

Equity Alert

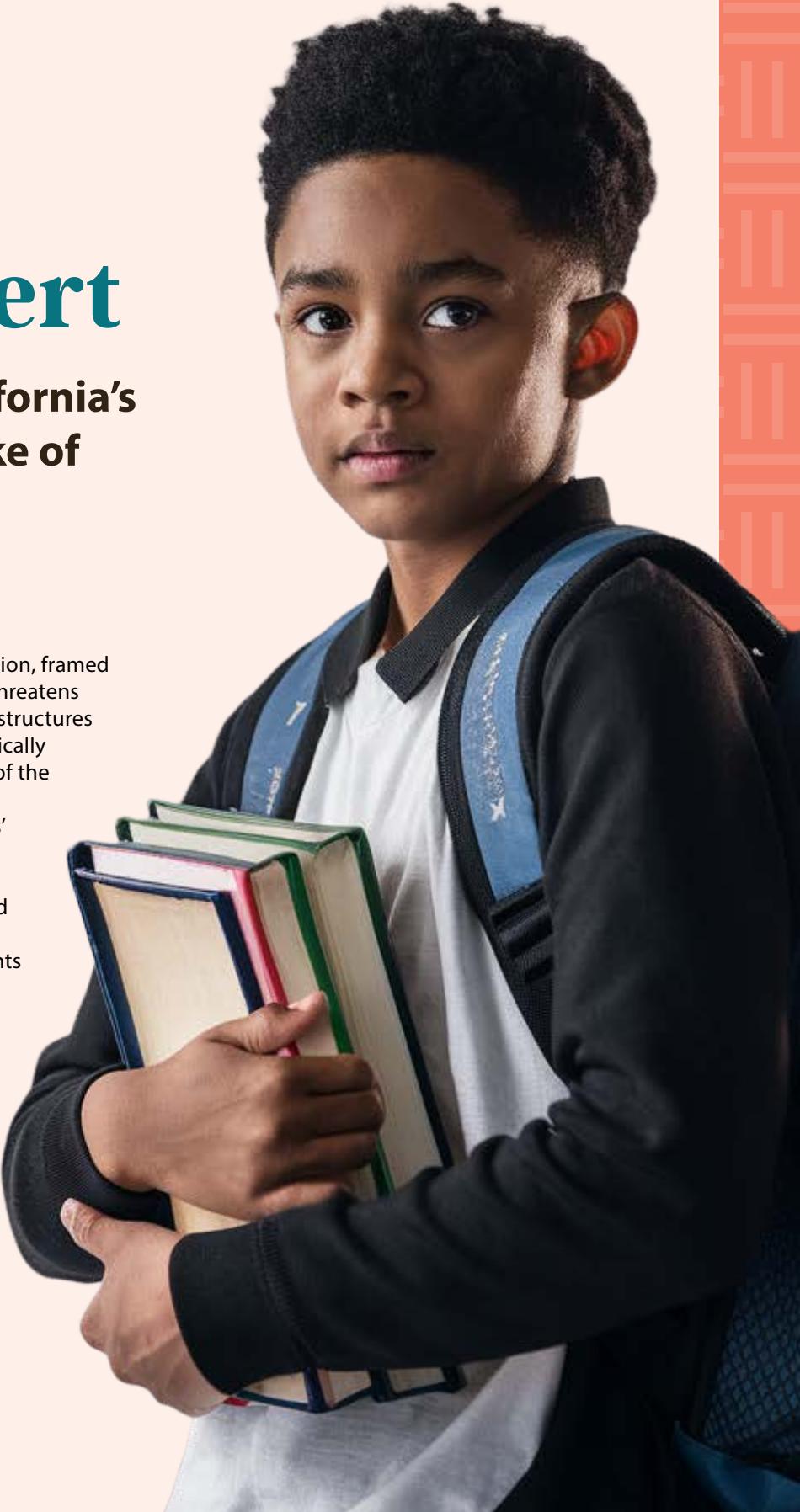
Taking the Reins: California's Leadership in the Wake of Federal Injustice

