



# Students With Disabilities

*A Memo Outlining Early Actions for States in Response to Federal Policy Shifts*

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*Note: This memo reflects federal policy developments through July 7, 2025. Bellwether will continue monitoring federal action that may impact special education and update this memo as necessary.*

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*This memo is part of a Bellwether series designed to help education advocates and state leaders – including those in governors’ offices, state education agencies and boards, and state legislatures – respond to shifts in policy and power at the federal level. This memo reflects federal policy developments* **July 7, 2025.**

## Summary

The first six months of the Trump administration have seen the introduction of many of policy and legal actions that affect how the federal and state governments and school districts serve the country’s nearly eight million students with disabilities. This includes staff layoffs,<sup>1</sup> proposed budget cuts,<sup>2</sup> shifts in federal funding,<sup>3</sup> and executive orders.<sup>4</sup>

These changes at the federal level come at a time when the education system is grappling with persistent challenges serving and supporting students with disabilities, including teacher shortages<sup>5</sup> and increased costs for services.<sup>6</sup> The federal changes – either enacted or proposed – introduce new risks to stability and services for students with disabilities. State governors, legislators, state education agencies, and other education leaders, however, can take steps to mitigate those risks.

This memo outlines the historical role of the federal government in the education of students with disabilities and how that role may be affected by the Trump administration’s actions. It then outlines actions state leaders can take and strategic questions to consider as they seek to develop, implement, and sustain policies that support students with disabilities. Recommendations include:

1. Provide guidance to schools and families that explain how they are responding to federal changes that affect students with disabilities’ access to education services.
2. Work closely with other state agencies, districts, disability rights groups, and other organizations to monitor the impact of federal changes and advocate for students’ needs, which can include legal action.
3. Protect school state funding, evaluate the effectiveness of how their state funds special education, and consider making updates to improve efficiency and equity.
4. Bolster wraparound supports for students and their families, especially those experiencing food insecurity.
5. Consider strengthening state policy protections for students with disabilities as a backstop to potential future shifts in federal policy.

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# Federal Role in Special Education and Potential Changes Under President Trump

In 2022-23, nearly eight million students were identified as having disabilities, accounting for more than 15% of public school students.<sup>7</sup> As a result of increased awareness and improved identification, there has been an increase of about 1.5 million students who have been identified as eligible to receive some type of special education service over the past decade.<sup>8</sup> The federal government has played a key role in guiding how local school districts nationwide support these students by establishing and enforcing students’ legal rights and the services associated with those rights. The rights of students with disabilities in public schools are primarily protected by three federal laws:

- **The Individuals with Disabilities Education Act (IDEA):** Originally enacted in 1975 as the Education for All Handicapped Children Act (EHA), this is the foundational federal law that guarantees the educational rights of students with disabilities and provides several essential federal protections (Table 1). IDEA ensures that students with disabilities receive specialized instruction to meet their academic and functional needs, prioritizing long-term outcomes like high school graduation and employment.
- **Section 504 of the Rehabilitation Act (Section 504):** Prohibits disability-based discrimination in all federally funded programs, ensuring equal access for students with disabilities that substantially limit major life activities (e.g., walking, learning).<sup>9</sup> In public schools, Section 504 addresses non-academic barriers and ensures that students will still receive support to participate fully in school.
- **Title II of the Americans with Disabilities Act (ADA):** Prohibits discrimination in public life, including education, by requiring physical and programmatic accessibility.<sup>10</sup> It complements IDEA and Section 504 by addressing systemic barriers, like inaccessible buildings or exclusion from extracurricular activities.

Table 1: Description of IDEA Federal Protections	
Federal Protection	Description
Free Appropriate Public Education (FAPE)	Schools must provide special education and related services at no cost to families, tailored to meet each student’s unique needs and prepare them for further education, employment, and independent living. <sup>11</sup>
Individualized Education Program (IEP)	Every eligible student must have an IEP, a legal document developed by a team (including parents or guardians) that outlines the student’s educational goals, services, accommodations, and how progress will be measured. <sup>12</sup>
Least Restrictive Environment (LRE)	Students with disabilities have the right to be educated alongside their nondisabled peers as much as possible, only being removed from general education settings when absolutely necessary for their needs. <sup>13</sup>
Child Find and Evaluation	Schools are required to identify, locate, and evaluate all children who may have disabilities, at no cost to families, to determine eligibility for special education services. <sup>14</sup>

