



States Are Failing to Meet their Obligations to Students Under IDEA: An Analysis of State Monitoring Reports by the U.S. Department of Education



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Council of Parent Attorneys and Advocates

P.O. Box 6767

Towson, Maryland 21285

Executive Summary

The results of recent State monitoring by the U.S. Department of Education (the Department) raise serious questions as to whether States are adequately enforcing requirements under the Individuals with Disabilities in Education Act (IDEA) that ensure students with disabilities are receiving a free appropriate public education under law. When the accountability and oversight system breaks down at the State and local levels, as the most recent monitoring reports from the Department highlight, it puts at risk the education of millions of students with disabilities – at great cost to students, their families, our communities and our country.

The findings from 11 recent State monitoring reports issued by the Department raise serious concerns about its leadership’s current focus on dismantling the agency and “returning education to the States,” a priority of the current Administration. A key responsibility of the Department is to provide oversight of States’ implementation of IDEA, including identifying and correcting noncompliance by States in providing special education under the auspices of the law. Quite simply, the findings show that States do not have the capacity to monitor IDEA effectively. The monitoring reports and actions initiated by the Administration fail to show how students with disabilities would be better served by “returning authority to the states.”


When State governments fail to provide the legally required oversight of local educational agencies (e.g., LEAs or districts), schools often fail to make changes that are needed to ensure that students are provided with a free appropriate public education (FAPE) as required under IDEA. This creates uncertainty, tension and distrust in the system, especially between parents

and school leaders whose relationship is central to ensuring students receive FAPE and achieve key academic outcomes. The absence of robust monitoring and enforcement places the onus on parents to monitor schools and States themselves. Such failure may lead to increased reliance by families on dispute resolution processes to fix problems that should have been addressed and corrected as part of routine monitoring.

The monitoring reports reviewed by the Council of Parent Attorneys and Advocates (COPAA) show a pattern of State noncompliance regarding the following

essential oversight responsibilities under IDEA Part B:

- General Supervision. The Department identified widespread systemic failures in States’ general supervision and oversight of local school districts (in 10 of the 11 States reviewed), including weak and ineffective State monitoring systems of LEAs, poor follow-up on identified violations to ensure problems were corrected, and practices that do not reliably detect district noncompliance with IDEA.



When States fail to provide adequate oversight and accountability of local educational agencies, schools may find shortcuts, which introduce greater uncertainty, tension and distrust into the system. This places the onus on parents to monitor schools and States.”


- **Dispute Resolution.** The Department found serious gaps in the majority of States regarding their administration of dispute resolution systems that are supposed to provide parents and others a way to raise and resolve concerns with their child’s schools through written complaints, mediation, and due process.
- **Fiscal Oversight.** The reports show widespread deficiencies in fiscal oversight by the States, including inadequate monitoring of local school districts' handling of federal funds and weak systems for identifying and correcting mismanagement of IDEA funds.

The current system of Federal oversight of States often means the difference between a student with a disability getting access to a critical service or whether a parent will be able to resolve differences with their school regarding their child’s education.

However, the system’s ability to deliver on that promise for students is further undermined by another troubling discovery. Our analysis found that the Administration sharply reduced its monitoring schedule for 2025 and 2026 to *only two States per year*, a dramatic drop from approximately 10 States monitored each year in prior years, demonstrating the Department’s utter failure to fulfill its obligation to provide the required oversight of States.

The weakening of the Federal-to-State and State-to-District system of IDEA oversight designed to protect students comes amid the Administration’s well-documented gutting of the agency’s Office for Civil Rights (OCR) and its Federal civil rights enforcement mechanisms that allow parents to seek relief related to disability-related discrimination.

While OCR does not have responsibility for IDEA investigations, taken together, these findings suggest that there is simply no consequence to States not meeting their legal responsibility to ensure that students with disabilities receive the services, protections, and educational access guaranteed by the law, nor are they responsibly overseeing the more than \$14 Billion appropriated annually by Congress to support students with disabilities.