Introduction

The federal government's retreat from education, framed as a push to "return education to the states," threatens to dismantle crucial protections and funding structures that secure equitable opportunities for historically marginalized students. Potential elimination of the U.S. Department of Education (ED), deep cuts to federal TK-12 funding and college students' financial aid, and attacks on Diversity, Equity, and Inclusion (DEI) programs would degrade education quality for all students and **disproportionately harm** students of color, low-income students, English learners, students with disabilities, and immigrant youth.¹

In the absence of strong federal leadership, state governments, school districts, and local education leaders must take the reins. State legislatures and agencies can codify protections, stabilize funding, and oversee accountability systems, while local boards and administrators can ensure continuity of services, transparency, and equity-driven decision-making.

The following sections analyze five urgent threats and outline detailed state and local strategies for action.



Threat 1: Abolishing the Department of Education and Federal Oversight

The Threat:

Efforts to [dismantle the U.S. Department of Education](#) threaten the distribution of federal funding, management of federal financial aid programs, and oversight of accountability frameworks like the Every Student Succeeds Act (ESSA).³ (See Table 1 for an overview of the U.S. Department of Education's functions.)

Without ED oversight:

- ▶ States would no longer be required to [hold schools accountable](#) for meeting performance or equitable access expectations.⁴
- ▶ [National data](#) on schools across several domains would no longer be collected and publicly reported.⁵
- ▶ Programs ensuring education for homeless or migrant students could lapse without state adoption.⁶

Table 1: The Role of U.S. Department of Education²

Function	What's at Risk for Being Eliminated, Reduced, or Disrupted Due to the Dismantling of the Dept. of ED
Administers Programs that Provide Federal Support to Schools	See Table 2
Administers Financial Aid	<ul style="list-style-type: none">▶ Free Application for Federal Student Aid (FAFSA): Develops, administers, and processes FAFSA applications▶ Pell Grants: Provides need-based grants for students from low-income backgrounds▶ Work-Study: Provides part-time jobs for college students with financial need▶ Supplemental Educational Opportunity Grants: Provides additional grants for college students with high financial need▶ Direct Student Loans: Provides federal student loans for college students and families
Protects Students' Civil Rights	<ul style="list-style-type: none">▶ Office of Civil Rights (OCR): Investigates concerns of civil rights violations▶ Title IV of Civil Rights Act of 1964: Protects students from discrimination on the basis of race, color, or national origin▶ Title IX of the Education Amendments of 1972: Protects students from discrimination on the basis of sex▶ Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990: Protects students from discrimination based on disability status
Oversees Data & Research Tracking & Reporting	<ul style="list-style-type: none">▶ Tracks and reports national education data to improve student outcomes & close gaps▶ Evaluates effectiveness of programs and interventions that aim to improve educational outcomes (either internally or through research grants)

What can state and local leaders do to mitigate this threat?

State Actions:

- ▶ **Codify federal programs and protections in state law:** Cement programs and policies that support vulnerable students (see Table 1) into state law to prevent the loss of critical supports and services.
- ▶ **Maintain data collection and uphold accountability:** To uphold accountability for achievement and opportunity gaps (in the absence of federal accountability), require school and local education agency (LEA) performance data, accountability, and continuous improvement in state law.

Local Actions:

- ▶ **Maintain data collection:** Invest in strengthening internal capacity to collect, analyze, manage and publicly report student outcome and discipline data by critical demographic factors (e.g. race/ethnicity, disability, socioeconomic status, English learner status, foster youth and homelessness status) and leverage data to inform LEA decisions to close equity gaps.
- ▶ **Invite community engagement:** Host regular public forums in multiple languages to share data and district accountability updates with families. Partner with community-based organizations who can help students, families, and community members make sense of and understand the many entities in California's education system that play a role in upholding accountability (for example, see the resources in [Ed100's](#) online tutorials).



