

# Department of Education: Full Costs and Savings Estimate Needed for Reduction-in-Force and Restructuring of the Office for Civil Rights

GAO-26-108320

[Accessible Version](#)

Q&amp;A

Report to the Ranking Member, Committee on Health, Education, Labor and Pensions, U.S. Senate  
January 29, 2026

## Why This Matters

In March 2025, the Department of Education (Education) announced a Reduction-in-Force (RIF) and reorganization that would cut its workforce by about half and close several offices nationwide. That same month, the President issued an Executive Order stating that the “Secretary of Education shall, to the maximum extent appropriate and permitted by law, take all necessary steps to facilitate the closure of the Department of Education...”. According to a press release from the Secretary of Education, the RIF actions reflected a commitment to efficiency, accountability, and ensuring that resources were directed to students, parents, and teachers.

Three offices within Education—the Office for Civil Rights (OCR), the Office of Federal Student Aid (FSA), and the Institute of Education Sciences (IES)—collectively represented about 70 percent of the approximately 1,250 staff subject to Education’s March 2025 RIF actions, according to information Education provided to Congress. Staff who were subject to the RIF were scheduled to be separated (i.e., terminated) in early June 2025. However, subsequent preliminary injunctions prohibited Education from doing so. According to Education, all RIF actions were paused as of November 21, 2025. Education rescinded the RIF actions for OCR staff in early January 2026.

OCR enforces several federal civil rights laws, including laws that prohibit discrimination on the basis of race, color, and national origin; sex; disability; and age. OCR’s enforcement authority extends to institutions that receive funds from Education, such as state educational agencies, elementary and secondary school systems, and colleges and universities. OCR also has responsibilities under Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination by public entities whether or not they receive federal financial assistance.

We were asked to examine issues related to OCR’s operations in light of recent RIF actions. This report provides information about actions that occurred from February 2025 through early January 2026 related to RIFs at OCR, associated costs and savings, and OCR’s workload. We plan to examine similar issues in FSA and IES in separate reports.

## Key Takeaways

- About half (299 out of 575) of OCR staff received RIF notices in March 2025. The agency also closed seven of its 12 OCR regional offices. OCR staff who were subject to the March 2025 RIF were placed on paid administrative

leave. Staff were prohibited from working while on leave. Based on Education's court filings, we calculated that paying the salaries and benefits for these staff from March 21, 2025, to December 12, 2025, cost approximately \$28.5 to \$38 million.

- According to Education, there was ongoing analysis of the costs and savings associated with the OCR RIF. We determined the agency could not demonstrate that it included all potential costs and savings and did not document these analyses. Guidance from the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) required this documentation.
- We recommend that Education estimate the full costs and savings associated with its 2025 RIF actions and document its analysis, as required by OMB and OPM guidance.
- From March 11, 2025, to September 23, 2025, OCR received more than 9,000 complaints of alleged discrimination and resolved more than 7,000. About 90 percent of these were resolved by Education dismissing the complaints.

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## How does OCR enforce federal civil rights laws?

OCR primarily enforces federal civil rights laws by responding to complaints of alleged violations.<sup>1</sup> OCR can also initiate its own investigations when it becomes aware of potential violations.

OCR has regional offices staffed with investigators who are responsible for evaluating, investigating, and resolving complaints submitted against institutions located in their designated states and territories.<sup>2</sup> OCR investigators are to follow the process defined in OCR's Case Processing Manual.

Per the OCR Case Processing Manual, there are three ways in which OCR can resolve a complaint:

- **Dismissal.** Before opening an investigation, or during an investigation, OCR determines that the case does not meet the criteria to be investigated by OCR.
- **Mediation.** The complainant and the institution work with OCR to voluntarily resolve the complaint.
- **Investigation.** OCR collects and reviews evidence to determine if there is sufficient evidence to support that the institution failed to comply with the law.

Per the OCR Case Processing Manual, OCR investigations can result in one of three outcomes:

- **Insufficient evidence.** OCR determines that the preponderance of the evidence does not support a conclusion that the institution failed to comply with the law.
- **Non-compliance.** OCR determines that the preponderance of the evidence supports a conclusion that the institution failed to comply with the law.
- **Mixed determination.** OCR determines that there is insufficient evidence to support some aspects of the complaint, but sufficient evidence to support other aspects.

If an investigation identifies a potential civil rights violation (i.e., either a non-compliance or mixed determination), OCR negotiates with the institution to determine the actions or steps the institution must take to resolve the complaint. Institutions under investigation also have the option to voluntarily resolve complaints before the investigation is complete.

For example, OCR received a complaint in October 2024 alleging that a school district in New Mexico discriminated against a student based on a disability when the district allegedly failed to implement the student's individualized education program and did not provide behavioral services. OCR investigated the complaint and determined that discrimination may have occurred. In May 2025, OCR resolved the complaint, with the district agreeing to reassess the services it was providing to the student, including behavioral services and other supports that would be available to the student for the following school year. OCR's resolution letter states that it will monitor the district's implementation of the agreement and will close the case when the district fully implements it.

If OCR and the institution cannot agree to a resolution, OCR will take enforcement action. Specifically, OCR can 1) initiate administrative proceedings to suspend, terminate, or defer Education funding to the institution; or 2) refer the case to the Department of Justice for judicial proceedings, according to OCR's Case Processing Manual.

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### **What was the stated purpose of the March 2025 RIF actions at OCR?**

RIF actions took place at OCR in March 2025 in response to an Executive Order by the President with the stated purpose of reforming the federal workforce to maximize efficiency and productivity. The President issued the Executive Order on February 11, 2025, and instructed agencies to "...promptly undertake preparations to initiate large-scale reductions in force (RIFs), consistent with applicable law..." among other things.<sup>3,4</sup>

On February 26, 2025, OMB and OPM issued guidance to federal agencies on implementing the Executive Order, including that agencies were required to develop Agency RIF and Reorganization Plans.<sup>5</sup> According to the guidance, agencies were to develop a Phase I and Phase II plan with the goal of achieving:

- better service for the American people,
- increased productivity,
- a significant reduction in the number of full-time equivalent positions by eliminating positions that are not required,
- a reduced real property footprint, and
- reduced overall budgets.

