



Policy Alert: Executive Order to Dismantle the US Department of Education

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Action: Executive Order "Improving Education Outcomes by Empowering Parents, States, and Communities"

What it does: The Executive Order directs the Secretary of Education to facilitate the closure of the US Department of Education "to the maximum extent appropriate and permitted by law," and without interrupting existing agency services, programs, and benefits. The Order emphasizes the current Administration's goal to transfer all education authority to local communities while also reiterating the requirement that all Federal funding recipients including higher education institutions cancel Diversity Equity and Inclusion (DEI) and "gender ideology" programs under an earlier Executive Order on "Ending Radical Indoctrination in K-12 Schooling."

Key Insights

- The actual elimination of the Department requires an act of Congress, which Secretary McMahon acknowledged during her [confirmation hearing](#). She applauded the latest Order [in a statement](#) while also committing to work "through Congress to ensure a lawful and orderly transition." Earlier this month, the Department nearly [halved its workforce](#) as an early step toward downsizing.
- During her confirmation hearing, Secretary McMahon also posited that closing the Department would not necessarily eliminate all Federal functions in education; instead, jurisdiction could transfer to a different Federal agency. She signaled that

the Individuals with Disabilities Education Act (IDEA) could be transferred to the Department of Health and Human Services and the Office of Civil Rights could move to the Department of Justice.

- The Order may also foreshadow a potential attempt to privatize Federal student loans stating, "The Department of Education is not a bank, and it must return bank functions to an entity equipped to serve America's students." The department handles \$1.6 trillion in Federal student loans.

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