

**Trump Administration**

# Parents Sue Trump Administration for Allegedly Sabotaging Education Department's Civil Rights Division

The lawsuit claims that decimating the agency's Office for Civil Rights will leave it unable to address issues of discrimination at school — violating the equal protection clause of the Fifth Amendment.



Demonstrators outside the Department of Education in Washington protest layoffs at the agency. Jason Andrew for ProPublica

by **Jennifer Smith Richards and Jodi S. Cohen**

March 14, 2025, 9:40 a.m. EDT

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Saying the Trump administration is sabotaging civil rights enforcement by the Department of Education, [a federal lawsuit filed Friday morning](#) seeks to stop the president and Secretary Linda McMahon from carrying out the mass firing of civil rights investigators and lawyers.

Two parents and the Council of Parent Attorneys and Advocates, a national disability rights group, jointly filed the lawsuit. It alleges that decimating the department's Office for Civil Rights will leave the agency unable to handle the public's complaints of discrimination at school. That, they said, would violate the equal protection clause of the Fifth Amendment to the U.S. Constitution.

The complaint comes three days after the Education Department notified about 1,300 employees — including the entire [staff in seven of the 12 regional civil rights offices](#) — that they are being fired, and the day after a group of 21 Democratic attorneys general sued McMahon and the president. That lawsuit alleges the Trump administration does not have the authority to circumvent Congress to effectively shutter the department.

The complaint filed on Friday argues that the "OCR has abdicated its responsibility to enforce civil rights protections" and that the administration has made a "decision to sabotage" the Education Department's civil rights functions. That, the lawsuit alleges, overrides Congress' authority. It names the Education Department, McMahon and the acting head of OCR, Craig Trainor.

“Through a series of press releases, policy statements, and executive orders, the administration has made clear its contempt for the civil rights of marginalized students,” the lawsuit says.

The parents’ lawsuit was filed in U.S. District Court for the District of Columbia. It asks the court to declare the “decimation” of the OCR unlawful and seeks an injunction to compel the office to “process OCR complaints promptly and equitably.”

A Department of Education spokesperson did not immediately respond to a request for comment. But the department has said it would still meet its legal obligations.

The lawsuit brought by the attorneys general was filed in federal court in Massachusetts. It alleges the firings are “so severe and extreme that it incapacitates components of the Department responsible for performing functions mandated by statute.” It cites the closing of the seven regional OCR outposts as an example.

Each year, the OCR investigates thousands of allegations of discrimination in schools based on disability, race and gender and is one of the federal government’s largest civil rights units. At last count there were about 550 OCR employees; at least 243 union-represented employees were laid off Tuesday.

The administration plans to close OCR locations in Boston, Chicago, Cleveland, Dallas, New York, Philadelphia and San Francisco. Offices will remain in Atlanta, Denver, Kansas City, Seattle and Washington, D.C.

The lawsuit brought by the parents and advocacy group reveals concerns by students and families who have pending complaints that, under President Donald Trump, are not being investigated. There also are concerns that new complaints won’t get investigated if they don’t fall under one of the president’s priorities: curbing antisemitism, ending participation of transgender athletes in women’s sports and combating alleged discrimination against white students.

After Trump was inaugurated on Jan. 20, the administration implemented a monthlong freeze on the agency’s civil rights work. Although OCR investigators were prohibited from working on their assigned discrimination cases, the Trump administration launched a new “End DEI Portal” meant only to collect complaints about diversity, equity and inclusion in schools. It has said it is trying to shrink the size of government, including the Education Department, which Trump has called a “big con job.”

Trump’s actions so far have led many to wonder “if there is a real and meaningful complaint investigation process existing at the moment,” said Johnathan Smith, an attorney at the National Center for Youth Law, which represents the plaintiffs. Smith is a former deputy assistant attorney general in the U.S. Department of Justice’s Civil Rights Division.

“They are putting the thumb on the scale of who the winners and losers are before they do the investigation, and that is deeply problematic from a law enforcement perspective,” Smith said.

The lawsuit is perhaps the most substantive legal effort to require the Education Department to enforce civil rights since 1970, when the NAACP sued the agency for allowing segregation to continue. That lawsuit resulted in repeated overhauling of the OCR and 20 years of judicial oversight, with the goal of ensuring that the division fairly investigated and enforced discrimination claims.

Students and families turn to the OCR after they feel their concerns have not been addressed by their schools or colleges. Both individuals named as plaintiffs in the lawsuit are parents of students whose civil rights complaints were being investigated — until Trump took office.

One of the plaintiffs, Alabama parent Nikki S. Carter, has three students and is an advocate for students with disabilities in her community. Carter is Black. According to the lawsuit, Carter filed a complaint with OCR in 2022 alleging discrimination on the basis of race after her children’s school district, the Demopolis City Schools, twice banned Carter from school district property.

When reached by ProPublica, the district superintendent said he's not aware of the lawsuit or the civil rights complaint and could not comment; he is new to the district.

The district has said it barred Carter after a confrontation with a white staff member. But Carter has said that a white parent who had a similar confrontation wasn't banned, leading her to believe that the district punished her because of her advocacy. She said it prevented her from attending parent-teacher conferences and other school events.

The other parent, identified by the initials A.W., filed a complaint with OCR alleging their child's school failed to respond properly to sexual assault and harassment by a classmate.

Investigations of both families' discrimination complaints have stopped under the new OCR leadership, according to the lawsuit.

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**Jennifer Smith Richards** ✉️ © in

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Tips about government and business, particularly in the Midwest, are welcome. I'm also eager to hear from educators and government officials. I want to connect with parents and students experiencing the administration's policy changes.

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**Jodi S. Cohen** ✕

Jodi S. Cohen is a senior editor for ProPublica.

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