

Special Education in Focus: Recent Developments

VOICE Webinar Summary – October 20, 2025

Subject Matter Expert: Aimee Gilman, [The Law Offices of Agins & Gilman LLC](#)

Summary Overview

- **Federal Special Education Office Elimination:** Aimee Gilman explained to the Autism Society of Greater Akron community the recent termination of staff in the US Department of Education's Office of Special Education Programs ([OSEP](#)) and [Office of Rehabilitative Services](#), including the [Office for Civil Rights](#), and discussed the implications for compliance monitoring, disability rights enforcement, and IDEA funding administration.
 - **Staff Termination Details:** Aimee Gilman described that the termination of OSEP and Office of Rehabilitative Services staff was not a furlough but a [permanent firing](#), with the termination date set for December 9th, and noted that a federal injunction was issued but is likely to be overturned by the Supreme Court, based on historical precedent.
 - **Loss of Compliance Monitoring:** Aimee Gilman clarified that the eliminated offices were responsible for compliance monitoring of state education agencies under IDEA, and with their removal, there is uncertainty about future compliance oversight and guidance for states and families.
 - **Office for Civil Rights Impact:** Aimee Gilman explained that the Office for Civil Rights, which allowed parents to file disability discrimination complaints without legal representation, has been largely dismantled, narrowing avenues for families to seek redress for civil rights violations in education.
 - **IDEA Funding Administration:** Aimee Gilman stated that the staff responsible for administering the \$15 billion in IDEA funding have been eliminated, and while no reduction in special education funding has occurred yet, there is uncertainty about future administration, with possible transfer to Health and Human Services and potential block granting to states.
- **State-Level Effects and Ohio Funding Changes:** Aimee Gilman discussed how the federal changes may affect Ohio, including the potential for block granting IDEA funds, the relative size of federal contributions, impacts on public and private

school funding, and the state's legislative actions affecting school finance and scholarships.

- **Block Granting Implications:** Aimee Gilman explained that block granting of special education funding would give Ohio discretion over spending, potentially benefiting families using the [Autism](#) and [Jon Peterson](#) scholarships, as these programs may see increased funding.
- **Federal Funding Proportion:** Aimee Gilman noted that federal IDEA funding constitutes only about 13-15% of Ohio's total special education budget, with the majority coming from state and local sources, and described IDEA as historically underfunded.
- **Public School Funding Challenges:** Aimee Gilman detailed recent Ohio legislative actions, such as the [Fair Funding Act](#)'s use of [outdated data](#), restrictions on emergency and replacement levies, and efforts to eliminate property taxes, all of which threaten public school funding and may impact services for students with disabilities.
- **Private School and Scholarship Limitations:** Aimee Gilman clarified that while scholarship amounts may increase, not all private programs accept scholarships, and private schools are not required to comply with IDEA, meaning families may lose certain rights when opting for scholarships.
- **Advocacy Strategies and Community Action:** Aimee Gilman emphasized the importance of advocacy at federal, state, and local levels, encouraging parents and community members to contact representatives, participate in school board activities, and utilize resources provided by organizations like the Autism Society and [COPAA](#).
 - **Federal and State Advocacy:** Aimee Gilman advised parents to call their federal and state representatives to express concerns about the dismantling of the Department of Education and the importance of maintaining funding and services for students with disabilities.
 - **School Board Engagement:** Aimee Gilman recommended active participation in local school board discussions and elections to ensure that the needs of students with disabilities are prioritized in district decision-making.
 - **Utilizing Advocacy Organizations:** Aimee Gilman suggested joining organizations such as the Autism Society, Autism Speaks, and COPAA to stay

informed and participate in collective advocacy efforts, noting that COPAA provides regular updates on legal actions and policy changes.

- **Resource Access and Action Center:** Lisa Thompson demonstrated the [Autism Society of America's Action Center](#), which allows users to easily contact their representatives with pre-written or personalized messages, and offered to provide standard message templates for community use.
- **Legal Guidance and Enforcement Changes:** Aimee Gilman addressed questions about the use of OSEP guidance, the impact of recent Supreme Court decisions on agency deference, and the narrowing of remedies for disability discrimination, providing technical explanations and practical advice for advocacy and legal action.
 - **OSEP Guidance Use:** Aimee Gilman explained that while OSEP and Office for Civil Rights guidance documents can still be used in advocacy and complaints, federal courts are no longer required to defer to agency guidance following the [Loper Bright Enterprises v. Raimondo](#) decision, which may affect outcomes in due process and federal court cases.
 - **Chevron Doctrine Overturn:** Aimee Gilman described the Supreme Court's overturning of the [Chevron doctrine](#), which previously required courts to defer to agency interpretations, and noted that this change fundamentally alters the enforcement landscape for special education and disability law.
 - **Narrowing of Remedies:** Aimee Gilman highlighted that recent legal changes, such as the [Premier Rehab case](#), have further limited available remedies for disability discrimination, including the inability to seek emotional distress damages, making enforcement of rights under Section 504 more challenging.
- **Impact on Specific Programs and Populations:** Aimee Gilman responded to questions from the community about the effects of federal and state changes on younger children, transition programs, transportation, Medicaid waivers, and students on 504 plans, clarifying current status and anticipated challenges.
 - **Early Childhood and Grant Programs:** Aimee Gilman stated that the changes affect not only school-age children under [IDEA Part B](#), but also preschool programs under [Part C](#) and grant-funded initiatives under [Part D](#), with potential impacts across all age groups.
 - **Transition and Postsecondary Programs:** Aimee Gilman explained that transition programs for graduating students may be affected similarly to

other programs, and that postsecondary students relying on Section 504 may face greater challenges due to the loss of Office for Civil Rights support and DEI offices.

- **Transportation and Staffing Issues:** Aimee Gilman noted that transportation funding and staffing shortages are ongoing issues, with some districts opting out of providing transportation and offering reimbursement instead, which can be difficult for families.
- **Medicaid Waiver Status:** Aimee Gilman clarified that current Medicaid cuts are not expected to affect the waiver, but retroactive reimbursement for services billed to Medicaid may be an issue in future budgets.
- **504 Plan Enforcement:** Aimee Gilman emphasized that while students are still entitled to services under 504 plans, the practical ability to enforce these rights is diminished without the Office for Civil Rights, and school districts are increasingly resistant to complaints.
- **Pending OCR Complaints and COPAA Updates:** Aimee Gilman shared the status of pending Office for Civil Rights complaints, explaining that their resolution is uncertain due to ongoing litigation, and recommended joining COPAA for regular updates on advocacy and legal developments.
 - **Status of Pending Complaints:** Aimee Gilman explained that pending OCR complaints are currently unresolved and in limbo due to staff terminations and ongoing lawsuits, with updates provided by COPAA to its members.
- **Special Education Law Resources for Ohio:** Aimee Gilman provided recommendations for parents seeking to learn more about Ohio special education law, including the Ohio Operating Standards, [Autism Society trainings](#), and resources available through Agins & Gilman and the [Autism Society of Greater Akron](#).
 - **Resource Recommendations:** Aimee Gilman suggested accessing Ohio's Operating Standards from the Department of Education, attending trainings offered by the Autism Society and other organizations, and contacting Agins & Gilman for direct guidance, while Nathan Briggs added that the [Autism Society of Greater Akron's online guides](#) include reputable resources.