Threat 2: Drastic Cuts to Federal Education Funding

The Threat:

Federal cuts could slash billions in federal funding for schools serving high-need populations, including funding for services for low-income students, Head Start, teacher professional development, and multilingual learner programs, among others at risk. (See Table 2 for description of federal funding programs for TK-12 and higher education). Furthermore, the new federal tax credit to fund private school vouchers threatens to

siphon funds away from public schools, exacerbating the existing financial challenges facing public schools.⁹ In addition, the non-public institutions that will be supported and proliferated by this national voucher scheme are not bound by civil rights laws, not subject to public reporting requirements, not required to serve low-income students, and not subject to the same state level oversight as public schools.

Table 2: Federally Funded Education Programs^{7,8}

	K-12 Education: Elementary & Secondary Education Act (Re-authorized by ESSA)	Postsecondary Education: Higher Education Act
Title I	Improve academic achievement for students from low-income households and migrant students	General provisions
Title II	Recruitment, retention, and effectiveness of teachers, principals, and school leaders	Teacher preparation and development programs
Title III	Support language instruction for English learners and help them meet state standards	Institutional aid for minority-serving institutions (e.g. Historically Black Colleges and Universities, tribal colleges, & Asian American and Native American Pacific Islander-Serving Institutions)
Title IV	Student Support and Academic Enrichment program: well-rounded education, safe schools, and technology	Federal Student Aid: Pell Grants, student loans, Federal Work-Study, and college access programs (TRIO & GEAR UP)
Title V	Rural and Low-income Schools program: improve instruction and services	Support for Hispanic-Serving Institutions (HSIs)
Title VI	Native American, Native Hawaiian, and Alaska Native education programs	International/global education programs
Title VII	Impact Aid for districts affected by federal or tribal land	Graduate fellowships and advanced study support
Title IX	Supports for students experiencing homelessness	



What can state and local leaders do to mitigate this threat?

State Actions:

- ▶ **Affirm California's support for public education:**
 - ▶ Expand revenue generation for public education, including through the following approaches:
 - Pursue ballot measures that add resources for education to the state budget and extend [Proposition 55](#).¹⁰
 - [Revisit Proposition 13](#), by advancing measures to "split the roll" and require a regular reassessment of commercial property at fair market value, while protecting homeowners.¹¹
 - [Reinstate a California estate tax](#) on high-wealth estates, consistent with pre-2017 federal rules, to generate billions in revenue.¹²
 - [Reinstitute the ability of local school districts to propose general taxes](#) (like sales or income taxes) upon approval of a simple majority or 55% of voters, with equity safeguards to protect educational equity statewide.¹³
 - ▶ Oppose the use of public funding for religious and private schools.

- ▶ **Backfill federal programs:**

- ▶ Prioritize non-LCFF Prop 98 funding for backfilling lost federal funding, including funding for special education, unhoused students ([McKinney-Vento](#)), multilingual learners, and migrant education.
- ▶ If current federal funding formulas are eliminated, modify the LCFF funding model to increase weights for students in poverty, students learning English, and students in foster care.

Local Actions:

