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CONTACT: Stephanie Smith Lee
Policy & Advocacy Co-Director
Stephanie@ndscenter.org
703.307.7616

NDSC Opposes Department of Education Office Transfers and Calls for Immediate Congressional Hearings

Washington, DC — The National Down Syndrome Congress (NDSC) strongly opposes today's [announcement](#) that the U.S. Department of Education will transfer the Office of Special Education and Rehabilitative Services (OSERS) to the U.S. Department of Health and Human Services (HHS) and move the Office for Civil Rights (OCR) to the U.S. Department of Justice (DOJ).

For more than 50 years, federal special education law has helped ensure that students with disabilities have the opportunity to learn, belong, and succeed in their neighborhood schools. Today, OSERS serves as the federal office for programs that support children and adults with disabilities. OSERS includes the Office of Special Education Programs (OSEP), which oversees the Individuals with Disabilities Education Act (IDEA), and the Rehabilitation Services Administration (RSA), which oversees vocational rehabilitation and other employment services. Together, OSEP and RSA support people with disabilities across the lifespan—from early intervention and special education to employment. Moving OSERS to HHS would undermine decades of progress by treating disability primarily as a healthcare issue instead of ensuring people with disabilities have the educational opportunities, employment supports, and civil rights protections they need to thrive.

OCR is the federal office responsible for enforcing civil rights laws in schools and investigating complaints of discrimination against students, including students with disabilities. Moving OCR to the Department of Justice could distance civil rights enforcement from the education system it is designed to oversee, making it more difficult for students and families to obtain timely relief and weakening federal oversight of discrimination in schools.

NDSC believes transferring these offices is unlawful, contrary to congressional intent, and deeply harmful to people with disabilities and their families. Federal law specifically places OSERS, including OSEP and RSA, within the Department of Education. Congress—not the Administration—created these programs and determined where they are housed. Any permanent



transfer would require Congress to amend federal law, and NDSC strongly opposes any effort to move OSERS and OCR out of the Department of Education.

"Moving OSERS to HHS would weaken accountability, create unnecessary bureaucracy, and risk reversing decades of bipartisan progress for people with disabilities," said Stephanie Smith Lee, NDSC Policy & Advocacy Co-Director and former Director of OSEP under President George W. Bush. "For decades, IDEA, vocational rehabilitation, and the Office of Civil Rights have helped expand educational opportunities, employment, and community inclusion for people with disabilities. Congress must stop these moves and keep OSERS and OCR in the Department of Education."

NDSC Executive Director Jim Hudson added, "For generations, families have fought to ensure that children with disabilities have the opportunity to learn, belong, and thrive in their schools, and that adults with disabilities have opportunities to work, live independently, and participate fully in their communities. Moving OSERS and OCR out of the Department of Education puts decades of progress at risk and creates uncertainty for students, families, educators, and disability service providers. We urge Congress to act immediately to protect these vital programs."

NDSC calls on the Chairs and Ranking Members of the Senate HELP Committee, House Education and Workforce Committee, and the House and Senate Appropriations Committees to immediately convene open, public oversight hearings to examine the educational, employment, civil rights, legal, and practical consequences of transferring OSERS to HHS and OCR to DOJ. Congress must determine the impact these actions would have on students with disabilities, families, educators, disability service providers, states, and communities. No transfer should proceed unless and until Congress amends federal law to authorize it. NDSC strongly opposes any such legislation and urges Congress to preserve OCR and OSERS, including OSEP and RSA, within the Department of Education.

More than 8 million infants, toddlers, children, and youth receive services under IDEA, while millions of youth and adults with disabilities rely on vocational rehabilitation services administered through RSA. While these programs would continue to exist in statute, dismantling the federal infrastructure responsible for overseeing and coordinating them threatens to weaken accountability, reduce coordination, and make it harder to ensure that people with disabilities receive the services and supports they need.



About the National Down Syndrome Congress

The National Down Syndrome Congress (NDSC) is a not-for-profit organization dedicated to an improved world for individuals with Down syndrome. Founded in 1973, the NDSC is a leading national resource of support and information for anyone touched by or seeking to learn about Down syndrome, from the moment of a prenatal diagnosis through adulthood. The purpose of the NDSC is to promote the interests of people with Down syndrome and their families through advocacy, public awareness, and information, empowering individuals and families from all demographic backgrounds and reshaping the way people understand and experience Down syndrome. The National Down Syndrome Congress is dedicated to an improved world for individuals with Down syndrome.

For more information on the NDSC, check out our website or follow us on social media.

[Website](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

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Additional Resources:

This NDSC [brief](#) explains the dire consequences of dismantling ED and moving OSEP to HHS. This negative impact is also anticipated by former Presidential appointees responsible for the implementation of IDEA under Republican and Democratic administrations over more than five decades in a [letter](#) to Congress.