<b>Parent Participation and Procedural Safeguards</b>	Parents have the right to participate in all aspects of their child’s education, including the development of the IEP, and are entitled to procedural safeguards such as prior written notice, access to educational records, and the right to dispute resolutions or due process hearings if they disagree with school decisions. <sup>15</sup>
<b>Early Intervention Services</b>	IDEA also covers early intervention for infants and toddlers (birth to age three) with disabilities, requiring states to provide Individualized Family Service Plans. <sup>16</sup>

The legally guaranteed supports and services embedded in these federal laws, specifically IDEA, require resources, and the federal government plays a critical role in providing supplemental dollars. In 2023, the federal government allocated about \$15.5 billion for special education through IDEA.<sup>17</sup> Section 504 and ADA, however, do not provide for dedicated funding to public schools; states are required to ensure compliance using their own local dollars.

Despite the federal investment, the rising costs of providing special education services for an increasing number of students with disabilities have become a larger and larger challenge for school districts, educators, and families.<sup>18</sup> Advocates and state policymakers have consistently called for greater federal funding for special education, pointing to a salary schedule in the original IDEA that allowed the federal government to cover up to 40% of the cost of service delivery.<sup>19</sup> The federal government, however, has never reached that funding target, typically covering less than 13% of the expenses.<sup>20</sup>

Advocates’ and educators’ long-standing concerns about the adequacy of federal support for special education have become even more pressing in light of the second Trump administration’s early actions, including an executive order calling for the elimination of the U.S. Department of Education (USED),<sup>21</sup> shifting priorities for enforcement by the Office for Civil Rights (OCR),<sup>22</sup> mass USED and OCR staff reductions,<sup>23</sup> and a proposal to consolidate several IDEA funding streams into a program as outlined in the administration’s fiscal year (FY) 2026 budget.<sup>24</sup> These changes represent a significant break from prior commitments and raise essential questions about the future of funding, guidance, and oversight for special education programs. Understanding how these shifts impact the federal role in supporting students with disabilities is essential for state leaders as they consider how best to respond.

The federal government has supported the education of students with disabilities through five key mechanisms:

1. Funding
2. Research and data
3. Student services and support
4. Technical assistance and educator training
5. Oversight, accountability, and enforcement

Those federal supports are detailed below, along with the Trump administration’s changes to date that can impact students with disabilities and the districts that serve them.

## Funding

The primary way the federal government supports students with disabilities is through IDEA grant funding, which is composed of three parts (Table 2). Annually, the federal government provides about \$15.5 billion in IDEA funding to states and districts.<sup>25</sup> IDEA Part B, Grants to States, comprises 92% of total IDEA funding. This funding serves as the federal government’s primary mechanism for shaping the delivery of special education services because states and districts are required to follow the stringent and comprehensive IDEA regulations in order to receive the funding. These regulations have significantly shaped the current special education system in every state.

TABLE 2: Federal IDEA Funding			
IDEA Funding Part	FY24 IDEA Amount	Share of Total IDEA Funding	Description and FY25 Funding
<b>IDEA Part B, Grants to States (Section 611)</b>	\$14.2 Billion	92.1%	Provides federal grants to states to support services for children and students with disabilities ages 3 to 21. The grants are awarded to states and then passed to the local education agencies (LEAs) through a federally defined formula.
<b>Part B, Preschool Grants (Section 619)</b>	\$420 Million	2.7%	Provides supplemental preschool grants for services to children with disabilities ages 3 to 5.
<b>IDEA Part C</b>	\$540 Million	3.5%	Services for infants and toddlers (and their families) up to 3 years old.
<b>IDEA Part D</b>	\$257.6 Million	1.7%	Includes three sections of federal activities to provide systemic support nationally or build capacity for specific types of support at the state level.

