

From the national Center for MH in Schools & Student/Learning Supports at UCLA

On February 24, We read the *Interagency Agreement, Between the U.S. Department of Education and U.S. Department of Health and Human Services Relating to Family Engagement and School Support* (Impact for 1. ...Ready to Learn, 2. ...Full service community schools, 3.... Promise neighborhoods, 4. ... Statewide family engagement centers, 5.... School emergency response to violence (SERV), 6.... School safety national activities program)
<https://www.ed.gov/media/document/interagency-agreement-ed-and-hhs-family-engagement-and-school-support-february-23-2026-113311.pdf>

Our first thought was to simply make certain that those on our Listserv had the link. Then, we thought it might be interesting to share for discussion a list of the major concerns/criticisms being discussed around the country.

So we asked AI (CoPilot) to generate a list, and we are sending the AI response out for your thoughts and reactions.

Key Concerns & Criticisms Being Discussed

1. Fragmentation of Federal Education Responsibilities – Critics warn that shifting programs across multiple agencies (e.g., from ED to HHS) could fragment oversight, leading to:

- >Inefficiencies and duplication of effort,
- >Higher administrative costs, and
- >Slower delivery of federal funds to states and districts.

These concerns were explicitly raised in Congress' bipartisan explanatory statement accompanying the FY 2026 budget. [k12dive.com]*

2. Weakening of Federal Protections for Students & Families – Some policymakers argue that moving key education functions away from ED could weaken federal enforcement of student rights under laws such as:

- >ESSA
- >IDEA
- >Civil rights protections

Shifting oversight to agencies without education as their core mission is seen as risking inconsistent or diluted enforcement. [k12dive.com]

3. Administrative & Operational Uncertainty – Observers note that transferring responsibilities to agencies such as HHS creates:

- >Confusion about points of contact,
- >Delays in grant processes, and
- >Uncertainty for districts and community partners who rely on consistent program administration.

This type of disruption has already been documented in broader interagency transfers under the current administration. [agb.org]

4. Concerns That Transfers Are Part of a Larger Effort to Dismantle the Department of Education – Several media analyses frame these agreements as part of a broader strategy by the administration to:

- >Break up the Department of Education, and
- >Shift education responsibilities back to states or other federal agencies.

This context has heightened skepticism about any new ED interagency agreement, including this one with HHS. [usnews.com]

5. Questions About Statutory Authority for These Transfers – Congressional critics argue that ED may lack legal authority to transfer fundamental responsibilities to other agencies, even under an interagency agreement structure.

The FY 2026 explanatory statement explicitly states that no statutory authority exists for such transfers. [k12dive.com]

6. Risk of Mission Misalignment at Receiving Agencies – HHS is not an education-focused agency; critics worry that:

>Education priorities might be deprioritized,

>Programs may be reframed around health rather than instructional or family engagement goals, and

>Agencies may apply non-education criteria (e.g., health service delivery metrics) to education programs.

This issue has been documented across transfers involving HHS, Labor, State, and Interior. [agb.org]

7. Short-Term Disruptions and Long-Term Uncertainty – Educational institutions and community partners report concerns about:

>Delays in grant announcements,

>Changes in compliance expectations,

>Staffing shortages, and

>Potential consolidation or elimination of programs after transfer.

These patterns have been identified in prior interagency shifts. [agb.org]

In Summary

While the ED–HHS agreement aims to strengthen family engagement and streamline supports, the prevailing public and policy concerns center on fragmentation, loss of federal educational oversight, administrative disruption, questionable legal authority, and alignment challenges in non-education agencies.

Let us hear and share your thoughts and reactions – send to Ltaylor@ucla.edu

And if you want more to think about, ask AI about the following (we did):

>*Implications for State & Local Education Agencies (LEAs/SEAs)* – (Here’s the ending summary we received -- State and local education agencies may face funding delays, increased administrative burdens, misaligned compliance expectations, weakened federal oversight, uncertainty about long-term program viability, and broader systemic instability. These concerns arise directly from warnings issued by Congress, education policy analysts, and reporting on recent interagency transfers.)

>*Mitigation Strategies for SEAs & LEAs* – (Here’s the ending summary we received -- Mitigation strategies center on strengthening internal administrative capacity, building stronger interagency communication, advocating for federal transparency, bolstering state-level stability, proactively monitoring risk, protecting student rights, and participating in implementation design. These strategies directly address the documented risks of fragmentation, weakened oversight, delays, shifting requirements, and agency mission misalignment identified in Congressional warnings and national policy analyses.)

Questions About Statutory Authority for the Transfers – (Here’s the ending summary we received -- The ED–HHS agreement and related interagency transfers raise significant legal concerns tied to statutory authority, compliance stability, student rights enforcement, APA related procedural risks, and potential conflicts between federal mandates and the missions of non education agencies. Because Congress has already stated that such transfers may lack legal foundation, these agreements sit in a legally fragile environment, creating potential exposure for federal agencies, states, and districts alike.)

*References

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From our perspective, although things are changing at the federal level, schools continue to provide the opportunity to best serve all students through a unified, comprehensive, and equitable system of student and learning supports. See
> *Student/Learning Supports: A Brief Guide for Moving in New Directions*
<https://smhp.psych.ucla.edu/pdfdocs/briefguide.pdf>

Best wishes and be well,

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