



Viewpoints

Reduction In Force and Executive Order Regarding Department of Education Temporarily Blocked



President Trump's March 20, 2025 **Executive Order** directing Secretary of Education Linda McMahon to "take all necessary steps to facilitate the closure of the Department of Education" was temporarily blocked on May 22, 2025. In *State of New York, et al. v. McMahon*, the federal district court granted a preliminary injunction blocking the Order and ordering the reinstatement of the Department of Education employees who lost their positions during the March 2025 reduction in force (RIF).

The court expressed concern that the RIF did not improve the efficiency of the Department but instead made it more difficult for the Department to function, effectively dismantling it without the authorization of Congress.

The preliminary injunction requires that the Department restore the status quo prior to the start of President Trump's second term by reinstating the federal employees who were terminated as part of the RIF. It also prevents the Department from implementing a March 21, 2025 directive to transfer management of federal



student loans and special education away from the Department, and blocks the Department from implementing the March 20, 2025 Executive Order. Finally, the judge directed the Department to notify all “agents, servants, employees, attorneys, and anyone acting in concert with them” of the injunction, and to file a report describing the steps taken to return to the status quo within 72 hours, and every week thereafter “until the Department is restored to the status quo prior to January 20, 2025.”

According to Madi Biedermann, deputy assistant secretary for communications for the Department, the Department will challenge the ruling “on an emergency basis.”

F3 Law will monitor the status of this case and provide guidance on updates impacting our clients.

“A department without enough employees to perform statutorily mandated functions is not a department at all,” [the judge] wrote. “This court cannot be asked to cover its eyes while the Department’s employees are continuously fired and units are transferred out until the Department becomes a shell of itself.”

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