The Trump Administration’s FY 2026 budget introduced several policies that would significantly impact IDEA funding. The budget proposes \$14.9 billion for the IDEA Grants to States, which is \$677.5 million more than the FY 2024 appropriation.<sup>26</sup> However, this “increase” is not from new federal funding. Instead, it would come from the budget’s proposal to consolidate several existing IDEA programs into a block grant, including the Preschool Grants and Part D.<sup>27</sup> Under this proposal, funding for Part C would remain a separate formula grant program.<sup>28</sup>

In official budget documents, the administration explained that the changes “reflect the Administration’s commitment to increasing flexibility for States while limiting federal overreach into schools.”<sup>29</sup> Some experts, however, have cautioned against condensing the IDEA funding streams into a single block grant because it’s counter to the specific purposes of each funding stream.<sup>30</sup> And even though the budget says that states still need to meet IDEA accountability and reporting requirements, experts still caution that having the funding collapsed under a single block grant could still create the opportunity for states to bypass IDEA regulations and reduce oversight of programs for students with disabilities, which could undermine the quality and accessibility of services these students receive.<sup>31</sup>

Medicaid is another crucial source of funding that schools use to support students with disabilities. Medicaid covers health-related services required for students with disabilities and provides health coverage to about 2.3 million (29%) children,<sup>32</sup> totaling about \$7.5 billion annually.<sup>33</sup> Districts and schools rely on Medicaid reimbursements to pay for services such as speech therapy, occupational and physical therapy, and mental health supports. These funds play a critical role in offsetting the high costs of these specialized services, freeing up funding for districts to pay for other student support and services.

On July 4, 2025, Trump signed the “One Big Beautiful Bill Act” (OBBA), which includes over \$1 trillion in cuts to Medicaid over the next decade, resulting in nearly 20 million people, including children with disabilities, losing access to Medicaid coverage.<sup>34</sup> These cuts will likely force districts to reduce or eliminate vital special education services that they can no longer afford to provide. For example, in a March 2025 survey of 1,400 school staff and officials from across the country, nearly 9 in 10 respondents reported using Medicaid to cover the costs of school health staff, including nurses, psychologists, and speech therapists.<sup>35</sup> Nearly half of the respondents also indicated they relied on Medicaid to buy assistive technology and other specialized equipment for students with disabilities.<sup>36</sup> The vast majority of the respondents indicated that cuts to Medicaid would result in reductions to mental and behavioral health services, reductions in resources for students with disabilities, and health staff and personnel layoffs.<sup>37</sup>

Research and Data

The federal government plays a critical role in collecting and disseminating data on students with disabilities’ characteristics, access, and outcomes across states. It also supports studies that focus on students with disabilities, including examining the efficacy of early interventions.

Historical Federal Role	Changes Under Trump Administration
<p><b>Institute for Education Services (IES) and National Center for Special Education Research (NCSEr)</b></p> <p>Funds a comprehensive program of research to expand knowledge about children and youth with or at risk for disabilities, from infancy through postsecondary education.<sup>38</sup></p>	<p>In February 2025, the administration canceled several research contracts, including 89 contracts for long-term, studies on student learning and research strategies and support for students with disabilities.<sup>39</sup></p> <p>The proposed FY 2026 budget would cut IES funding by 67%, or more than \$450 million.<sup>40</sup> IES houses NCSEr. Programs that support special education studies and evaluation, research in special education and data systems would also no longer be funded, but instead are mentioned as part of an “undistributed line under the IES account” as part of the administration “reimagining” a new IES.<sup>41</sup></p> <p>IES also collects publishes vital data from districts and schools regarding students with disabilities’ experiences in school including participation in inclusive programs, transition to adulthood, student discipline, and postsecondary outcomes.<sup>42</sup> Eliminating these longstanding data sources would adversely impact the</p>

	ability to understand the experiences of students with disabilities.
<b>IES data on students with disabilities</b>  The National Center for Education Statistics (NCES) at IES provides data on students with disabilities, including the number and percentage of students with disabilities attending public schools, number and percent of students by disability type, educational settings, and more. <sup>43</sup>	As of March 2025, nearly all staffers at the NCES were fired amid mass layoffs at the U.S. Department of Education. <sup>44</sup> These cuts threaten the ability of the NCES to function, which could prevent advocates, researchers, education leaders, and other stakeholders from accessing critical data.
<b>National Institutes of Health (NIH) Grants</b>  The NIH is the primary agency responsible for biomedical and public health research. The Eunice Kennedy Shriver Institute of Child Health and Human Development (NICHD) is the primary NIH institute that supports research on learning disabilities and disorders. <sup>45</sup>	According to a Senate Committee minority report, as of May 2025, the administration has cut about \$2.7 billion from NIH research funding. <sup>46</sup> Several of the canceled projects were specifically designed to address gaps in understanding students with disabilities, particularly those with autism. For example, a grant examining the autism risk in children born to women who experienced childhood abuse was cancelled, which would have helped provide more information about understanding risk factors for early identification and intervention. <sup>47</sup> Similarly, a multi-year project at the Children’s Hospital Colorado that tracked hundreds of children with autism to understand their developmental trajectories and needs was also cancelled. <sup>48</sup>