According to a March 2025 press release from Education, all divisions within Education were affected by the reduction, with some "requiring significant reorganization to better serve students, parents, educators, and taxpayers."<sup>6</sup>

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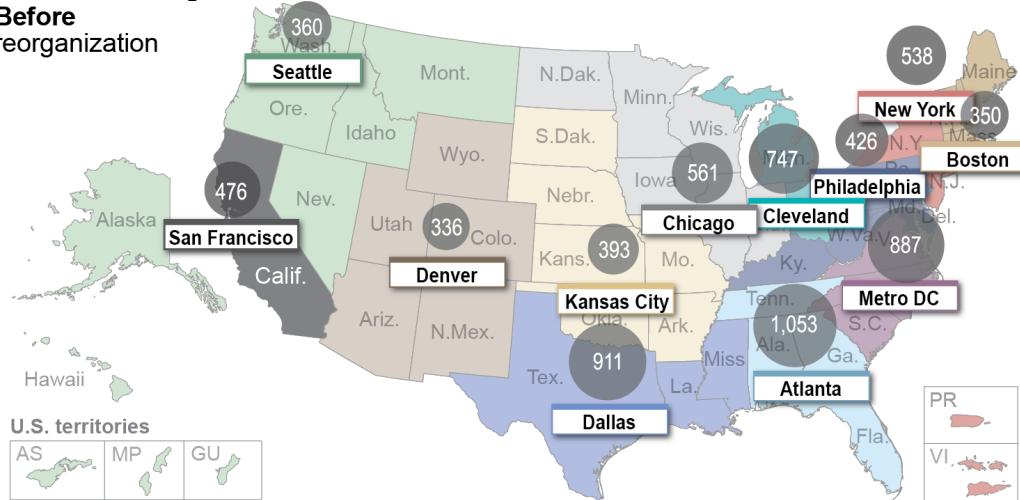
### **How many OCR staff were subject to the March 2025 RIF and how was OCR reorganized?**

According to Education's court filings, 299 OCR staff were subject to the March 2025 RIF. This was a little more than 50 percent of the approximately 575 staff who were at OCR in fiscal year 2024.<sup>7</sup>

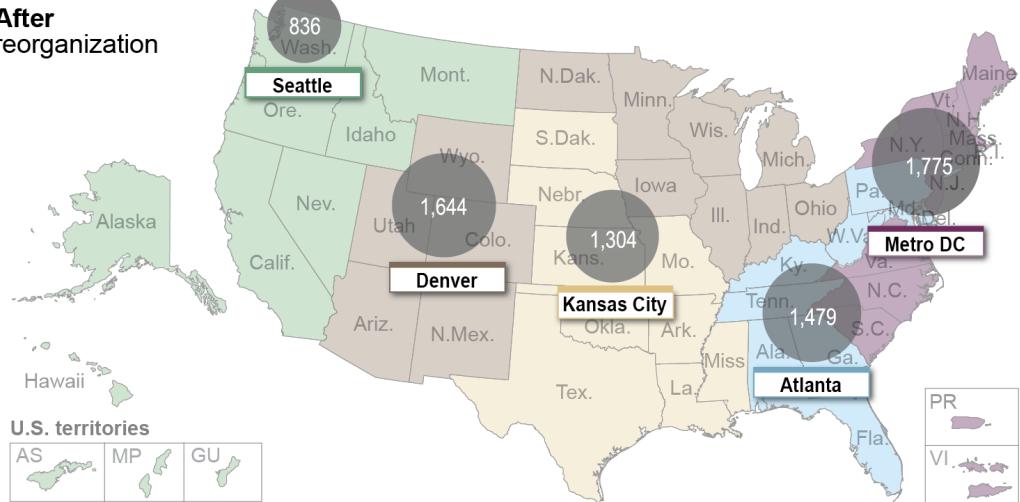
Education closed seven of OCR's 12 regional offices and reassigned their caseloads to the five remaining offices (see fig. 1).

Figure 1: OCR's Regional Office Structure and Estimated Number of Open Investigations Before and After Planned Reorganization in March 2025

Before  
reorganization



After  
reorganization



● Number of open investigations by office (data as of March 10, 2025)

Source: GAO analysis of the Department of Education's (Education) Office for Civil Rights (OCR) data and budget documents. | GAO-26-108320