These findings suggest that many States are not meeting their legal responsibility under IDEA to ensure that students with disabilities receive the services, protections, and educational access guaranteed by the law, nor are they responsibly overseeing the more than \$14 Billion appropriated annually by Congress to support students with disabilities.

As a result, COPAA calls on Congress to uphold and protect current law and student rights by maintaining IDEA and related education programs within the Department. It is essential that Congress preserve all of IDEA and the requirements of the Secretary to oversee its implementation so there is transparency and accountability in how States and districts provide access to meaningful outcomes for every student with a disability. COPAA also calls on the Department to immediately reestablish a monitoring calendar that returns to a five-year onsite review cycle for all States, the District of Columbia, and U.S. Territories under IDEA.

Introduction

A review of recent reports released by the Department shows that most States they monitored failed to meet major oversight responsibilities under Part B of the Individuals with Disabilities Education Act (IDEA).

Since the current Administration took office in January 2025, the Department's Office of Special Education Programs (OSEP) State monitoring reports collectively show that States are falling short of their required obligations under IDEA Part B which focuses on eligible school age children ages 3-21. Across the majority of States monitored, the reports documented widespread patterns of noncompliance in key areas such as oversight and supervision of local education agencies e.g., districts), dispute resolution and fiscal management.

These gaps are concerning, as they undermine the right to a free appropriate public education (FAPE) for more than 8.2 million school-aged students with disabilities.¹ Our review of these reports also found that despite these findings, the Department has seriously weakened its ongoing oversight of State compliance with IDEA.

These findings come as the Administration and Secretary of Education Linda McMahon push to dismantle the Department and transfer its required responsibilities to other federal agencies, supposedly in order to "return education to the states,"² despite IDEA's requirements that Federal oversight and monitoring of compliance by States be conducted by the Department and its Secretary.³

Since the Administration took over in January 2025, much attention by the public and some members of Congress has focused on how the Administration's dramatic downsizing of the Department, including OCR, has severely limited its ability to respond to parents' discrimination claims and the impact this has had on students and their families.⁴ More recently, focus has shifted to the Department's use of Inter-Agency Agreements (IAAs) to transfer a wide array of the Department's programmatic responsibilities to other agencies,

¹ IDEA Part B Sec. 619 Preschool (ages 3-5-not in Kindergarten) totals 603,652 eligible children. IDEA Part B (ages 6-21) totals 7.59 million eligible children. Source: U.S. Dept. of Ed, IDEA Sec. 618 Data, SY 2024-2025, (Feb. 2026): <https://www.ed.gov/data/idea-section-618-data>

² See: *McMahon says she 'wholeheartedly' agrees with Trump plan to abolish Education Department*, The Hill, (February 25, 2025), <https://thehill.com/homenews/education/5162816-mcmahon-abolish-education-department-trump/>

³ 20 U.S.C. § 1416

⁴ See: Letter to McMahon, U.S. Senate [signed by 34 Senators], (May 26, 2026), <https://www.sanders.senate.gov/wp-content/uploads/05.26.26-OCR-letter.pdf> and, *Justice Denied: How Trump's Office for Civil Rights Reached a 12-Year Low in Protecting Students from Discrimination*, Minority Report, Senate Health, Education, Labor, and Pensions Committee, (April, 2026), https://www.sanders.senate.gov/wp-content/uploads/04.24.26-Justice-Denied-How-Trumps-Office-for-Civil-Rights-Reached-a-12-Year-Low-in-Protecting-Students-from-Discrimination_FINAL.pdf

including moving the Office of Special Education and Rehabilitation Services (OSERS), which includes OSEP, to the Department of Health and Human Services (HHS).⁵

Importantly, scrutiny needs to be devoted to the impact of the Department's actions on other legally required functions, including its duty to ensure that States lawfully monitor and oversee programs and the use of Federal funds in school districts.

This report reviews the Department's handling of these requirements as well as an analysis of how States are carrying out their required oversight responsibilities under IDEA.

