

United States Senate

WASHINGTON, DC 20510

February 10, 2017

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary DeVos:

During your hearing before the Committee on Health, Education, Labor, and Pensions, your statements regarding the landmark *Individuals with Disabilities Education Act* (IDEA) raised concerns among children with disabilities and their parents about your and the Trump administration's views on special education and the rights of these families and students. We expect you and the Trump administration to fulfill your commitment to all students, including students with disabilities.

To that end, we are deeply concerned that prior to your confirmation and arrival at the Department the centralized resource website for the IDEA ("<https://www.idea.ed.gov>") became inaccessible to the public for more than a week, and is now redirecting people to a site for the Office of Special Education Programs ("OSEP"). The OSEP website lacks much of the information previously available.

The Department's failure to keep this critical resource operational makes it harder for parents, educators, and administrators to find the resources they need to implement this federal law and protect the rights of children with disabilities. For more than a decade, this website, which was released by President George W. Bush's Secretary of Education Margaret Spellings, has served as a one-stop-shop for resources related to IDEA and its regulations. The Office of Special Education and Rehabilitative Services has consistently updated this website as Congress has enacted new legislation and the Courts have interpreted the law.

As you now know, IDEA ensures children with disabilities throughout the country receive access to the services and supports they need to access a free appropriate education in the least restrictive environment. This law governs how states and local school districts provide services to more than 6 million eligible infants, toddlers, and students with disabilities. Students served under the IDEA are exceptionally diverse and reflect the full spectrum of America's students, including those who live in urban or rural settings, those born into billionaire families or barely scraping by, and those who are new to this county and are learning English. Recognizing the diversity of the students served under IDEA, the website has provided accessible and informative summaries of the law, training materials, sample educational forms, presentations for the public, and so many other user-friendly resources. Also among the resources was information about how children and their families may enforce their rights under the law to access a free and appropriate public education in the least restrictive environment.

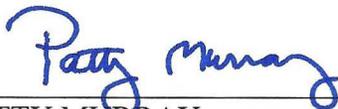
Given your past statements about the IDEA before the Health, Education, Labor and Pensions Committee and the fact the website has been unavailable for an extended period of time, we are certain you are just as anxious as we are that these resources be quickly restored.

Additionally, we are seeking a detailed explanation for the disappearance of these centralized resources, and the plan to restore this critical information. We request you provide our staff with the following information:

- 1) Your assurance that this website will not be stripped down in any way during your tenure.
- 2) A detailed timeline of when the centralized resources previously available at www.idea.ed.gov became inaccessible to public view and all subsequent steps that were taken to restore these resources as well as all steps taken to provide the public with more limited information from third party sites or other areas of the Department website.
- 3) To the extent there are (or were) technical problems that led to the removal of the centralized resources, please provide a technical report on the issue, how it was resolved and/or when it is expected to be resolved if the issue was limited to this specific part of the Department's website, and if so why.
- 4) A detailed plan for restoring the information previously available including all previously available resources for students, parents, schools, districts, state governments, researchers, and policy makers containing information about their rights under IDEA, information about the law and regulations to facilitate high degrees of compliance, model forms, presentations pertaining to IDEA, materials for training, and guidance documents relating to IDEA.
- 5) The date by which all information previously available at www.idea.ed.gov will again be accessible to the public at a central location.
- 6) A detailed plan for how parents will be informed of the problems with the website and what has been done to address the problems, to ensure that nobody who went to the website in recent days will be discouraged from accessing this information in the future.
- 7) A detailed description of any content from the website that was modified by the Department during the period of time the website was removed from the public domain. For each change, a detailed explanation for the modification.

Thank you for your attention to this pressing matter.

Sincerely,



PATTY MURRAY
United States Senator



MARIA CANTWELL
United States Senator