



February 17, 2026

The Honorable Katie Britt and Members of the Appropriations Committee
U.S. Senate
Washington, DC 20510

RE: Protecting School Access for Students with Disabilities Through DHS Funding and Sensitive Locations Policy

Dear Senator Britt and Members of the Appropriations Committee,

The Center for Learner Equity (CLE) is a national nonprofit advancing access to high-quality public school choices for students with disabilities. Since 2013, CLE has worked to remove systemic barriers that limit students with disabilities' ability to access and remain in schools where they can learn and thrive. As a leading voice at the intersection of special education and public school choice, CLE informs federal and state policy, builds cross-sector coalitions, and elevates data to improve access and outcomes for students with disabilities.

We are writing regarding U.S. Department of Homeland Security (DHS) funding and recent decisions affecting enforcement activity at or near schools.

Schools have long been traditionally treated as sensitive locations to protect students' access to education and allow educators to concentrate on teaching. Such a policy was consistent with furthering the constitutionally protected right of all students to a public education, regardless of their legal status.

The change in the sensitive location policy in 2025 has had real, tangible impacts on families, communities, and schools. On a practical level, student attendance has swiftly dropped for documented and undocumented students alike as immigration enforcement has encroached on schools and school zones, with charter school advocates in Minneapolis reporting daily attendance rates below 50%. Students with disabilities have experienced profound disruptions not only to daily instruction, but to critical special education services as well.¹ The impact of prolonged absences for any student -- especially for students with disabilities -- is not easily remedied. Missed days means lost instructional time, interrupted therapies, and gaps in required services that are difficult to fully restore. Schools are then left working to recover lost services while also meeting their obligations under the Individuals with Disabilities Education Act (IDEA).

¹ Napolitano, Jo. "Children with Disabilities Particularly Vulnerable to Minneapolis ICE Crackdown." The 74. (Jan 23, 2026). <https://www.the74million.org/article/children-with-disabilities-particularly-vulnerable-to-minneapolis-ice-crackdown/>



We respectfully urge you and the members of the Senate Appropriations Committee to pursue policy solutions that help keep students in schools, including restoring the “sensitive locations” policy to ensure schools and school buses remain locations protected from immigration enforcement. Students with disabilities should not face unintended harm as a result of changes in immigration enforcement policy.

Jennifer Coco
Interim Executive Director

cc:

The Honorable Bill Cassidy
The Honorable Bernie Sanders
The Honorable Tim Walberg
The Honorable Robert Scott