Oversight of IDEA: A Federal Responsibility

The Federal oversight framework that ensures IDEA is being implemented and carried out by States as required under statute has three main components:

1. Annual reporting to the Department through the State Performance Plan/Annual Performance Report (SPP/APR).⁶
2. Annual determinations made by the Department as to whether States meet IDEA requirements and whether additional improvement actions or scrutiny are needed.⁷
3. Monitoring activities, which include any findings of noncompliance and corresponding actions that must be undertaken to correct deficiencies.⁸

IDEA Section 1416 directs that Federal monitoring efforts should focus on (A) improving educational results and functional outcomes for children with disabilities and (B) ensuring States meet IDEA program requirements, with particular emphasis on requirements most closely tied to improving those results.⁹

Through OSEP, the Department regularly oversees States, including in-depth onsite monitoring of the 50 States, the District of Columbia, and U.S. Territories. Until 2025, these visits were

⁵ See: *ED and HHS: Special Education and Rehabilitative Services Partnership*, (June 16, 2026), <https://www.ed.gov/about/news/press-release/us-department-of-education-announces-additional-partnerships-strengthen-coordination-individuals-disabilities-programs-bolster-civil-rights>.

⁶ A state is required to submit a state performance plan (SPP) at least every six years. Each year, states must report progress against the targets in its SPP in an annual performance report (APR), <https://sites.ed.gov/idea/spp-apr/>.

⁷ OSEP uses information from the SPP/APR, any monitoring visits, and other public information to annually determine if the state: 1) Meets Requirements and purposes of the IDEA; 2) Needs Assistance in implementing the requirements of IDEA; 3) Needs Intervention in implementing the requirements of IDEA; or 4) Needs Substantial Intervention in implementing the requirements of IDEA. See <https://sites.ed.gov/idea/files/how-the-department-made-determinations-part-b-2025.pdf>, revised 06/20/2025. In June 2025, OSEP determined that just 19 states were found to Meet Requirements under Part B. See <https://sites.ed.gov/idea/idea-files/2025-determination-letters-on-state-implementation-of-idea/> and *How the States Stack Up: 2025*, The Advocacy Institute, (June 2025), <https://www.advocacyinstitute.org/blog/?p=1396>

⁸ 34 CFR § 300.600

⁹ 20 U.S.C. § 1416, <https://sites.ed.gov/idea/statute-chapter-33/subchapter-ii/1416>

regularly scheduled and conducted once every five years.¹⁰ The audits review topics tied to States' legal obligations under IDEA Part B, including:

- overseeing school districts to ensure they are implementing IDEA requirements and delivering required services
- managing Federal funds and the use of fiscal controls
- collecting and reporting required data
- administering dispute resolution processes.

In addition to the core general supervision monitoring, States can also be monitored more deeply, or in additional areas, based on the results of OSEP's risk assessment, review of publicly available and State provided information, and pre-site work. Specifically, OSEP may focus on one or more of the following areas for each of the States:

- identifying children (Child Find)
- evaluating students
- discipline
- significant disproportionality.¹¹

OSEP conducts its monitoring of States in three phases: "discovery" (five months pre-visit), "engagement" including on-site interviews (up to one month) and report write-up (generally 120 days), and close out (up to one year). It may also conduct out-of-cycle monitoring based on "State-specific circumstances."¹²

In 2023, OSEP clarified expectations for States in the area of general supervision and urged them to treat monitoring and oversight of local schools as a core responsibility.¹³ As part of those responsibilities, States must monitor each LEA at least once every six years.¹⁴

Rollbacks in IDEA Oversight

COPAA's review found that the new Administration has dramatically reduced its State monitoring and oversight. In the previous Administration, the Department monitored ten states in 2024 and eight states in 2023—largely consistent with its five-year review cycle—and had planned to monitor another nine states and four territories in 2025-26 as part of its "Cohort 3."