## Student Services or Support

The federal government funds programs that support the academic and professional success of students with disabilities, including support for transitions from high school to college and independent living.

Historical Federal Role	Changes Under Trump Administration
<b>TRIO Programs</b>  Federally funded outreach and student service initiatives that are designed to help individuals from disadvantaged backgrounds, including students with disabilities, access and succeed in postsecondary education. <sup>49</sup> TRIO programming includes academic tutoring, personal counseling, mentoring, finance guidance, and assistance with college admissions.	The proposed FY 2026 budget proposes to eliminate all \$1.2 billion in federal funding to TRIO programs. <sup>50</sup> For students with disabilities this would mean an increase in barriers to postsecondary education due to the loss of the specialized services that help them with the transition, including securing accommodations, accessing mentoring and tutoring, and navigating financial aid.



<p><b>GEAR UP Programming</b></p> <p>The Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) grants support programs designed to boost college preparedness of middle and high school students from low-income backgrounds, which can include students with disabilities.<sup>51</sup></p>	<p>The proposed FY 2026 budget proposes to eliminate all \$388 million in federal funding to GEAR UP programs.<sup>52</sup> For economically disadvantaged students with disabilities this would mean an increase in barriers to postsecondary education due to the loss of the specialized services that help them with the transition, including securing accommodations, accessing mentoring and tutoring, and navigating financial aid.</p>
<p><b>School-to-Work Transition Programs</b></p> <p>These are specialized programs designed to support students with disabilities move successfully from high school into employment, postsecondary education, or independent living. These centers typically provide services like on-the-job training with coaching support, life skills and career development instruction, and community-based internships and work experiences.<sup>53</sup></p>	<p>The administration has cancelled several grants and funding related to transition services. For example, in February 2025, the Trump administration stopped funding for “Charting my Path” an American Institutes for Research program funded by USED that helped students with disabilities transition from school to adulthood.<sup>54</sup> There several districts that were impacted that had relied on these supplemental services to support their studies with disabilities. Furthermore, in April 2025, the administration canceled a FY2025 grant for supporting a technical assistance center that supported postsecondary transition services.<sup>55</sup></p>
<p><b>Head Start</b></p> <p>Head Start is a federally funded program that provides comprehensive early childhood education, health, nutrition, and family support services to children from birth to age five in low-income families, aiming to promote school readiness and overall well-being.<sup>56</sup> Head Start also serves children with disabilities, utilizing “Individualized Family Service Plans and IEP goals as a guide to support “effective teaching, individualize instruction, and create inclusive environments that support positive outcomes for children and families.”<sup>57</sup></p>	<p>In April 2025, the administration proposed eliminating funding for Head Start.<sup>58</sup> However, in May 2025, the administration backed away from this proposal after significant public backlash and advocacy efforts.<sup>59</sup> Despite the administration’s reversal, Head Start has been adversely impacted by budget cuts, staff layoffs, and significant delays in grant approvals which has led to operational challenges for local Head Start centers, which has had an adverse impact on families, including those with children with disabilities.<sup>60</sup></p>
<p><b>University Centers for Excellence in Developmental Disabilities (UCEDD)</b></p> <p>National network of federally funded centers that provide services, research, training, and advocacy for people with developmental delays and their families. The UCEDDs also facilitate conversation and collaboration amongst people with disabilities and their families, state and local governments, and community providers to provide training, technical assistance, and information, with a focus on building the capacity</p>	<p>The proposed FY 2026 budget calls for the eliminating the UCEDD funding, which would effectively close the centers.<sup>62</sup> This would result in students with disabilities losing services and supports, reducing training and research, and weaker advocacy for disability rights.</p>

of the communities to support individuals with disabilities.<sup>61</sup>

## Technical Assistance and Educator Training

The federal government provides extensive assistance to states and districts to support efforts to best use federal dollars to provide supports and services to students with disabilities and ensure they are upholding the mandates within IDEA, Section 504, and ADA. The federal government also supports initiatives and training for future special educators.