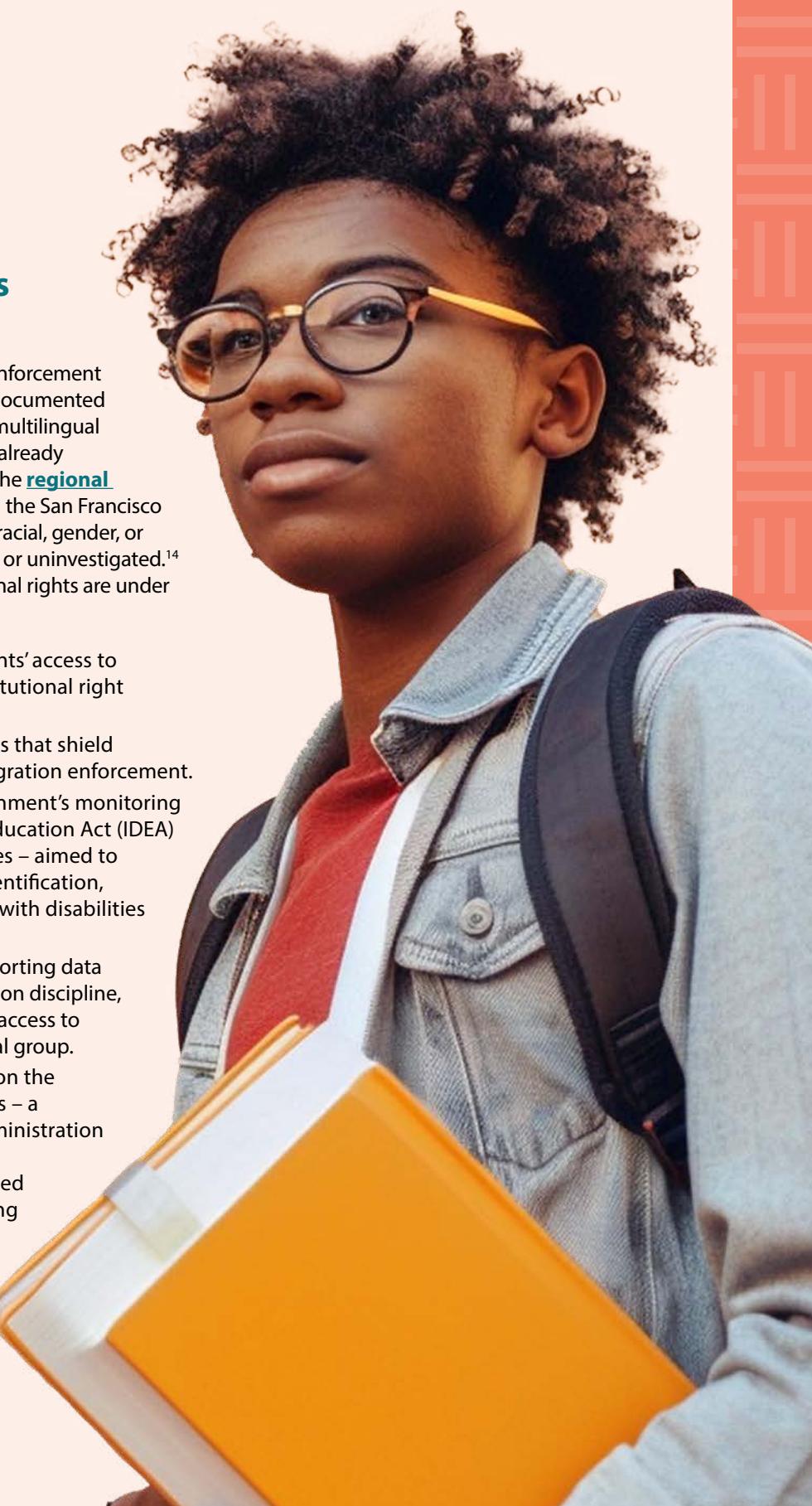
- ▶ **Conduct contingency planning:** Develop tiered budget scenarios (e.g., -10%, -25%, -50% loss of federal aid) prioritizing essential services like special education, tutoring, and bilingual supports.
- ▶ **Establish partnerships:** Work with cities, counties, higher education institutions, and community organizations to supplement and if needed, backfill program funding and services (health, mental health, afterschool).
- ▶ **Prioritize equity:** Ensure students with the greatest need retain access to core services by restructuring other spending priorities if necessary.