¹⁰ See: *Overview of the Office of Special Education Programs' (OSEP) Differentiated Monitoring and Support (DMS) System*, (Nov. 17, 2023), <https://sites.ed.gov/idea/files/DMS-2.0-Overview.pdf>

¹¹ Ibid.

¹² Ibid.

¹³ See: *State General Supervision Responsibilities Under Parts B and C of the IDEA, Monitoring, Technical Assistance, and Enforcement, OSEP QA 23-01*, (July 24, 2023), https://sites.ed.gov/idea/files/Guidance_on_State_General_Supervision_Responsibilities_under_Parts_B_and_C_of_IDEA-07-24-2023.pdf

¹⁴ Ibid.

However, under a revised schedule published in May 2025¹⁵ (see Table 1) by the new Administration, only two State Part B monitoring visits were planned for 2025 (PA, NH) and two in 2026 (MA, GA). If extrapolated into the future, this schedule would result in a 25-year monitoring cycle for states. That translates into less than one onsite visit to each state during a child’s entire school lifetime!

Table 1. New monitoring schedule for Cohort 3 as published by OSEP.

	TEAM A		TEAM B		TEAM C		TEAM D	
Cohort 1 2022–2023	AR-C	AR-B	MI-C	SC-B	AK-B	NY-C	MT-C	MT-B
	05/2022	11/2022	05/2022	11/2022	06/2022	12/2022	06/2022	06/2023
Cohort 2 2024–2025	KY-C	KY-B	NV-B	NV-C	ID-B	ID-C	CO-C	CO-B
	05/2023	11/2023	11/2023	11/2023	10/2023	10/2023	11/2023	12/2023
Cohort 3 2025–2026	IA-B	IA-C	AS-B	AS-C	KS-B	KS-C	IN-B	IN-C
	09/2024	09/2024	09/2023	09/2023	09/2024	09/2024	08/2024	08/2024
	OR-B	OR-C	ME-B	ME-C	NE-B	NE-C	MS-B	MS-C
	10/2024	10/2024	09/2024	09/2024	10/2024	10/2024	10/2024	10/2024
	ND-B	ND-C	TN-B	TN-C	UT-B	UT-C	LA-B	LA-C
	01/2025	01/2025	10/2024	10/2024	11/2024	11/2024	12/2024	12/2024
	PA-B	PA-C	FSM		NH-B	NH-C	GA-B	GA-C
	09/2025	09/2025	11/2025		08/2025	08/2025	03/2026	03/2026
			MH		MA-B	MA-C	PR-B	PR-C
			11/2025		03/2026	11/2025	12/2025	12/2025
			PW					
			11/2025					

Findings from State Reports

COPAA examined IDEA Part B monitoring reports issued during the period from Jan 20, 2025, when the new Administration took office, through April 30, 2026. The 11 states included in the analysis include Idaho, Iowa, Indiana, Kansas, Louisiana, Mississippi, Nebraska, North Dakota, Oregon, Tennessee, and Utah.¹⁶ Part C audits released during the same time period were not part of this analysis.


Our analysis of these reports demonstrates widespread patterns of noncompliance in key areas such as oversight and supervision of districts, dispute resolution, and fiscal management (see Table 1 for findings).

¹⁵ See: [Resources for Grantees - Individuals with Disabilities Education Act](#), accessed 6.28.26


¹⁶ The onsite monitoring was conducted in 2024. Maine was scheduled to be audited in September 2024 but as of April 30, 2026, no audit report had been publicly released to the OSEP website.

