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exceptionalchildren.org

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Re: Docket ID ED-2026-OPEPD-2542

Submitted via regulations.gov

The Council for Exceptional Children (CEC) appreciates the opportunity to provide comments on the US Department of Education's (ED) proposed revisions to the Education Department General Administrative Regulations (EDGAR) and we write to express grave concerns that, if enacted, these revisions will be detrimental to the grants that support the special education field.

CEC is a professional association of more than 36,000 educators dedicated to advancing the success of infants, toddlers, children, and youth with disabilities and/or gifts and talents. For more than a century, predating the modern field of special education, CEC has supported educators serving children with disabilities. Our members represent the full spectrum of the field, including but not limited to early childhood interventionists, special education teachers, specialized instructional support personnel, school and district leaders, pre-service educators, paraeducators, researchers, and professors in colleges of education.

The federal government has played a critically important role in advancing the field of special education. Grants through the U.S. Department of Education have helped build the body of knowledge on topics ranging from literacy and numeracy to behavioral interventions for children with disabilities, and have supported generations of preservice professionals, from teachers working with low-incidence disabilities to doctoral students entering the fields of special education research and educator preparation. All special educators have benefited from federal research grants through the implementation of evidence-based strategies, improved instructional practices, and enhanced ability to effectively support diverse learners.

The federal education grantmaking process must be stable, high-quality, and free from political influence to support future federal grantmaking that is essential to advancing the field of special education. Because of the outsized impact the federal government has on the field of special education, and because CEC is soundly committed to supporting educators to foster the highest levels of achievement in the children they educate, **we urge you to retract the proposed changes to EDGAR.**

§ 75.228, special consideration to applicants voluntarily electing to be more cost effective.

CEC strongly opposes providing ED the ability to make a competitive preference for lower indirect costs in grant competitions. Grantmaking should be an objective process and that awardees should be selected based on their likelihood to be successful in delivering results based on the program objectives. This would allow lower-scoring applicants to improve their rankings by reducing indirect costs, potentially elevating them above applicants whose proposals were otherwise more competitive. While the goal of lower indirect costs is to save money, awarding proposals that are of a lower quality because their indirect cost rates are lower could cost more in the long term by investing in inferior projects that could yield inferior results.

§ 75.252 Frontloading of a multiyear project.

Under certain circumstances, partial frontloading a multiyear project for future budget periods may be possible due to budgeting anomalies, without disrupting current or future grantees. However, establishing a policy that enables ED to fully frontload funding for the entire project period for a multi-year project could rapidly diminish competitive grant programs. IDEA Part D grants are instrumental in developing and supporting the special educator workforce, including educating the next generation of special educators. These grants are designed for a scope of work over a five-year project period, allowing grantees to build and maintain preparation pipelines and institutional capacity. Fully frontloading future IDEA Part D competitions would reduce the number of awards made in a given competition to approximately 20 percent of historical levels, substantially limiting the reach and impact of federally supported personnel preparation efforts. Over time, these effects could undermine both the stability and growth of the special education workforce, particularly in high-need areas where recruitment and retention challenges are most acute. This would have a damning effect on recruitment and preparation and shrink capacity at institutions, further damaging the part of the educator workforce that faces the most acute shortages.

§ 75.253 Continuation of a Multiyear Project; § 75.901 Suspension and Termination

CEC supports existing policies and procedures that allow for agencies to terminate grants for noncompliance infractions based on failure to meet grant deliverables. However, CEC opposes additional discretionary authority to terminate grants “for convenience” and to decouple grantee performance from the decision to continue multi-year awards. Granting the Secretary unilateral, unchecked decisionmaking authority over the fate of grants will cause instability and insecurity among grantees and reticence to engage in federal grants. The harm of terminating a grant mid-cycle should not be underestimated, and it will have a chilling effect on potential applicants because of its impact on populations, including people with disabilities. We witnessed this very impact with the termination of the Charting My Path for Future Success project. The study provided and evaluated direct services to transition-aged youth with disabilities. Charting My Path was abruptly terminated in February, 2025, stripping 1:1 support, small group sessions, mentoring and other support to high school students in 13 school districts across 11 states. Federal grantees should be able to proceed according to grant deliverables without fear of termination without cause that would abruptly harm the people they are intended to support.

The impact of terminating grants without cause poses a risk to children with disabilities, educators in preparation programs, and partnerships with state and local education agencies. For example, the abrupt, sweeping non-continuation of Mental Health Services Professionals and School Based Mental Services grants had far-reaching consequences for both school-based mental health services and personnel development. By disrupting the education of future school psychologists and other mental health professionals while they were in the middle of graduate programs, this decision by ED cost our nation thousands of future school-based mental health professionals, weakened the pipeline of qualified personnel, diminished the impact of those federal investments, and undermined longstanding partnerships with state and local agencies that are critical to expanding and sustaining school-based mental health capacity. Ultimately, it is the students in schools with a shortage of mental health professionals that will be most impacted.

Recommendation: Rescind proposed revisions to Education Department General Administrative Regulations.



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When considered collectively, the proposed EDGAR revisions would grant any Department of Education broad discretion to reduce or terminate funding for grants based on undefined and potentially subjective criteria. This level of authority would create significant uncertainty for grantees and future applicants, weakening the predictability and stability necessary for effective program planning and implementation. More importantly, it could shift funding decisions away from the statutory purposes and programmatic goals established by Congress to, among other things, improve the education of children with disabilities, making federal education grants ever more vulnerable to administrative and political priorities rather than objective measures of quality, need, and demonstrated impact.

Thank you for considering these recommendations.

Respectfully,

A handwritten signature in blue ink that reads "Chad Rummel".

Chad Rummel
Chief Executive Officer
Council for Exceptional Children