Threat 3: Denial of Civil and Educational Rights for Marginalized Students

The Threat:

Actions to exclude, withdraw, and refuse enforcement of protections for immigrant students, undocumented families, students of color, trans students, multilingual learners, and students with disabilities are already happening. The closure of the majority of the [regional federal Offices for Civil Rights](#), including the San Francisco office, has left thousands of complaints of racial, gender, or disability-based discrimination unresolved or uninvestigated.¹⁴ Furthermore, additional civil and educational rights are under threat including:

- ▶ Challenges to undocumented students' access to free public schools (which is a constitutional right enshrined in [Plyler v. Doe](#)).¹⁵
- ▶ The undermining of legal protections that shield undocumented students from immigration enforcement.
- ▶ The elimination of the federal government's monitoring of the Individuals with Disabilities Education Act (IDEA) reporting by local education agencies – aimed to monitor disproportionality in the identification, placement, or discipline of students with disabilities based on race and ethnicity.
- ▶ The discontinuation of civil rights reporting data from states and districts such as data on discipline, access to advanced coursework, and access to student support staff by student racial group.
- ▶ The [rescission of federal guidance](#) on the educational rights of English learners – a document issued by the Obama Administration outlining legal requirements and research-based practices for serving students learning English.¹⁶ While the rescission does not change the underlying laws, it leaves school and district leaders without clear guidance and signals that the administration will not enforce federal law in this area.





What can state and local leaders do to mitigate this threat?

State Actions:

- ▶ **Expand California Dream Act access:** Update AB 540 requirements to include only a two-year requirement of full-time attendance or attainment of part-time equivalent credits at a California Community College.
- ▶ **Enforce civil rights:** Increase funding for the [**California Department of Justice – Civil Rights Enforcement Section**](#) to increase their capacity to investigate and enforce civil rights laws in schools.
- ▶ **Codify federal programs and protections in state law:** Cement programs and policies that support vulnerable students (such as Title VI, IX, IDEA, ADA, McKinney-Vento, Migrant Education) into state law to prevent the loss of critical supports and services.
- ▶ **Fund targeted services:** Allocate state funds for immigrant family outreach, language access services, and for IDEA monitoring programs abandoned by the federal Department of ED.
- ▶ **Provide and reinforce guidance for serving English learners:** In the absence of federal leadership, lead or join an alliance of states to provide guidance to schools and districts on their legal responsibilities and research-based practices for providing appropriate educational services for students classified as English learners.

Local Actions:

- ▶ **Enact Safe Haven Policies:** Pursuant to [**AB 699**](#) [**and AB 21**](#), adopt policies that restrict cooperation with federal immigration enforcement officials on school campuses, including the collection of information on the immigration status of students or their family members.
- ▶ **Provide legal supports:** Strengthen relationships with legal experts to help develop policies, provide “Know Your Rights” workshops, provide training for faculty and staff, and provide individualized legal counsel to students and their families.
- ▶ **Affirm commitments publicly:** Pass resolutions reaffirming nondiscrimination and equity commitments. Communicate explicitly how the school, district, or college will promote anti-bias practices, uphold civil rights protections, and investigate complaints.



Threat 4: Elimination or Reduction of Student Financial Aid Programs

The Threat:

Federal proposals to cut Pell Grants, Work Study, and Federal Supplemental Educational Opportunity Grant (FSEOG) while raising borrowing costs for families, threaten college access for low-income

and first-generation students.¹⁷ Operational delays in federal student aid compound the barriers to pursuing higher education.

What can state and local leaders do to mitigate this threat?

State Actions:

- ▶ **Expand state grant aid:** Increase investments in state grant programs (e.g., Cal Grants) to partially replace lost federal awards for low-income students. Ensure coverage for undergraduate, graduate, and professional students who have unmet financial need. Create state “student emergency aid” funds for students who lose Pell eligibility altogether or forgo federal financial aid due to data privacy concerns.
- ▶ **Increase access to financial aid:** Pass legislation (e.g. [SB 305](#)) ensuring that all community college students apply for financial aid (or opt-out) via the Free Application for Federal Student Aid (FAFSA) or California Dream Act Application (CADA). SB 305 would significantly improve application and take-up of financial aid among community college students, particularly for low-income students and students of color, thereby ensuring students maximize their financial support during college.¹⁸
- ▶ **Provide adequate funding for campus financial aid offices and outreach programs:** Invest more resources in understaffed financial aid offices, ensuring timely processing of financial aid packages, outreach to vulnerable student populations, and direct advising amid federal processing delays. Allocate additional resources for financial aid outreach programs to support students and families with the FAFSA and CADA.
- ▶ **Fund food and housing insecurity supports:** Fund campus-based programs addressing food security, housing stipends, and childcare for low-income students.

- ▶ **Establish state work-study program:** Establish state-funded or state-matching student employment programs if the Federal Work Study (FWS) program is gutted.
- ▶ **Invest in college and career pathways:** Invest in streamlined and coherent pathways like the College and Career Access Pathways (CCAP) program or Golden State Pathways that give students opportunities to earn college credit while still in high school. These streamlined pathways can enhance college affordability by shortening the time to degree or certificate.

Local Actions (colleges & universities):

- ▶ **Provide financial aid support and training:** Increase institutional grants for low-income students and proactively help students access private grants and community-based scholarships. For students needing to borrow funds, offer free counseling on alternative financing, loan repayment, and budget management.
- ▶ **Monitor financial aid data:** Track how aid losses impact enrollment, persistence, and completion rates to inform policy advocacy and budget requests.
- ▶ **Develop employer partnerships:** Develop partnerships with local governments, nonprofits, and businesses to support student work opportunities in place of federal work study programs.
- ▶ **Establish Dual Enrollment/Pathways partnerships with high school districts:** Expand opportunities for students to access community college coursework while in high school.

Threat 5: Attacks on Diversity, Equity, and Inclusion (DEI) Initiatives

The Threat:

Federal proposals seek to eliminate diversity, equity, and inclusion programming at TK-12 schools and higher education institutions, like those that prioritize the success of Black students and efforts to diversify the educator workforce. Programs that expand college access for underrepresented groups, such as TRIO and Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), are also targeted. In September 2025, the U.S. Department of Education canceled more than \$350 million in discretionary grant programs for Minority-Serving Institutions (MSIs) – institutions that serve significant shares of underrepresented racial and ethnic groups.¹⁹

What can state and local leaders do to mitigate this threat?

State Actions:

- ▶ **Invest in state programs:** Create grant programs for initiatives focused on improving services and instruction for student groups that have been harmed or underserved by the education system.
- ▶ **Defend Minority-Serving Institution (MSIs):** Provide state funding to protect and backfill cancelled federal support for Hispanic Serving Institutions (HSIs), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), Historically Black Colleges and Universities (HBCUs), and California's Black Serving Institutions (BSIs).
- ▶ **Commit to institutional transformation:** Establish commissions on Black, Latinx, AAPI, and Native student educational opportunities and hold districts accountable for equity gap monitoring and closing.
- ▶ **Continue legal defense:** Continue to direct the California Attorney General to challenge federal attempts to illegally withhold funds based on anti-DEI measures. Provide legal guidance to school districts and colleges about their legal protections and responsibilities to offer DEI programs.

Local Actions:

- ▶ **Resist anticipatory compliance:** Avoid prematurely complying with federal anti-DEI executive orders or guidance that are not reflected in state or federal law or upheld by the courts. Rather, districts and colleges should continue equity-driven reforms (such as closing opportunity gaps and providing targeted supports) regardless of federal posture, recognizing that these actions remain protected under California state law.
- ▶ **Ensure data transparency:** Publicly report outcomes on opportunity and achievement gaps to anchor equity as a moral and legal obligation.
- ▶ **Protect programs:** Sustain mentorship, advising, and college prep services even if federal dollars are withdrawn, reallocating LCFF supplemental/concentration funds where possible.
- ▶ **Support teacher, faculty, and staff training:** Continue professional development for education staff on culturally responsive teaching, bias reduction, and inclusive policy implementation.