Oversight and General Supervision. According to the Department’s most recent State reports, 10 of the 11 States reviewed had findings of noncompliance regarding key components of IDEA Part B oversight and general supervision requirements. Common issues included:

- Inadequate general supervision. A recurring theme across the reports was insufficient State oversight of local school districts. For example:
 - In Iowa, auditors reported that the State lacked a general supervision system “reasonably designed to identify noncompliance” with IDEA Part B, including subrecipient (e.g., local school districts) monitoring, fiscal management, and internal controls. The audit also found that Iowa did not monitor one of its largest school districts even though the district should have been selected for focused onsite monitoring under the State’s own risk criteria. “OSEP’s review of how the State selected monitoring sites over the past three years revealed that one of the State’s largest LEAs should have been selected for on-site focused monitoring based on the State’s risk criteria. This LEA also should have been flagged for noncompliance through the State’s cyclical monitoring process.”¹⁷



*OSEP FINDING FROM
NORTH DAKOTA:
The State only monitors 3
of its 223 school districts
each year.*



*OSEP FINDING FROM IOWA:
“The exclusion of one of the largest
districts, without documented
justification, does not demonstrate
a reasonably designed general
supervision system. The inability of
the State to explain why certain
LEAs, especially large districts,
were not monitored, raises
concerns about transparency and
accountability”*

- In Indiana, the Department found that the State had no system in place to monitor school districts’ compliance with IDEA. The report noted that the State lacked processes to determine whether services were delivered as required by Individualized Education Programs (IEP), whether FAPE was being provided, or whether Child Find and evaluation practices aligned with IDEA. The Department concluded that Indiana’s approach did not provide the information needed to monitor schools, provide technical assistance, or enforce IDEA Part B compliance.

- In North Dakota, reviewers found that the State only conducts on-site monitoring of three of its 233 school districts – slightly more than 1 percent – each year.

- The Department found that the majority of States—including Iowa, Idaho, Mississippi, Nebraska, Tennessee, and Utah—failed to ensure districts corrected noncompliance identified through their monitoring. In Tennessee, for example, the Department reported

¹⁷ See: <https://essawaiverwatch.org/>

that the State’s policies and practices for verifying correction did not ensure LEAs were implementing the specific regulatory requirements, and that State notices to LEAs often omitted key details (e.g., correction timelines, required corrective actions, and deadlines for submitting corrective action plans or evidence of correction). COPAA flagged similar enforcement gaps in its 2023 report as a major concern among surveyed parents.¹⁸

- Auditors also cited weak file-review practices, where districts were allowed – and in some cases even encouraged by the State – to self-select student records for review rather than provide random files, or in some cases, were allowed to correct any noncompliant files prior to submission to the State for review.



OSEP FINDING: The majority of States failed to ensure districts corrected noncompliance identified through their monitoring.

- Idaho was warned by OSEP that schools’ self-selection of their “best” student files, combined with their review of only a small number of files (two or three regardless of district size), limited the State’s ability to determine whether LEAs were meeting IDEA Part B requirements.
- Reports from Kansas, Mississippi and Utah described similar practices that undermine the States’ ability to identify patterns of noncompliance.

Dispute Resolution. The reports also document that seven of 11 states were noncompliant in administering dispute resolution systems as required under IDEA. These systems are intended to help parents and guardians raise concerns and resolve disputes with their school or State agency without going to court, and include written state complaints, mediation, and due process hearings. It should be noted that the number of instances that parents have utilized the dispute resolution process has increased dramatically since the COVID-19 pandemic ended – particularly the number of state complaints filed – which are up by 80 percent post-pandemic, with smaller increases in other dispute resolution processes.¹⁹

Written State Complaints: The Department found that six of 11 states’ written complaint processes were noncompliant. Among key findings, the Department reported that:

- Iowa completed investigations for only two of 33 complaints within the required 60-day timeline, with an average completion time of 175 days. Auditors also found no system to track complaint timelines.
- Indiana, Kansas, Louisiana and Mississippi failed to notify parents that they could file a complaint against the State.

¹⁸ See *IDEA Written State Complaints: Making the System More Accessible, Responsive and Equitable for Students with Disabilities* at https://cdn.ymaws.com/www.copaa.org/resource/resmgr/pdf/09-19-23-state_complaint_rep.pdf

¹⁹ See: Center for Appropriate Dispute Resolution in Special Education, <https://cadreworks.org/national-state-dr-data-dashboard>

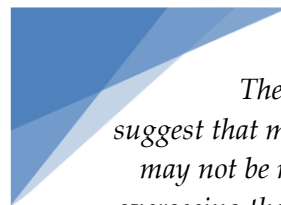
- In Idaho and Louisiana auditors reported that the State improperly required parents to first try to resolve disputes with their school before they could file a formal State complaint.