Historical Federal Role	Changes Under Trump Administration
<p><b>IDEA Technical Assistance Centers</b></p> <p>More than 50 technical assistance centers are funded by the USDE, which provide guidance, training, and support to states and districts that serve students with disabilities. This includes specialized programs like the Early Childhood Technical Assistance Center,<sup>63</sup> the Center for IDEA Fiscal Reporting,<sup>64</sup> the IDEA Data Center,<sup>65</sup> and others technical assistance centers focused on personnel development, social-emotional outcomes, and fiscal compliance.</p>	<p>In April 2025, the National Transition Technical Assistance Center, funded by the Office of Special Education Program and Rehabilitative Services Administration, was cancelled for competition.<sup>66</sup> This resulted in the suspension of new grant applications, creating uncertainty about the future of national support for transition services for youth with disabilities.</p> <p>The proposed FY 2026 budget calls for consolidating several IDEA funding streams, including the dedicated funding for these Technical Assistance Centers, into a single block grant under IDEA Part B Grants to States.<sup>67</sup> This means that the Technical Assistance Centers would no longer receive direct, targeted federal funding.</p>
<p><b>The ADA National Network</b></p> <p>Federally funded resource that provides information, guidance, and training on ADA. The National Network consists of 10 Regional ADA Centers and an ADA Knowledge Translation Center, with each addressing the unique needs of their region.<sup>68</sup> Its services include technical assistance, resources, and outreach to help organizations understand and comply with the ADA.</p>	<p>The proposed FY 2026 budget proposes significant restructuring for federal disability programs, including the elimination of the Administration for Community Living, which funds the ADA National Network.<sup>69</sup> While the budget does not explicitly state that the ADA National Network will be eliminated, the consolidation and potential reduction of disability-related programs place its funding at substantial risk. If this funding is cut, K-12 schools could lose access to technical assistance, training, and resources on ADA compliance, making it harder to ensure accessible and inclusive educational environments for students with disabilities.</p>
<p><b>Equity Assistance Centers</b></p> <p>Signed into law as part of the Civil Rights Act of 1964, these federally funded regional centers that provide technical assistance and training to districts and other government agencies to help them prepare, adopt, and implement plans to ensure that all students, including students with disabilities, have equal access to a high-quality education.<sup>70</sup></p>	<p>In February 2025, the administration cut \$33 million in grants for the Equity Assistance Centers.<sup>71</sup> Under the proposed FY 2026 budget the administration proposes to cut the full \$7 million annual appropriation for the centers.<sup>72</sup></p>

<b>Deaf Education Training Programs</b>  Federally supported initiatives to prepare teachers, specialists, and service providers to educate deaf and hard-of-hearing students. Universities like Rochester Institute of Technology and Teachers College at Columbia University were recipients of the federal funding and ran teacher preparation programs that used this funding to train teachers for deaf and hard-of-hearing students.	In March 2025, the administration cut \$2.5 million in federal funding to support teacher preparation programs at the Teachers College at Columbia University that were dedicated to preparing deaf and speech-language pathologists. <sup>73</sup> These cuts come amid a nationwide shortage of educators and specialists in deaf education and speech-language pathology. <sup>74</sup>
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## Oversight, Accountability, and Enforcement

Federal agencies help ensure that states and districts uphold their legal obligations to students with disabilities through monitoring, investigations, and data collection.