## What happened to OCR staff who were subject to the March 2025 RIF?

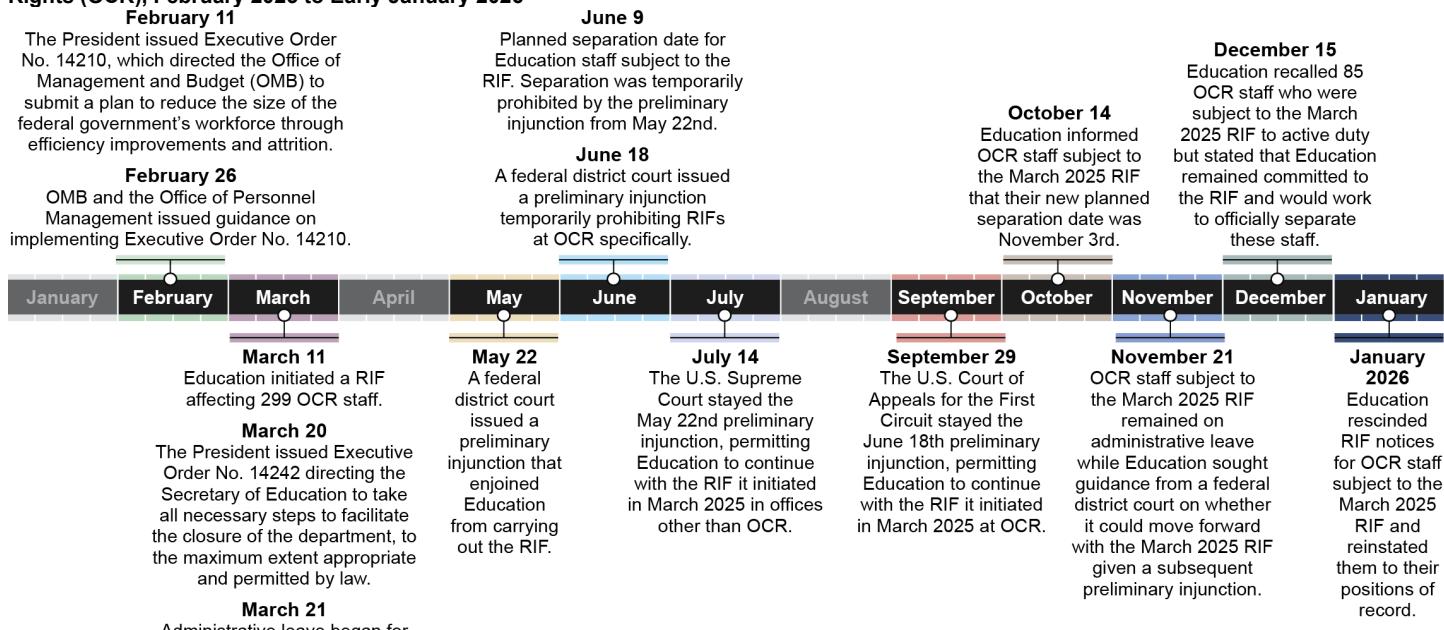
The 299 OCR staff who were subject to the March 2025 RIF were placed on paid administrative leave on March 21, 2025. Staff were prohibited from working while on leave, according to the information Education included in the RIF notice to staff. Staff who were subject to the RIF were scheduled to be separated (i.e., terminated) in early June 2025. However, two court orders temporarily prohibited Education from doing so.

On May 22, 2025, a district court issued a preliminary injunction enjoining Education from carrying out its RIF. On June 18, 2025, that same court issued another preliminary injunction enjoining Education from carrying out its RIF with respect to OCR staff specifically. On July 14, 2025, the Supreme Court stayed the May 22, 2025, preliminary injunction, but the June 18, 2025, preliminary injunction remained in place.

Education reported in court filings that it planned to comply with the June 18, 2025, preliminary injunction by reinstating OCR staff. Specifically, it planned to reinstate about 260 of the 299 OCR employees who were subject to the RIF and who, to Education's knowledge, had not voluntarily separated since that time. According to these court filings, Education reinstated 85 OCR staff in September 2025. The agency planned to reinstate the remaining OCR staff on a rolling basis

through November 3, 2025. However, on September 29, 2025, the U.S. Court of Appeals for the First Circuit stayed the June 18, 2025, preliminary injunction allowing Education to separate OCR staff subject to the March 2025 RIF while the litigation remained ongoing (see fig. 2 for a timeline of selected actions).

**Figure 2: Timeline of Selected Actions Related to the Department of Education's (Education) Reduction-in-Force (RIF) at the Office for Civil Rights (OCR), February 2025 to Early January 2026**



Source: GAO analysis of key documents related to the Department of Education's Reduction-in-Force. | GAO-26-108320

Education's court filings stated that 137 additional OCR staff received RIF notices in October 2025 during the government shutdown. According to the court filings, Education was awaiting guidance from the court on whether it could move forward with the March 2025 RIF given a subsequent preliminary injunction in a lawsuit challenging layoffs initiated during the October-November 2025 government shutdown.<sup>8</sup>

According to Education, all RIF actions were paused as of November 21, 2025, while it awaited guidance from the court. In addition, the fiscal year 2026 continuing resolution rescinded RIF actions taken by executive agencies between October 1, 2025, and November 12, 2025.<sup>9</sup> As of November 21, 2025, according to Education's court filings, 247 of the 299 OCR staff who were subject to the March 2025 RIF were on paid administrative leave and the other 52 staff had left OCR or Education.

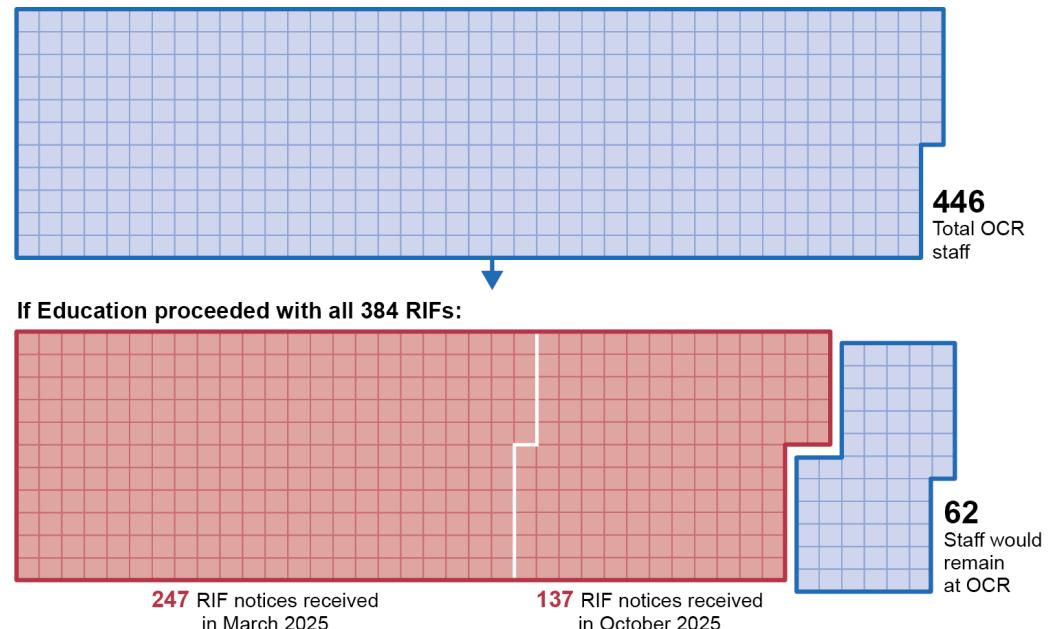
In December 2025, Education announced that it would temporarily recall the 247 OCR staff who were subject to the March 2025 RIF and still on administrative leave. According to Education officials, the agency expected that these staff would be ready to return to work on December 15, 2025. As of December 16, 2025, Education had recalled 85 of these OCR staff to active duty, according to Education. Agency officials also said that since the March 2025 RIF, OCR has kept up with its workload and met its mission without these staff. They noted that Education decided to recall these staff to contribute to the enforcement of existing civil rights complaints. These officials also said that there is always work to be done and the agency will continue utilizing available resources to do so. As of December 9, 2025, these officials said that Education remained committed to the RIF and would work to officially separate these staff in the future.