These findings echo concerns raised in COPAA’s 2023 report on written State complaints²⁰ which found “serious and systemic problems” that harmed families and raised concerns about the legitimacy of the State complaints system. COPAA’s report identified ineffective or inappropriate corrective actions, failures to implement ordered remedies, and inadequate state tracking and enforcement.

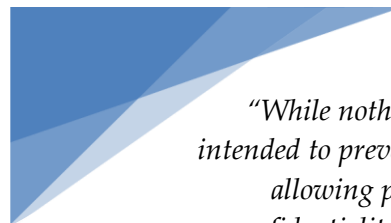
OSEP found that the majority of States were noncompliant with respect to carrying out requirements for other dispute resolution options, including mediation and due process.

Mediation: Monitors identified and called out multiple States that required parents to sign confidentiality agreements in order to participate in the mediation process, noting “While mediation is voluntary on the part of the parties, under IDEA, a public agency may not condition participation in mediation on the parties’ signing a confidentiality pledge. While nothing in IDEA is intended to prevent States from allowing parties to sign a confidentiality pledge, public agencies may not condition their participation in mediation on such an agreement, because such a requirement is counter to the voluntary nature of the mediation process.”²¹

Due Process: With respect to due process, monitors found noncompliance in seven States, citing misapplied timelines, State regulations that conflicted with IDEA requirements, unreliable systems for tracking and adjudicating cases, and insufficient training and knowledge among hearing officers.



These findings suggest that many States may not be responsibly overseeing the more than \$14 Billion appropriated annually by Congress to support students with disabilities.



“While nothing in IDEA is intended to prevent States from allowing parties to sign a confidentiality pledge, public agencies may not condition their participation in mediation on such an agreement, because such a requirement is counter to the voluntary nature of the mediation process.”

²⁰ See *IDEA Written State Complaints: Making the System More Accessible, Responsive and Equitable for Students with Disabilities* at https://cdn.ymaws.com/www.copaa.org/resource/resmgr/pdf/09-19-23-state_complaint_rep.pdf

²¹ See: *Questions and Answers on IDEA Part B Dispute Resolution Procedures*, (July 2013), and re-established by the Office of Special Education in July 2020, <https://sites.ed.gov/idea/idea-files/osep-memo-and-qa-on-dispute-resolution/>

Fiscal Oversight. The Department also assessed whether States were meeting their fiscal oversight obligations for Federal IDEA funds that are distributed to local districts. Here, too, the reports demonstrate widespread and troubling deficiencies, identifying noncompliance in seven of the 11 States reviewed. For example, the Department’s review found that:

- Monitors identified problems with Iowa’s fiscal oversight of school districts and identified concerns about whether funds were being properly accounted for and noted, “The State does not have a mechanism in place to comprehensively monitor subgrantees, or LEAs, to ensure compliance with applicable Federal fiscal requirements.” Additionally, auditors found that Iowa’s department of education was unable to provide evidence that expenditures by LEAs were verified through supporting documentation.
- Monitors found that Mississippi “has not fully implemented a fiscal monitoring process that meets the fiscal monitoring requirements under IDEA and the Office of Management and Budget (OMB) Uniform Guidance,” noting that “[t]he State also informed OSEP there is no historical knowledge of monitoring activities prior to fiscal year (FY) 2022-2023, with the exception of a pilot monitoring period that occurred between FY 2020-2022, at which time less than 20 percent of the LEAs were monitored.”
- North Dakota did not provide evidence of *any* fiscal monitoring over the three-year monitoring period examined.
- Indiana was found to be noncompliant in its system for fiscal oversight of local school districts, with monitors noting that “[t]he State does not have a formal process for following up with LEAs if IDEA fiscal noncompliance is identified....” It further noted the State does not have “a formal system for notifying LEAs of any noncompliance with these requirements or a mechanism to track correction.”