Historical Federal Role	Impact of Trump Proposals
<b>Office for Civil Rights (OCR) and Office of Special Education Programs (OSEP)</b>  The OCR enforces federal civil rights laws to ensure students are not discriminated against in educational programs that receive federal funding including, Section 504 and ADA. They also investigate complaints and provide ongoing guidance to protect equal access and opportunity. The OSEP administers IDEA and ensures that schools provide students with disabilities a FAPE in the LRE. <sup>75</sup>	In March 2025, the administration laid off nearly half of the OCR staff <sup>76</sup> and closed seven of the twelve regional offices. <sup>77</sup> These layoffs and reductions in services mean that there are far fewer people to finish the nearly 12,000 pending federal investigations into allegations of civil rights violations within schools, of which roughly half involve students with disabilities. <sup>78</sup> This backlog threatens the enforcement of Section 504. Districts had also previously called upon OCR for technical assistance to comply with ADA and Section 504, but with reductions in staff these services have been greatly reduced.
<b>U.S. Department of Education Every Student Succeeds Act (ESSA)</b>  ESSA requires states to hold districts accountable for assessing and improving the performance of students with disabilities on English, math, and science tests, as well as on other measures like graduation rates. <sup>79</sup> ESSA also requires states to report assessment, attendance, and graduation rate data disaggregated by student subgroup, including students with disabilities.	<p>In January 2025, 12 education state chiefs wrote a letter asking Secretary McMahon to work with Congress to amend ESSA funding to consolidate title program funding, and to issue waivers from certain federal requirements.<sup>80</sup></p> <p>In March 2025, Iowa and Oklahoma independently requested a federal waiver that their ESSA funding be allocated through a consolidated block grant.<sup>81</sup> However, as of June 2025, those waivers have not been granted.</p> <p>The proposed FY 2026 budget specifies that states and districts will continue to meet ESSA “standards and assessments, accountability, and reporting requirements.”<sup>82</sup></p>

# Additional Federal Actions That Could Affect Students with Disabilities

Other actions taken by the Trump Administration and Congress, including those listed below, create additional potential barriers and adverse effects for students with disabilities.

- **Moving IDEA funding to Department of Health and Human Services (HHS):** After issuing the March 2025 executive order to dismantle the USDE,<sup>83</sup> President Trump announced that special education services and funding would move to HHS.<sup>84</sup> However, several experts raised concerns about this shift. First, given that HHS faces a significant reduction in force, questions were raised about whether the agency will have the capacity to take on the program. It was also unclear whether the current USDE staff who oversee IDEA programs and funding would move to HHS, or if they would also lose their jobs. Legal experts have questioned whether the administration can move agency offices without congressional approval.<sup>85</sup> While the administration has made assurances that IDEA funding would continue if the program is moved to HHS, the details about the transition, as well as future oversight and enforcement, remain unclear.<sup>86</sup> The proposed FY 2026 budget is also silent on the matter.<sup>87</sup> Several Republican-led bills have proposed different ways to divide the Department of Education's responsibilities, including IDEA funding.<sup>88</sup> However, those bills have found little traction.
- **Rescission of ADA Guidance:** In March 2025, the Trump administration's Justice Department rescinded 11 ADA guidance documents, indicating that the guidance was "outdated" and "unnecessary" and would support businesses in complying with federal disability law and lower the cost of living.<sup>89</sup> However, advocacy groups asserted that the rollback of guidelines could "erode protections for people under federal law."<sup>90</sup> While none of the guidance was specific to K-12 education, the rescission could create uncertainty for district and school administrators about how they should comply with ADA requirements.
- **Executive Order on School Discipline:** The April 2025 executive order entitled "Reinstating Common Sense School Discipline Policies" directs federal agencies to reverse Obama- and Biden-era guidance that encouraged schools to address racial disparities in school discipline.<sup>91</sup> While the EO doesn't directly mention students with disabilities, there is a large body of evidence illustrating that students of color with disabilities,<sup>92</sup> specifically Black boys with disabilities, are disproportionately suspended and expelled.<sup>93</sup> Experts have raised concerns that the EO's focus on traditional discipline may run counter to evidence-based non-exclusionary practices, and result in more students of color and students with disabilities being suspended or expelled.<sup>94</sup>
- **Executive Order Eliminating "Disparate-Impact Liability" in federal policy:** The April 2025 executive order, entitled "*Restoring Equality of Opportunity and Meritocracy*," eliminates the legal doctrine that allows organizations to be held accountable for policies or practices that disproportionately harm protected groups, including individuals with disabilities.<sup>95</sup> As a result, it will be significantly harder for people and students with disabilities to challenge neutral policies that adversely impact them, unless they can prove intentional discrimination, potentially reducing protections against systemic barriers in education and other areas.<sup>96</sup>
- **Texas v. Kennedy Lawsuit (Formerly Texas v. Becerra):** Filed in September 2024, this is an ongoing lawsuit brought by the State of Texas and 16 other states that challenged the Biden administration's updated Section 504 regulations. Originally, the lawsuit asked the Supreme

