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[00:00:36] **Speaker 1** The U .S. Department of Education this week announced it would lay off 1 ,300 employees, effectively decimating its staffing. Wisconsin is one of 20 states that has joined a lawsuit challenging the Trump administration over this move and to, quote, stop the dismantling of the agency. To understand the impact, we're joined by Suzanne Eckes, professor of education law, policy, and practice at the UW -Madison School of Education. Thanks very much for being here. Thanks so much. So as an education policy expert, what is your reaction to cutting nearly half of the staff at the U .S. Department of Education?

[00:01:13] **Speaker 2** Well, this is going to have quite an impact on the U .S. Department of Education as a whole and then specific departments, whether it's related to the group that's working on financial aid or the Office for Civil Rights. Over the years, Congress has enacted many statutes, federal laws, authorizing additional functions of the U .S. Department of Education. So for example, the Individuals with Disabilities in Education Act. But just more broadly, the impact that these cuts, these layoffs, rifts, reduction in force may have, just speaking very broadly, is the U .S. Department of Education administers federal loans for college students under Title IV, Pell Grants, the FAFSA form for financial aid. They oversee Title I funds that provide schools with high numbers of low -income students. additional funding. The U .S. Department of Education enforces FERPA, which protects educational records from third parties, both at the K -12 level and in higher education. It oversees crime statistics in higher education, accreditation in higher education to prevent diploma mills, vocational education programs, special education and civil rights enforcement. That's just to name a few of the areas that. will be affected by these large numbers of layoffs in this last week.

[00:02:44] **Speaker 1** So what will those large number of layoffs or possibly shutting the Department of Education down altogether mean in Wisconsin? So, I'm going to...

[00:02:53] **Speaker 2** give you just one example of how this could play out in Wisconsin. So, as one example, there was a press release that said, you know, there were over 1 ,300 layoffs in this last week. Out of those 1 ,300, 240 of those layoffs directly would impact the Office for Civil Rights. And seven of the 12 Office for civil rights, regional offices have in essence closed. So what that means for Wisconsin is our regional office is no longer functional in Chicago. And so when you are a parent or a family that feels that you have a student in the public school system that maybe has experienced harassment, bullying, disability discrimination, race discrimination, the Office for Civil Rights was a way for families Thank you for watching! to file a complaint for free, and then the Office for Civil Rights, one of these regional offices, usually Wisconsin would work with the Chicago office, which is now not functional, would perform an investigation to ensure that the civil rights of students were being protected in a school setting. So last year alone, there were 23 ,000 complaints to the Office for Civil Rights, complaints by families and parents. Most of those 23 ,000 involve students with disabilities. And that's an increase of 18 % from the previous year. So there are still some functioning offices for Office for Civil Rights, but it's going to cause quite a backlog and stall these parents who are seeking advice and assistance with these pretty serious civil rights matters.

[00:04:47] **Speaker 1** So I know that the Trump administration has said that they would like to move some of the functions or all of the functions from the Department of Education back to the states. Can Wisconsin absorb that?

[00:04:58] **Speaker 2** Well, that's interesting. So they talk about moving a lot of the tasks to the states, but there's also been a lot of discussion about moving some of the functions of the US Department of Education to places like Health and Human Services or the US Department of Justice. So for example, the Americans with Disabilities Act is already out of the Department of Justice. The Head Start program is already out of HHS. But of course, one issue that you have from. shuttering the U .S. Department of Education and whether you're moving it to the state level in Wisconsin or you're moving it to HHS or to let's say the Department of Justice is do these agencies have the expertise that the U .S. Department of Education had? I believe you're losing some a lot of that expertise around for example I've used the example previously are on students with disabilities. Presumably, people who work in the US Department of Education in that area have an understanding of that very complex area of law. And if you move that, let's say, to HHS, will Robert Kennedy and those working in HHS have that knowledge, that expertise? And also, you're losing the institutional knowledge when you're shuttering, or in fact, closing, which is an act of Congress, closing the entire Department of Education. the expertise.

[00:06:28] **Speaker 1** I worry about that. So the administration also asks though why money should be poured into these federal education programs when student test scores are so suffering.

[00:06:37] **Speaker 2** Well, it's interesting. So the US Department of Education, in the grand scheme of things, when you look at other departments across the federal government, has roughly 4 ,000 employees. And when you look at the arm, the IES is the Department of the Research Division of the US Department of Education. So they have approximately 180 or so employees who work to collect research around student literacy, or students with disabilities. Well, from what I've read this week, that there've already been around 100 cuts out of the 186 people from that research arm. So, many would argue that that, the IES arm of the U .S. Department of Education was already underemployed and underfunded. And now, with 186, you cut 100. I worry that important research that's taking place around student achievement levels may suffer even more drastically when we don't have research and research being conducted across the U .S. on these pressing matters around student achievement levels.

[00:07:53] **Speaker 1** The multi -state lawsuit that Josh Call signed on to over cuts to the Department of Education asserts that it takes an act of Congress to dismantle the agency. But how much havoc do these actions, lawsuits, judicial, you know, temporary injunctions and rescissions, you know, wreak on the people doing the work?

[00:08:15] **Speaker 2** Well, that's a great question. And I read over that complaint, that lawsuit yesterday. It just was filed yesterday by 20 states, including Wisconsin. And the complaint in this particular lawsuit asks for declaratory injunctive relief, saying stop the layoffs, in essence. It names the Secretary of Education, Linda McMahon, in their official capacity, the U .S. Department of Education, and the president. And it really alleges that these layoffs are incapacitating the U .S. Department of Education to function and these key statutory mandated functions, whether it's providing for students with disabilities, federal loans for college students, all the things that I mentioned earlier, this is a severe blow to the U .S. Department of Education and it's harming the 20 states. and others, but there are 20 states involved in this particular lawsuit, it is severely harming these 20 states' education system. So that is one of the main arguments. But to be fair, the U .S. Secretary of Education has always been authorized to allocate, reallocate functions among the officers of the department and to establish and alter this organizational entity. They have the right to manage federal personnel. But I think what this litigation or this lawsuit is alleging is whether these cuts, pretty severe cuts, have really exceeded the executive powers when it comes to the authority in the U .S. Department of Education. And I think this is going to play out in litigation, much like we've seen some of the other cuts.

[00:10:03] **Speaker 1** Yes, indeed. Professor Suzanne Ackes, thanks very much. Thank you. For more on this and other issues facing Wisconsin, visit our website at pbswisconsin .org and then click on the news tab. That's our program for tonight. I'm Frederica Freiberg. Have a good weekend.

[00:10:34] **Speaker 3** Thank you. Thank you. Thank you.