**OSEP FINDING IN
NORTH DAKOTA:**

OSEP monitors found that the State did not provide evidence of any fiscal monitoring over the three-year monitoring period examined.

- Indiana, Kansas, Nebraska, and Oregon failed to ensure that local schools are correcting issues of fiscal noncompliance. For example, in Kansas, OSEP found that “[t]he State does not have fiscal monitoring policies and procedures that address the identification and correction of fiscal noncompliance.” And in Nebraska, they reported that “[t]he State does not have a reasonably designed general supervision system to identify and verify the correction of fiscal noncompliance.”

See Table 2 for details about the states monitored and accompanying areas of noncompliance.

Table 2. Noncompliance Areas, by State.

State	Monitoring Conducted	Report Issued	Time to Complete (months)	Findings of Noncompliance				
				Oversight/Monitoring	Dispute Resolution-State Complaints	Dispute Resolution-Mediation	Dispute Resolution - Due Process	Fiscal Mgmt
Idaho	10/23	7/16/2025	19	✓	✓	✓	✓	
Indiana	8/24	5/23/2025	9	✓	✓			✓
Iowa	9/24	7/16/2025	10	✓	✓	✓	✓	✓
Kansas	9/24	7/10/2025	10	✓	✓	✓	✓	✓
Louisiana	12/24	2/23/2026	14	✓	✓	✓	✓	
Mississippi	10/24	7/23/2025	9	✓	✓	✓	✓	✓
Nebraska	10/24	7/23/2025	9	✓		✓	✓	✓
North Dakota	1/25	7/17/2025	6	✓				✓
Oregon	10/24	6/11/2025	8					✓
Utah	11/24	7/14/2025	8	✓			✓	
Tennessee	10/24	7/23/2025	9	✓				
Averages			11.1	91%	55%	55%	64%	64%

Summary of Findings

The monitoring conducted in 2024 and reported on in 2025 shows a pattern of State noncompliance regarding essential IDEA Part B oversight responsibilities.

- **FINDING #1. General Supervision.** The Department identified widespread and systemic failures in General Supervision of local school districts (10 of the 11 states reviewed), including weak and ineffective monitoring systems of LEAs, poor follow-up on identified violations, and review practices that do not reliably detect district noncompliance.
- **FINDING #2. Dispute Resolution.** Serious gaps were found in the majority of States regarding the administration of their dispute resolution systems that are supposed to provide parents and others a means to raise and resolve concerns with how their child’s IEP is being implemented.
- **FINDING #3. Fiscal Oversight.** The reports show widespread deficiencies in fiscal oversight by the States, including inadequate monitoring of local school districts’ handling of Federal funds and weak systems for identifying and correcting misuse or mismanagement of those funds.

Taken together, these findings suggest that many States are not meeting their responsibility under IDEA to ensure that students with disabilities receive the services, protections, and educational access guaranteed by the law, nor are they responsibly overseeing the more than \$14 Billion appropriated annually by Congress to support students with disabilities.

Impacts of Noncompliance

The results of the most recent set of State monitoring visits released by the Department pose serious questions as to whether States are adequately enforcing IDEA requirements and the impact of this on students and their families. When the accountability and oversight system breaks down at the State and local levels, as the audit reports from the Department highlight, it puts at risk the education of students with disabilities, resulting in a great cost to students, their families, our communities, and our country.

COPAA is concerned about further weakening of the Federal-to-State and State-to-District system of oversight designed to protect students and ensure Federal dollars are being used as intended, especially in light of the Administration’s well-documented gutting of the Federal civil rights enforcement mechanisms²² designed to allow parents to seek resolution related to their concerns of discrimination by filing a complaint with the OCR.

