unfounded.

A Brief History

Many families are surprised to learn that IDEA existed before the U.S. Department of Education was created:

1975	Education for All Handicapped Children Act (EAHCA) signed into law — IDEA's predecessor.
1979	Department of Education established by Congress.
1980	Department of Education begins operations.
1990	EAHCA renamed the Individuals with Disabilities Education Act (IDEA).
2026	Agency partnerships announced — IDEA remains federal law.

IMPORTANT NOTE

IDEA's protections predate the Department of Education itself. Regardless of agency partnerships, IDEA remains federal law unless Congress changes the law and the President signs that legislation. Federal agencies may administer, oversee, enforce, or coordinate programs differently over time — but agencies do not have the authority to repeal IDEA or eliminate the rights and protections established by federal statute.

What We Are Asking of You Right Now

Take a breath.

Not because this doesn't matter. It does. Not because your fear is wrong. It isn't. But because panic is not a strategy, and your children need you thinking clearly.

The Department of Education has changed course before. Administrations have come and gone. Individual states have at times been better protectors of disability rights than the federal government, and at times worse. What has never changed is this: the families who documented everything, who knew the law, who showed up to IEP meetings prepared, who filed state complaints, who wrote follow-up emails the same day — those families got outcomes.

The paper trail does not change with the administration. Your rights on paper are still your rights.

What Families Should Do

ADVOCACY TIP

Stay informed. Read source materials directly whenever possible. Review official press releases, fact sheets, agency guidance, updates from disability organizations, and analyses from trusted advocates and attorneys. Source links are included at the end of this guide.

ADVOCACY TIP

Continue advocating using the laws currently in place. If a district refuses evaluation, fails to implement an IEP, denies services, violates procedural safeguards, or refuses accommodations — the same advocacy options generally remain available today as before these announcements.

ADVOCACY TIP

For families currently navigating an evaluation, IEP, Section 504 plan, complaint, mediation, or due process matter — the practical legal framework remains the same today as it was before these announcements. Continue advocating based on the rights and protections currently provided under IDEA, Section 504, ADA, and applicable state law.

Questions That Remain

At this time, many questions are still being discussed, including:

- How will agency coordination work in practice?
- How will monitoring activities be conducted?
- How will enforcement responsibilities be shared?
- Will complaint processes change?
- Will staffing and resources be affected?
- Will implementation affect students and families over time?

Many of these questions cannot yet be fully answered. We will update the community as information becomes available.

We Are Not Going Anywhere

Mountain to Mountain Advocacy and The Disability Advocate were built to help families navigate a system that was already complicated, already resistant, and already imperfect. That work does not stop because the agency name on the letterhead has changed. If anything, this is exactly the moment when families need advocates who know the law, understand the process, and know how to build a record that holds up over time and supports accountability — regardless of who is doing federal oversight.

We will be watching the transition closely. We will update you as we learn what the practical changes mean for complaint filing, enforcement timelines, and funding. We will tell you when something has changed that requires a different strategy. We will not pretend to have certainty we don't have. We will continue distinguishing between confirmed facts, informed concerns, and speculation so families can make decisions based on accurate information.

What we can tell you with certainty is this: your child still has a disability. Their needs have not changed. Their IEP is still a legal document. Their school is still bound by IDEA. And we are still here.

For Our Community of Advocating Parents

This is not where we stop.

This is where we continue.

Every time this work has gotten harder, the community of people who do it has gotten stronger. More organized. More connected. More informed. If federal oversight becomes less reliable, state complaints become more important. If enforcement slows at the federal level, documentation at the local level becomes the record that supports accountability and enforcement. If the system is in transition, families who understand the law become even more essential than they already were.

We have been doing this work in the gaps the system leaves behind. We know how to work in the gaps. This is not new territory for us.

Stand with us. Stay informed. Stay in the room. File the paperwork. Write the emails. Know the law. Your child's rights are not disappearing — they are going to require more of us to protect them.

We are ready for that. We hope you are too.

Bottom Line

- ✓ Student rights have not changed.
 - ✓ IDEA remains federal law.
 - ✓ Section 504 remains federal law.
 - ✓ School districts remain responsible for complying with the law.
 - ✓ Existing complaint and dispute-resolution options remain available.
 - ✓ OCR remains available to investigate disability discrimination complaints.
 - ✓ ED retains its statutory responsibilities under IDEA.
 - ✓ IDEA existed before the Department of Education and remains federal law unless changed by Congress.
 - ✓ The announcements primarily involve administration, coordination, monitoring, and enforcement responsibilities — not changes to IDEA, Section 504, or other disability rights laws themselves.
 - ✓ Questions remain regarding how these partnerships will operate over time.
 - ✓ It is reasonable for families to stay informed, ask questions, monitor implementation, and participate in advocacy efforts.
 - ✓ Families should continue advocating for their children using the rights and protections currently available under the law.
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Additional Information and Source Materials

U.S. Department of Education Press Release

<https://www.ed.gov/about/news/press-release/us-department-of-education-announces-additional-partnerships-strengthen-coordination-individuals-disabilities-programs-bolster-civil-rights>

Returning Education to the States Initiative

<https://www.ed.gov/about/initiatives/returning-education-states>

All partnership fact sheets (ED-HHS Special Education, ED-DOJ Civil Rights, ED-DOJ Student Privacy, ED-DOJ Training and Advisory Services) are available through the Returning Education to the States initiative page above.

Families are encouraged to review source materials directly, monitor updates from federal agencies, disability organizations, and advocacy groups, and stay informed as implementation of these partnerships continues to develop. Families should consider the information available, ask questions, and draw their own conclusions.

Need Advocacy Support?

The Advocacy Ridge is brought to you by experienced non-attorney special education advocates who work with families across multiple states.

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This guide is intended as general educational information and does not constitute legal advice. Special education law is complex, fact-specific, and varies significantly by state. If you have a specific legal concern, consult a qualified special education advocate or attorney licensed in your state. This guide discusses federal disability laws including IDEA, Section 504, the ADA, and related federal regulations, as well as information contained in U.S. Department of Education press releases and fact sheets available at the time of publication. Laws, regulations, guidance, and agency practices may change over time. Families should verify current information through official sources.

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