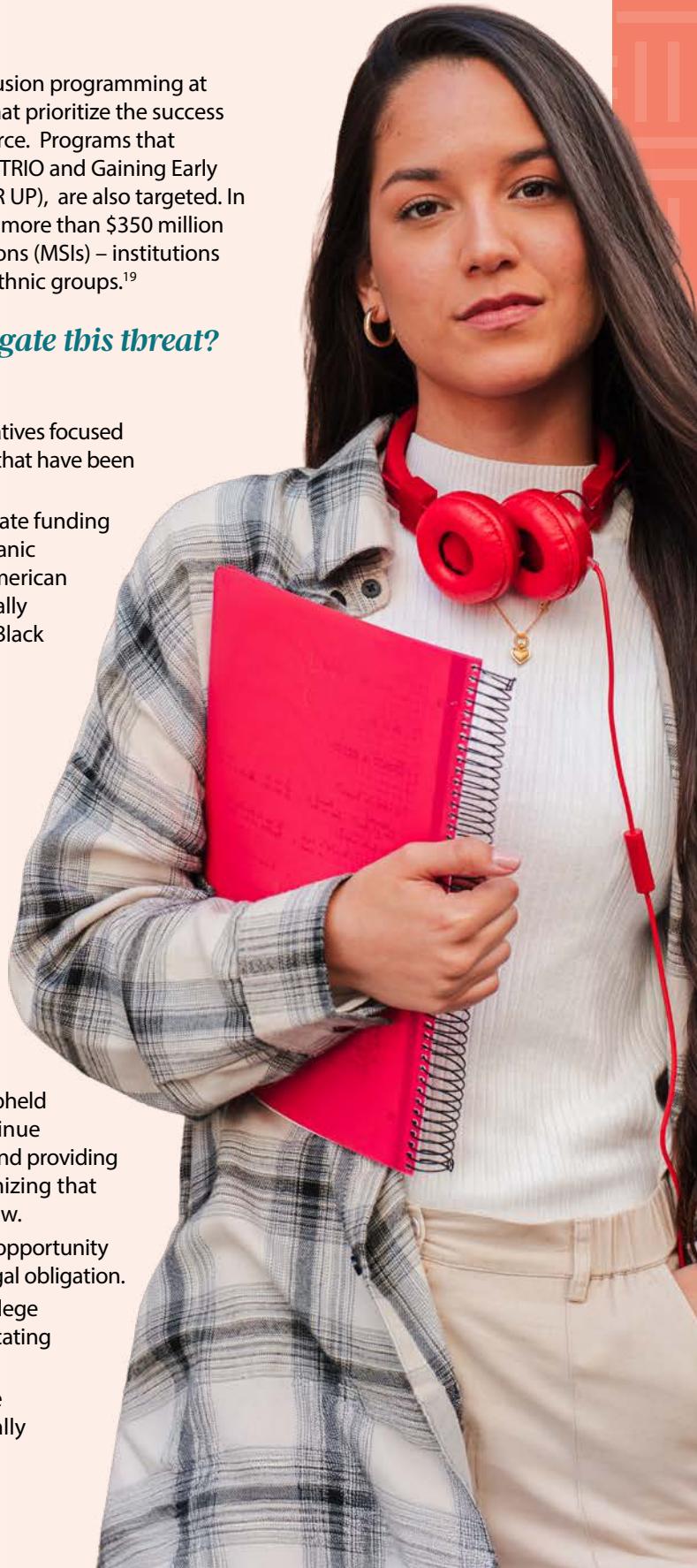


Table 3: Summary of State & Local Recommendations to Address Critical Threats to Education