We are also concerned with the Department’s push to relax oversight of States in their management of Federal education programs. Iowa and at least six States so far have submitted waiver requests under the Elementary and Secondary Education Act (ESEA) – at the Department’s urging – that would reduce States’ Federal compliance obligations and increase their control and flexibility over how they spend and track Federal K-12 funds. Iowa’s request was approved by the Department of Education on January 7, 2026, and according to the Department, it will “work with Iowa on how best to streamline burdensome, duplicative programmatic and fiscal reporting.”²³ This approval was made despite monitoring that found the Iowa Department of Education had serious deficiencies in its oversight of IDEA funds.

Louisiana and Indiana, like Iowa, also requested waivers from the Department to allow greater autonomy and flexibility in how they use federal funds under ESEA. The Department approved Louisiana’s request in early May 2026 and Indiana’s request in early June 2026.

While these waiver requests do not directly relate to the use of IDEA funding, COPAA is concerned about the characterization by the Department and States of oversight as “burdensome.” What may be viewed by an administrator as “burdensome” may mean the difference between a student with a disability getting access to a critical service or even worse.

²² See: *Education Department layoffs gut its civil rights office, leaving discrimination cases in limbo*, (March 14, 2025), <https://www.ap.org/news-highlights/spotlights/2025/education-department-layoffs-gut-its-civil-rights-office-leaving-discrimination-cases-in-limbo/>

²³ See: <https://www.ed.gov/about/news/press-release/us-department-of-education-approves-iowas-returning-education-states-waiver>

When the Federal government fails to provide adequate oversight and accountability of States and districts, schools may find shortcuts, which introduce greater uncertainty, tension and distrust into the system, especially between parents and school leaders whose relationship is central to ensuring students receive FAPE and achieve key academic outcomes. This shift away from statutorily required oversight places the onus on parents to monitor schools and States and may cause parents to feel like they need to seek ways to make up for lack of accountability. Such failure may lead to increased reliance by families on dispute resolution processes to fix problems that should have been caught and corrected as part of routine monitoring.

Recommended Actions

To address the serious erosion in oversight of IDEA, COPAA recommends:

Action 1: Congress must uphold and protect current law by maintaining IDEA and related education programs within the Department. It is essential that Congress preserve all of IDEA and the requirements of the Secretary to oversee its implementation so there are transparency and accountability in how States and districts provide access to early intervention, inclusive education, career and technical education, postsecondary opportunities, employment pathways, and meaningful life outcomes for every student with a disability.

Action 2: OSEP should immediately reestablish and publish a monitoring calendar that returns to a five-year onsite review cycle for all States, the District of Columbia, and U.S. Territories under IDEA Parts B and C. OSEP should report annually on monitoring visits completion rates and any deviations from the schedule with explanations and remediation steps and add additional staffing capacity to handle the backlog of 2025 and 2026 audits.

Action 3: OSEP should standardize and enforce corrective action requirements for all findings of noncompliance and should not close findings until correction is both verified *and* sustained. When a State fails to meet milestones, OSEP should trigger escalation protocols (e.g., enhanced monitoring, high-risk designation, or other enforcement actions) and document these actions in a centralized and transparent tracking system.

Action 4: The Department should refocus its Federally-funded technical assistance (TA) centers on efforts to support States related to documented monitoring findings and recurring compliance failures. OSEP must also require TA centers to publicly report on the States served, products delivered, and measurable outcomes reached as TA was provided.

Action 5: Parents should demand that OSEP re-establish the five-year state monitoring schedule and ensure that their State publicly shares its monitoring report as required and address how it plans to correct all findings of non-compliance. Parents should also share any information they have regarding deficiencies in the implementation and administration of IDEA with their State agency, in line with OSEP guidance that requires States investigate all credible allegations.²⁴

²⁴ See: State General Supervision Responsibilities, OSEP QA 23-01, (Questions B-1, B-2 and B-3), https://sites.ed.gov/idea/files/Guidance_on_State_General_Supervision_Responsibilities_under_Parts_B_and_C_of_IDEA-07-24-2023.pdf