Education rescinded the RIF actions for OCR staff in early January 2026, and reinstated staff to their positions of record. It did not provide information on the

number of OCR staff who ultimately returned to work when the RIFs were rescinded.

As of November 21, 2025, Education reported that there were 446 OCR staff (384 of whom had received RIF notices). If Education was allowed to proceed with all RIFs announced as of November 2025, there would have been about 60 staff in OCR, down from about 575 staff in fiscal year 2024 (see fig. 3).

**Figure 3: Department of Education's (Education) Office for Civil Rights (OCR) Anticipated Staffing Levels Based on Reductions-in-Force (RIF) Announced as of November 21, 2025**  
As of Nov. 21, 2025:



Source: GAO analysis of court filings as of November 21, 2025. | GAO-26-108320

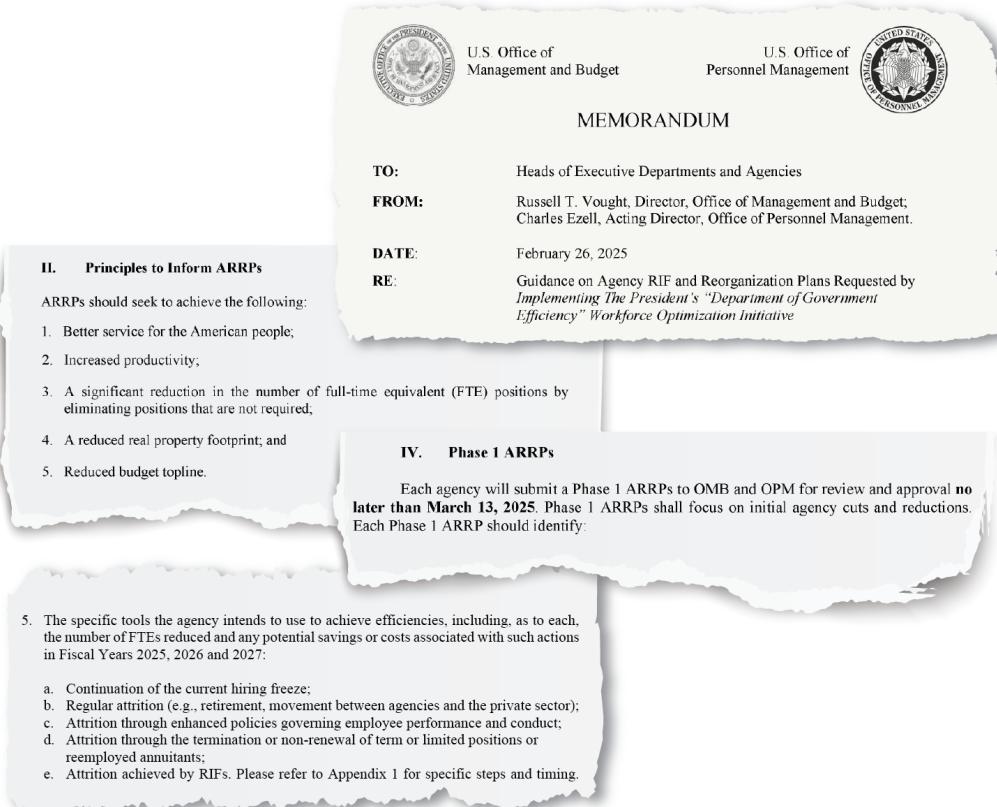
Note: As of December 9, 2025, Education officials said the agency remained committed to the RIF and would work to officially separate these staff in the future. As of early January 2026, Education had rescinded the RIF notices to OCR staff in both the March 2025 and October 2025 groups.

## What information has Education made publicly available on the potential costs and savings of the OCR RIF and how did Education document its analysis?

Education has not made complete information publicly available about potential costs and has not made any information available about potential savings associated with its OCR RIF actions.

The OMB and OPM guidance on developing Agency RIF and Reorganization Plans instructed agencies to document in their Phase I plans any potential savings or costs associated with their proposed actions to make their agency more effective and efficient in fiscal years 2025 through 2027 (see fig. 4). Phase I plans were due by March 13, 2025. Per the guidance, such analysis was to include the effect of any planned RIFs and other reductions in the workforce. Education has made some information publicly available about the cost of salaries and benefits for OCR staff on administrative leave due to the RIF but has not provided information about other potential costs. In addition to the cost of salaries and benefits for staff on administrative leave, other costs associated with the RIF could include severance pay for affected employees, unemployment insurance, administrative costs to process RIF actions, and costs associated with handling appeals or grievances. The agency could also experience savings, for example, due to reduced salary and benefits costs in future fiscal years.