Threat	State-Level Recommendations	Local-Level Recommendations
1. Abolishing the U.S. Department of Education & Federal Oversight	<ul style="list-style-type: none"> ▶ Codify federal protections (Title I, Migrant Ed, IDEA, etc.) into state law. ▶ Require school/LEA accountability systems and data reporting in state law. 	<ul style="list-style-type: none"> ▶ Strengthen local data collection & public reporting by student groups. ▶ Hold regular, multilingual accountability forums. ▶ Partner with community orgs to support public understanding.
2. Drastic Cuts to Federal Education Funding	<ul style="list-style-type: none"> ▶ Expand revenue: pursue ballot measures, revise Prop 13, reinstate estate tax, increase local tax authority. ▶ Protect education: backfill federal programs with state Prop 98/other funds, adjust LCFF weights for high-need students. ▶ Oppose the use of public funds for private and religious schools. 	<ul style="list-style-type: none"> ▶ Develop contingency plans for -10%, -25%, -50% funding loss. ▶ Partner with local government/organizations to backfill programs. ▶ Prioritize equity in funding reallocation.
3. Denial of Civil & Educational Rights for Marginalized Students	<ul style="list-style-type: none"> ▶ Expand California Dream Act & AB 540 access. ▶ Increase DOJ Civil Rights enforcement capacity. ▶ Codify federal civil rights protections (Title VI, IX, ADA, IDEA, etc.) into state law. ▶ Fund immigrant outreach, language access, and IDEA oversight. ▶ Provide and reinforce legal guidance for serving English learners. 	<ul style="list-style-type: none"> ▶ Enact “Safe Haven” policies (limit ICE collaboration). ▶ Partner with legal experts: Know Your Rights workshops, staff training, direct legal aid. ▶ Pass public resolutions affirming civil rights commitments.
4. Elimination/Reduction of Federal Student Financial Aid Programs	<ul style="list-style-type: none"> ▶ Expand Cal Grant & create “student emergency aid” funds. ▶ Require FAFSA/CADAA application at community colleges (with opt-out). ▶ Increase aid office staffing/resources. ▶ Fund food, housing, childcare supports. ▶ Create state-funded work-study programs. ▶ Invest in early college/dual enrollment pathways (CCAP, Golden State). 	<ul style="list-style-type: none"> ▶ Increase institutional grants & connect students to private aid. ▶ Track local data on enrollment/persistence impacts. ▶ Partner with employers to expand student work opportunities. ▶ Expand dual enrollment with local high schools.
5. Attacks on Diversity, Equity & Inclusion (DEI) Initiatives	<ul style="list-style-type: none"> ▶ Establish state DEI grant programs. ▶ Fund and expand Minority-Serving Institutions (HSIs, AANAPISIs, BSIs, HBCUs). ▶ Create state commissions to monitor and close racial/ethnic equity gaps. ▶ Support CA Attorney General’s legal defense against anti-DEI efforts. 	<ul style="list-style-type: none"> ▶ Resist “anticipatory compliance” with anti-DEI federal orders. ▶ Publicly report equity/outcomes data. ▶ Sustain mentorship, advising, and prep programs with local/state funds. ▶ Continue culturally responsive teacher/staff training.

Conclusion

The dismantling of the federal education infrastructure represents a profound threat to educational rights, leaving states and districts at risk of losing both resources and civil rights guardrails. To prevent significant harm to the most vulnerable students, California must exercise the authority states already possess and take action to protect the rights and opportunities of students most at risk from these federal decisions, crafting laws that replicate or surpass federal protections, mobilizing fiscal resources to offset lost aid, and prioritizing historically underserved communities in education policy.

Local education leaders must ensure existing protections remain intact: adopting inclusive policies, engaging communities transparently, maintaining DEI programming, and providing continuity of support for low-income, immigrant, and marginalized students.

The agenda to dismantle the federal role in education elevates the state and districts' roles in protecting students' rights to a safe, fair, and high-quality education. Equity, access, and fairness are not optional, but are foundational obligations of public education.

Note: The information provided in this equity alert does not serve as legal counsel and, given the pace of action, could be outdated quickly.

Endnotes

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