

What Does Dismantling the Education Department mean for Jewish Safety and Democracy?

What is the Department of Education?

- Created by Congress in 1979 as a way to increase access to education, the Department of Education (DoE) is meant to help the Executive Branch enforce legislation and ensure racial minorities, women, people with disabilities, and non-English speakers are able to gain equal access to education. This includes the Jewish community.
- Through the Office of Civil Rights (OCR), DoE conducts investigations into individual student complaints and potential violations of civil rights; in the process, they often uncover other acts of discrimination. Unlike the Department of Justice which brings litigation, the OCR establishes facts, creates individual resolutions, and monitors for school compliance.
 - In 2024 alone, OCR saw 22,687 cases of discrimination – the highest in its history

What does the Department of Education do?

- Provides grants to schools and loans for students – especially to help underserved students
- Tracks student achievement
- Investigates and remedies discrimination that deprives students from accessing education

What does the Department of Education NOT do?

- Establish schools and colleges
- Develop curricula
- Determine state education standards
- Develop or implement testing to measure whether states are meeting their education standards

What does the Trump administration's Executive Order to dismantle the Department of Education mean?

- On Thursday, March 20, President Trump signed an executive order calling on the "Secretary of Education to take all necessary steps to facilitate the closure of the Department of Education." This follows the March 11 firing of more than 1,300 workers (halving the size of the department) – and is part of a broader Trump administration push to dramatically cut the federal government and federal funding for schools and colleges that advance diversity, equity, and inclusion in any form.
 - It comes alongside the announcement of investigations into 60 universities and the cutting of \$400 million in health and human services and other grants to Columbia University, all framed as intended to address antisemitism. The National Institutes of Health also announced the termination of about \$250 million in grant funding to Columbia University on March 11.
 - The attacks are widening. The Trump Administration's termination of more than \$800 million in USAID funding forced Johns Hopkins University to lay off more than 2,000 workers. And on March 19, the White House announced another freeze of \$175 million in funding for the University of Pennsylvania, under the false guise of "protecting women."

What does the Trump administration's Executive Order to dismantle the Department of Education mean? (Continued)

- Closing the Department of Education means closing the Office of Civil Rights, which was already dealing with a massive backlog of cases.
- Under the Biden administration (when OCR was already underfunded), each OCR caseworker was responsible for 50 cases. Now there will be no one to investigate them.
- Without a fully staffed OCR, there will be no investigations into questions of campus safety for Jews or others, and the Department will no longer have the ability to monitor schools to ensure students are being protected.
- **This work cannot be replaced by the Department of Justice. Those cases require financial resources and meeting a legal threshold to bring litigation. By comparison, the Department of Education can begin an investigation with just a phone call from a student.**

Messaging

Top Lines

- The President does not have the authority to unilaterally dismantle the Department of Education
- Undermining students' rights across the country will inevitably lead to more discrimination, posing a direct threat to the safety of Jewish and so many other students
- While the Trump Administration claims to prioritize the fight against antisemitism, it has, in reality, repeatedly taken steps to gut the very tools we need to protect Jewish students
- No other agency has the mission to protect students' rights -- meaning without the DoE, this work will not happen.
- The Department of Justice cannot replace the role the OCR played, and does not serve the same purpose. By shuttering OCR, this administration is abandoning our students.
- Already, the Department is experiencing a backlog of complaints to investigate antisemitism and other violations of civil rights in our schools. Shuttering the Department of Education means no investigations and no consequences for discrimination.

Messaging (Continued)

- Antisemitism is real, including in our schools and on our campuses. At the same time, our legitimate fears and concerns about antisemitism should not be exploited to undermine important protections for civil rights and equal opportunity for all students. Doing so needlessly pits Jewish safety against the safety of others and ultimately increases the risks to all of us.

Attacks on Diversity & Jewish Safety

- Attacking the Department of Education is part of a broader push to dramatically weaken our democracy, civil service, and academic institutions.
- The decision to shut down the Department of Education goes hand in hand with other efforts to purge programs that promote diversity and equal opportunity, and end the progress made by the civil rights movement, like the decision to revoke Executive Order 11246, which prohibited discrimination in some federal employment. The President does not have the constitutional or legal authority to unilaterally defund Cabinet agencies that have been duly created and funded by Congress.
- Without the Department of Education, the government is unable to protect students from discrimination – whether that is a Jewish student blocked from class by a protest, a non-English speaking student denied access to education, a Black student hurt by efforts to resegregate schools, or more

Attacks on Diversity & Jewish Safety (Continued)

- It is unlikely that these investigations will be taken up by the Department of Justice (DoJ) since their work is fundamentally different. DoJ brings litigation, while DoE investigates and provides non-precedential and individualized solutions.
- Additionally, in the first Trump Administration, investigations by the DoJ's Civil Rights Division dropped by 60% compared to the Obama Administration, and by 50% compared to the George W. Bush Administration. The Trump administration froze civil rights investigations and cases when they returned to office this January.
- Given the administration's stated disinterest in prosecuting civil rights violations, we are deeply concerned that DoJ investigations will be politically motivated, ignoring discrimination targeting a variety of communities and/or extremism that stems from the right, while encouraging prosecutions against specific groups that have been repeatedly targeted by this Administration, like immigrants.
- When discrimination against any community is allowed, Jews are unsafe. When discrimination against Jews is allowed, every community is unsafe. We should be putting more resources into fighting antisemitism and all forms of discrimination, not gutting the very agencies on which we depend to protect us.
- The Jewish community is troubled by attempts to politicize civil rights investigations by only focusing on one community and undermining due process and the rule of law. We all must be equally protected by the law, or none of us are.