**Figure 4: Excerpts of OMB and OPM Guidance to Agencies on Developing Reduction-in-Force and Reorganization Plans, February 2025**



Source: GAO analysis of guidance from the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM). | GAO-26-108320

The agency analyzed costs and savings associated with the OCR RIF actions, according to Education officials. It did not document these analyses, although OMB and OPM guidance directed agencies to do so. Education officials said they provided information to OMB orally. However, Education has not demonstrated that the analyses it conducted accounted for all potential costs and savings from the RIF. Officials said that its analyses were continually affected by ongoing litigation, employees' acceptance of offers for voluntary early retirement, and other factors. Officials said that because the situation was "evolving and deliberative" there was no documentation of the analysis, and due to the evolving nature of ongoing litigation, Education is currently not able to provide a valid or exhaustive estimate of costs and savings. However, these analyses were to be documented at a point in time that was prior to the emergence of several of the factors Education described.

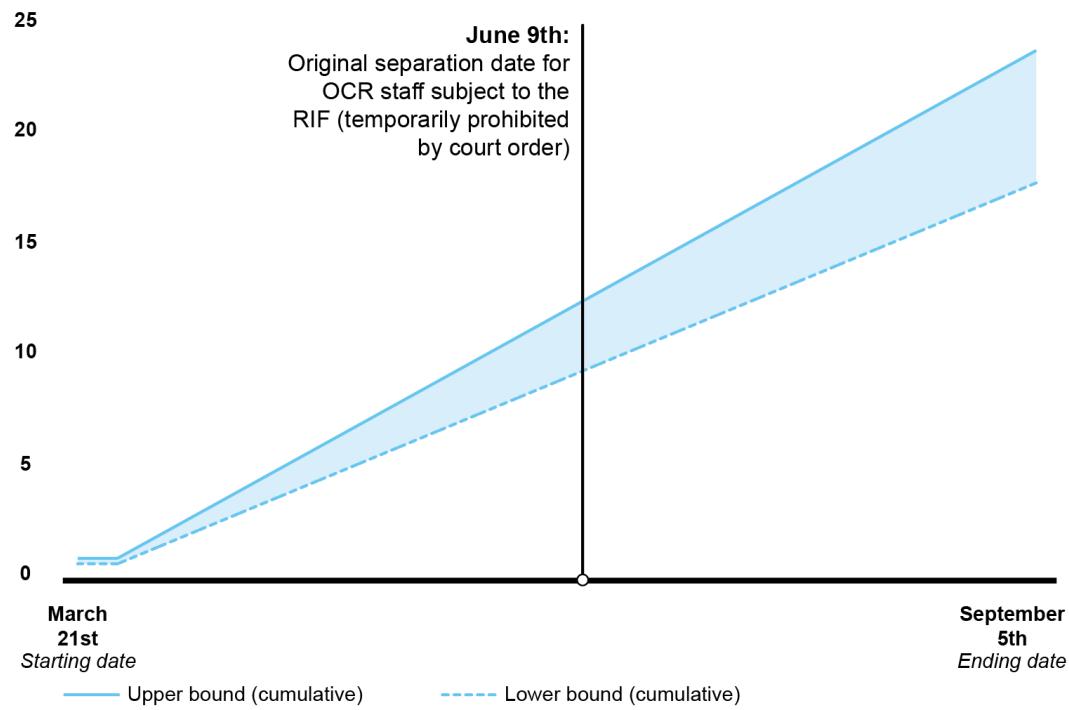
By not demonstrating that its analyses accounted for all potential costs and savings, and by not documenting such analyses, Education lacks reasonable assurance that its RIF actions achieved the stated goal of reforming the federal workforce to maximize efficiency and productivity. Specifically, Education cannot ensure that OCR improved service to the American people, increased productivity, or reduced its overall budget for fiscal years 2025 through 2027 with its actions.

## How much have salaries and benefits for OCR staff on administrative leave due to the March 2025 RIF cost?

According to Education's court filings, it cost the federal government nearly \$1 million per week for the salaries and benefits of OCR staff who were subject to the March 2025 RIF and on administrative leave. Based on information Education reported in court filings, we calculated that paying the salaries and benefits for these staff from March 21, 2025, through September 5, 2025, cost a total of approximately \$18 to \$24 million (see fig. 5).<sup>10</sup>

Because Education did not report the exact weekly cost of salaries and benefits, we developed an approximate total using a lower bound of \$750,000 per week and an upper bound of \$999,999 per week for the 24 weeks covering March 21, 2025, through September 5, 2025. By applying the same lower and upper bounds, we calculated that paying the salaries and benefits for the staff remaining on administrative leave for the 14 weeks from September 8, 2025, through December 12, 2025, cost approximately \$10.5 to \$14 million.<sup>11</sup> In total, we calculated that paying the salaries and benefits for OCR staff subject to the March 2025 RIF and on administrative leave cost approximately \$28.5 to \$38 million from March 21, 2025, to December 12, 2025.

**Figure 5: Approximate Cost of Salaries and Benefits for Department of Education (Education) Office for Civil Rights (OCR) Staff on Administrative Leave due to the Reduction-in-Force (RIF), March-September 2025**  
Dollars (millions)



Source: GAO analysis of court filings as of September 9, 2025. | GAO-26-108320

Note: Education reported that it paid "nearly \$1 million per week" in salaries and benefits to OCR staff who were subject to the March 2025 RIF, but did not provide a specific dollar amount. To calculate the approximate cost, we used a lower bound of \$750,000 per week and an upper bound of \$999,999 per week for the 24 weeks covering March 21, 2025, to September 5, 2025. By applying the same lower and upper bounds, we calculated that it cost approximately \$10.5 to \$14 million for the staff remaining on administrative leave for the 14 weeks from September 8, 2025, to December 12, 2025.

