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NEWS FOR IMMEDIATE RELEASE

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AG Kaul Wins Preliminary Injunction That Reverses Dismantling of U.S. Department of Education

MADISON, Wis. – Attorney General Josh Kaul and a coalition of states and others secured a court order on Thursday that will, for now, reverse the Trump Administration’s targeted destruction of the U.S. Department of Education (ED).

The preliminary injunction granted by a federal judge for the U.S. District Court for the District of Massachusetts bars the administration from carrying out President Trump’s directives to shut down the department, implement mass layoffs, and transfer management of federal student loans and special education functions outside of the department. The court order additionally requires the department to reinstate federal employees whose employment was terminated or otherwise eliminated as part of the reduction-in-force.

“Today’s order preliminarily blocks the Trump administration’s sweeping and lawless attempt to gut the Department of Education,” said AG Kaul. “While this case is far from over, this ruling is a clear victory for students in Wisconsin.”

On March 13, AG Kaul and the coalition filed their lawsuit after the Trump administration announced plans to eliminate 50 percent of the Department’s workforce. Following a March 20 Executive Order directing the closure of ED and President Trump’s March 21 announcement that, in addition to implementing layoffs, the Department must “immediately” transfer student loan management and special education services outside of the department, AG Kaul and the coalition sought a court order to stop the mass layoffs and transfer of services.

Mass layoffs of ED staff have led to the closure of the department's Office of Civil Rights locations throughout the country. Critical funding for state school systems has also been delayed. States rely on billions of dollars every year in funding for elementary and secondary education, services for children with disabilities, vocational education, adult education, and other crucial services.

On Thursday, U.S. District Court Judge Myong Joun found that the plaintiffs in the consolidated case – the coalition of states, school districts, non-profit organizations, and labor unions – have shown that, due to staff reductions, the Department of Education will not be able to carry out its statutory functions and that in some cases it may already not be able to do so. Judge Joun wrote that “a preliminary injunction is warranted to return the Department to the status quo such that it can comply with its statutory obligations.”

“Consolidated Plaintiffs have shown that they are likely to suffer irreparable harm in the form of financial uncertainty and delay damaging student education, (2) impeded access to vital knowledge upon which students, districts, and educators rely, and (3) loss of essential services provided by the office of Federal Student Aid and the Office for Civil Rights,” Judge Joun wrote. “More specifically, Plaintiff States and Schools Districts are experiencing delays and uncertainty in their receipt of federal educational funding, amounting in the millions, which jeopardize their missions of ensuring an educated citizenry and providing quality education.”

AG Kaul and the coalition argued in their lawsuit and motion for a preliminary injunction that the Trump administration's attacks on ED are illegal and unconstitutional. The Department is an executive agency authorized by Congress, with numerous laws creating its various programs and funding streams. The coalition's lawsuit asserts that the executive branch does not have the legal authority to unilaterally dismantle it without an act of Congress. In addition, the attorneys general argue that ED's mass layoffs violate the Administrative Procedures Act.

Joining AG Kaul in filing the lawsuit were the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, Washington, and the District of Columbia.

View the preliminary injunction [here](#).