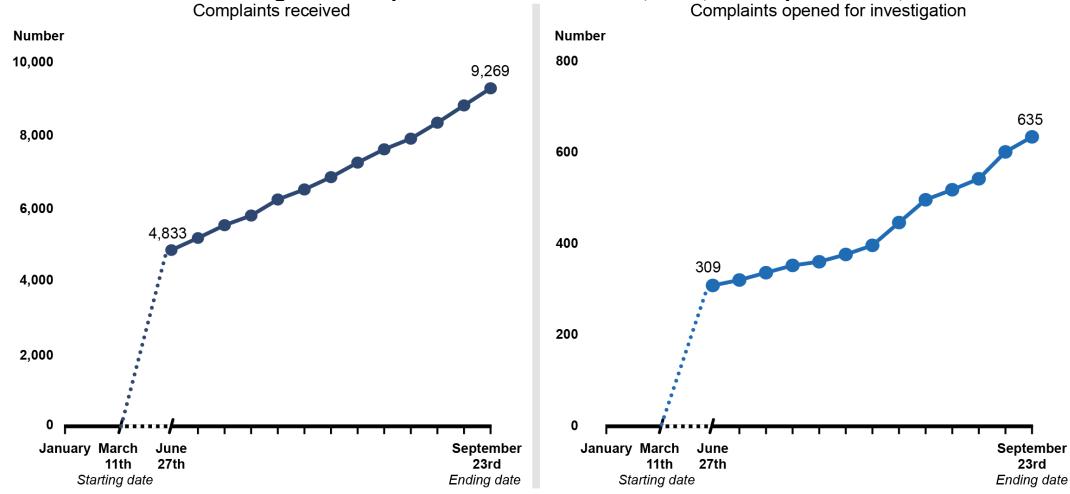
## How did OCR's caseload change from March to September 2025?

OCR received a total of 9,269 complaints of alleged discrimination and opened 635 investigations from March 11, 2025, through September 23, 2025, according to Education's most recent available data as of November 2025 (see fig. 6).

Beyond what has been publicly reported in the press, Education has not made information available on the nature of the investigations it has opened, including the type of discrimination involved. OCR historically maintained a list on its public

website of the institutions it was investigating but has not updated this list since January 2025.<sup>12</sup>

**Figure 6: Number of Complaints the Department of Education's Office for Civil Rights (OCR) Received, and the Number of Investigations It Opened between March 11, 2025, and September 23, 2025**

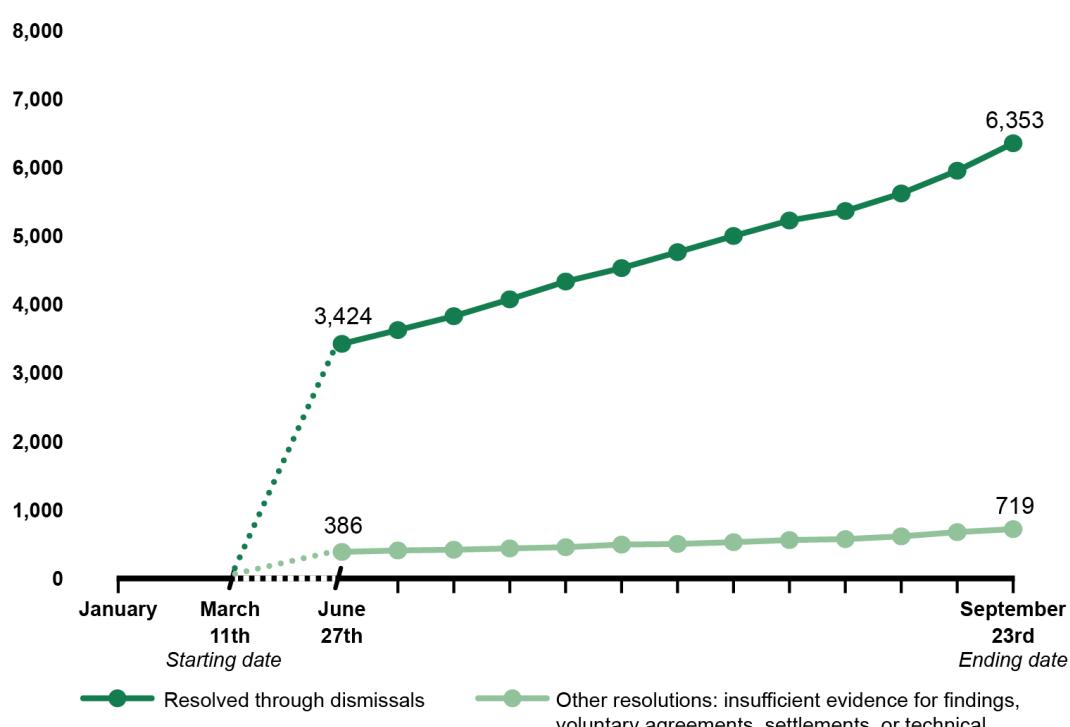


Source: GAO analysis of court filings as of September 23, 2025. | GAO-26-108320

Note: On June 27, 2025, Education reported in court filings the cumulative number of complaints OCR had received, and investigations opened since March 11, 2025. Thereafter, the data shown are a per week summation of the number of complaints OCR received and number of complaints that were opened for investigation since March 11, 2025.

From March 11, 2025, through September 23, 2025, OCR resolved a total of 7,072 complaints. About 90 percent of these were resolved by Education dismissing the complaints. During that time, OCR resolved 6,353 through dismissals and resolved 719 due to insufficient evidence or through voluntary agreements, settlements, or technical assistance, according to Education's most recent data (see fig. 7).

**Figure 7: Number of Complaints the Department of Education's Office for Civil Rights (OCR) Dismissed or Otherwise Resolved between March 11, 2025, and September 23, 2025**



Source: GAO analysis of court filings as of September 23, 2025. | GAO-26-108320

Note: On June 27, 2025, Education reported in court filings the cumulative number of complaints of alleged discrimination OCR had dismissed or otherwise resolved since March 11, 2025. Thereafter, the data shown are

a per week summation of the number of complaints OCR dismissed or otherwise resolved since March 11, 2025.

Complaints can be dismissed for a variety of reasons. For example, in our 2021 report on school bullying, OCR noted that changes to agency guidance have previously resulted in an increase in dismissals.<sup>13</sup> In that report, we also found that dismissal rates varied from 49 percent of resolved complaints in school year 2010–11 to 81 percent in 2019–20.

OCR has reported in court filings that it is dismissing complaints in a manner consistent with its Case Processing Manual.<sup>14</sup> According to the Case Processing Manual, there are more than 15 reasons that OCR may dismiss a complaint, including if it:

- cannot reasonably conclude that a law OCR enforces was violated,
- transferred or referred the complaint to another agency for investigation,
- determined that the complaint is moot (e.g., resolved),
- determined that its ability to complete an investigation is substantially impaired (e.g., inability to contact complainant), or
- is notified that the complaint has been withdrawn.

According to our analysis of Education's most recent data, which was reported in court filings, OCR's caseload increased by an average of about 98 cases per week between June 27, 2025, and September 23, 2025.

## Conclusions

In a series of executive actions, more than half of OCR's staff were placed on paid administrative leave in March 2025 as part of a RIF and reorganization. OMB and OPM guidance instructed federal agencies to document the potential costs and savings of their actions to make their agency more effective and efficient in fiscal years 2025 through 2027, but Education has not done so. Using publicly available data, we calculated that paying the salaries and benefits for these staff from mid-March to early September 2025 cost between \$18 to \$24 million, and cost an additional \$10.5 to \$14 million from early September to mid-December 2025. Education has not made complete information publicly available about other potential costs or potential savings related to its RIF and reorganization efforts.

Without demonstrating that its analyses accounted for all potential costs and savings associated with its RIF and reorganization, and by not documenting its analyses, as required, Education lacks reasonable assurance that its actions achieved the stated goal of reforming the federal workforce to maximize efficiency and productivity, including whether such actions saved taxpayer dollars.

## Recommendation for Executive Action

The Secretary of Education should estimate the full costs and savings associated with the Reduction-in-Force and reorganization actions it initiated in March 2025 and document its analysis. (Recommendation 1)

## Agency Comments and Our Evaluation

We provided a draft of this report to the Department of Education for review and comment. In its comments (reproduced in appendix I), Education stated that it informed GAO that its ability to fully participate in the audit had been impacted by ongoing litigation. Pending litigation does not limit GAO's authority under 31 U.S.C. § 716(a)(1) to obtain information required for our audits, nor does it affect Education's obligation under 31 U.S.C. § 716(a)(2) to provide such information to GAO. In addition, our draft report discussed the litigation related to Education's

RIF actions, included information from court filings Education submitted in federal court, and noted that Education officials directed us to court records.

In its comments, Education also stated that it did not concur with the draft report's recommendation. Education stated that it had rescinded the RIFs for OCR staff and taken action to return those employees to active duty, rendering the matter moot.

As discussed in our report, OMB and OPM guidance instructed agencies to document any potential savings or costs associated with any planned RIFs and other reductions in the workforce prior to their implementation. Education did not demonstrate that it met this requirement. Our draft report also noted that 299 OCR staff initially subject to the March 2025 RIF actions were placed on administrative leave, some of whom remained on administrative leave until December 2025. Although Education has now rescinded the RIF actions, Education incurred costs, for example, paying salaries and benefits for these staff. Given the RIFs were rescinded, thereby establishing a discrete time period, we modified the recommendation to reflect that such an analysis would be of actual, rather than potential, costs and savings.

Additionally, in December 2025 while Education's RIF actions were paused, Education officials said that Education remained committed to the RIF and would work to officially separate these staff in the future. Having a full, documented estimate of the costs and savings associated with a RIF, such as what occurred from March 2025 through early January 2026, would better inform any future actions Education may take in this regard. Therefore, we continue to believe that Education should conduct and document such an analysis.

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## How GAO Did This Study

To describe OCR's RIF actions, and to determine associated costs and savings, we analyzed available information from court filings submitted in federal court, the President's fiscal year 2026 budget request for OCR, guidance from OMB and OPM, and data that Education provided to Congress. During this audit, we also reached out to Education officials about these data and any analyses Education conducted and documented regarding the RIF and reorganization, including any associated costs and savings related to these actions. Education officials directed us to court records in related litigation.

To assess OCR's workload in the context of the RIF actions, we analyzed available data from court filings submitted in federal court and information from OCR's public website.

We assessed the reliability of these data by reviewing relevant documentation and checking the data for obvious errors and outliers. Though we made efforts to ensure the data were reliable, we were limited in our ability to do so by the information publicly available about the data sources. For example, we could not assess the assumptions underlying Education's statement that the salaries and benefits for OCR staff on administrative leave due to the March 2025 RIF cost nearly \$1 million per week. We also could not assess the data system Education used to report information on open investigations. While there are limitations to the data, they represent the best available information, and we believe they are sufficient and appropriate to respond to our audit objectives.

We also reviewed relevant federal laws and OCR's Case Processing Manual.

We conducted this performance audit from April 2025 to January 2026 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence

obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Addressee

The Honorable Bernard Sanders  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate

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We are sending copies of this report to the appropriate congressional committees and the Secretary of Education. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

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## GAO Contact Information

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**Staff Acknowledgments:** Sherri Doughty (Assistant Director), Lara Laufer (Assistant Director), David Watsula (Analyst in Charge), Elizabeth Calderon, Curtia Taylor, Tatyana Walker, and Adam Wendel made key contributions to this report. Joel Green, Serena Lo, and Abigail Loxton also contributed.

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## Appendix I: Comments from the Department of Education



UNITED STATES DEPARTMENT OF EDUCATION  
WASHINGTON, D.C. 20202

January 16, 2026

Ms. Jackie Nowicki  
Director  
Education, Workforce,  
and Income Security Issues  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Ms. Nowicki:

Thank you for providing the U.S. Department of Education (Department) the opportunity to review the U.S. Government Accountability Office's (GAO's) draft report titled, "Department of Education: Full Costs and Savings Estimate Needed for Reduction-in-Force and Restructuring of the Office for Civil Rights, (GAO-26-108320)." The Department appreciates the work GAO has put into this report, but the Department has repeatedly informed GAO that its ability to fully participate in this engagement has been impacted by ongoing litigation. Additionally, the Department's most recent actions with regard to ongoing litigation now render this topic moot, and the engagement should be closed out.

As you may know, the Government's dismissal of its 9th Circuit appeal resulted in the Department rescinding its Office for Civil Rights (OCR) reduction in force (RIF) notices. As a result, OCR employees returned to active duty in December. Thus, we have the following response to GAO's recommendation.

**Recommendation:** The Secretary of Education should estimate the full potential costs and savings associated with the Reduction-in-Force and reorganization actions it initiated in March 2025 and document its analysis.

**Response:** We do not concur with the recommendation. As noted above, we have taken actions to return OCR employees to active duty in December 2025. The Department has rescinded all OCR RIF notifications issued in April 2025.

Thank you for the opportunity to respond to the draft report.

Sincerely,

Kimberly Richey  
Assistant Secretary  
Office for Civil Rights

## Endnotes

<sup>1</sup>The civil rights laws that OCR enforces are: Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin by recipients of federal funding; Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs that receive federal funding; Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability by recipients of federal funding; Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability by public entities (such as public school districts, public colleges and universities, and public libraries), whether or not they receive federal financial assistance; the Age Discrimination Act of 1975, which prohibits discrimination on the basis of age; and the Boy Scouts of America Equal Access Act of 2001, which prohibits an elementary school, public secondary school, or state or local education agency that provides an opportunity for one or more outside youth or community groups to meet at the school, before or after school hours, from denying equal access or a fair opportunity to meet or otherwise discriminate against any group officially affiliated with the Boy Scouts of America or certain other youth groups.

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<sup>2</sup>OCR headquarters in Washington, D.C. handles national policy issues.

<sup>3</sup>Executive Order, *Implementing the President's "Department of Government Efficiency" Workforce Optimization Initiative*, (Washington, D.C.: Feb. 11, 2025).

<sup>4</sup>According to OPM, when a federal agency must conduct a RIF due to reorganization, shortage of funds, or lack of work, the agency must follow established regulatory procedures. These procedures include planning for the RIF, notifying affected staff, and post-RIF support and monitoring. See U.S. Office of Personnel Management, *Workforce Reshaping Operations Handbook: A Guide for Agency Management and Human Resource Offices*, (Washington, D.C.: Mar. 2017).

<sup>5</sup>OMB and OPM, *Guidance on Agency RIF and Reorganization Plans Requested by Implementing the President's "Department of Government Efficiency" Workforce Optimization Initiative*, (Washington, D.C.: Feb. 26, 2025).

<sup>6</sup>Department of Education, *U.S. Department of Education Initiates Reduction in Force*, (Washington, D.C.: Mar. 11, 2025).

<sup>7</sup>According to the fiscal year 2026 budget summary for the Department of Education, OCR had 577 full-time equivalents in fiscal year 2024.

<sup>8</sup>Specifically, on September 30, 2025, several labor organizations filed a lawsuit challenging actions by OMB and OPM regarding federal employee layoffs during a potential government shutdown. On October 4, 2025, the complaint was amended and expanded the list of defendants to include many federal agencies, including Education.

<sup>9</sup>Specifically, the continuing resolution states "any reduction in force proposed, noticed, initiated, executed, implemented, or otherwise taken by an Executive Agency between October 1, 2025, and the date of enactment, shall have no force or effect."

<sup>10</sup>If Education had separated OCR staff on June 9, 2025, as originally planned, the cost of salaries and benefits to OCR staff who received RIF notices and were on paid administrative leave would have been approximately \$8.25 million to \$11 million, based on our calculations. Education separately estimated that it would pay an additional \$3.7 million in salaries and benefits from March 23, 2025, through September 30, 2025, to the 40 OCR staff who accepted the Deferred Resignation Program offer. Under the Deferred Resignation Program, also referred to as the "Fork in the Road," employees could opt to resign from their federal positions in early calendar year 2025 but retain their pay and benefits through September 2025.

<sup>11</sup>On September 8, 2025, Education temporarily began to reinstate some OCR staff who had been on administrative leave. In total, Education reinstated 85 OCR staff in September 2025, however those staff were placed back on administrative leave shortly thereafter, according to Education's court filings. We cannot account for the brief reinstatement period in our calculations because there is no information publicly available about the specific salaries and benefits that were paid to these 85 staff during the time they had been reinstated.

<sup>12</sup>As of early January 2026, OCR issued several press releases about some of the institutions currently under investigation and posted 174 case resolution documents to its public website for calendar year 2025. For example, Education has reported opening investigations into gender-related violations under Title IX of the Education Amendments of 1972 and concerns of alleged antisemitic harassment under Title VI of the Civil Rights Act of 1964.

<sup>13</sup>GAO, *K-12 Education: Students' Experiences with Bullying, Hate Speech, Hate Crimes, and Victimization in Schools*, GAO-22-104341 (Washington, D.C.: Nov. 24, 2021).

<sup>14</sup>Department of Education, Office for Civil Rights, *Case Processing Manual* (Feb. 19, 2025).