Court to declare Section 504, which protects people with disabilities from discrimination in health care and human services, unconstitutional and block its enforcement.<sup>97</sup> In April 2025, the 17 states dropped their claim that Section 504 is unconstitutional. They are still, however, contesting the Biden Administration's 2024 regulatory updates, specifically the provisions related to gender dysphoria and requirements for services in the most integrated settings.<sup>98</sup>

- **Federal voucher program:** The OBBA includes a federal tax credit program for school vouchers. Under the program, an individual can donate to a designated nonprofit and receive a tax credit of up to \$1,700. In turn, the nonprofit would provide scholarships to families to cover the costs of private school tuition, books, and other education-related expenses.<sup>99</sup> Unlike previous proposals, which included a \$5 billion cap on federal tax credits, the version that passed removed the cap. Proponents of the program say that it would expand educational choices for families and allow them to find better schools for their children, including students with disabilities.<sup>100</sup> Critics of the program argue that students with disabilities who use vouchers to transition from public to private schools may lose critical legal protections and supports, as private schools are not required to meet the same standards and mandates under IDEA, Section 504, and ADA as public schools.<sup>101</sup>

## Actions State Leaders Can Take Now to Support Students with Disabilities Through Federal Disruption

The changing federal role in K-12 education creates an opportunity for state leaders to clarify, improve, or modify state policies to support students with disabilities. State education leaders, including those in governors' offices, state education agencies and boards, and legislatures, should do the following:

### 1. Provide guidance to schools and families

State leaders should explain how they are responding to federal changes that affect students with disabilities' access to education services, and ensure those materials are made available in a family's home language and accessible through multiple formats. State leaders should also work with school districts, local nonprofits, community groups, and other organizations to support efforts to reach more families. Furthermore, given the uncertainty of many of the federal changes, states can support their districts and schools by reminding them of their ongoing legal obligations under IDEA, ADA, and Section 504.

### 2. Collaborate with local districts, advocacy groups, and across state agencies

States can work closely with other state agencies, districts, disability rights groups, and other organizations to monitor the impact of federal changes and advocate for students' needs, which could include legal action. Regular communication and joint task forces can help identify emerging challenges and share effective strategies. By fostering these partnerships, states can ensure that policy decisions are informed by those directly affected and most knowledgeable.

### **3. Protect school state funding**

A sizable portion of funding for students with disabilities comes from the state.<sup>102</sup> How the states allocate the funding to districts matters. States can evaluate the effectiveness of how their state funds special education, and should consider:

- Ensuring the state's funding system reflects the variation in needs among students with disabilities through policy mechanisms like differentiated funding weights based on service or disability.
- Ensuring the methods for counting students with disabilities accurately capture need by basing funding on enrollment<sup>103</sup> and collecting accurate data on diagnoses and services.
- In the absence of federal funds, state funding should be increased to ensure districts do not lose vital funding to support students with disabilities.

### **4. Bolster wraparound supports for students and their families, especially those experiencing food insecurity**

The OBBA included several changes to the Supplemental Nutrition Assistance Program (SNAP), which provides monthly funds to support economically disadvantaged families in buying groceries.<sup>104</sup> These changes include work requirements for more teenagers aging out of the foster care system<sup>105</sup> and more parents of school-aged children.<sup>106</sup> A recent analysis estimates that under these changes, more than 7 million children would lose access to free school meals, including 585,000 students with disabilities.<sup>107</sup>

These changes will also have a domino effect on schools. When students are enrolled in SNAP, they automatically qualify for free breakfast and lunch at school. Schools with a large share of students participating in SNAP, have been able to offer universal free meals to all students. A large and growing body of research has demonstrated the positive impact of universal meals, including increased academic performance and improvements in school engagement and culture.<sup>108</sup>

If families become ineligible for SNAP benefits, they would be required to fill out additional paperwork to enroll their child in the National School Lunch Program, which provides free and reduced-priced meals for students whose families meet income thresholds.<sup>109</sup> If they do not do so, there would be a decline in the number of students who qualify for free meals, even if the need remains. If this happens, schools would receive a lower total reimbursement from the federal program, which could make it impossible to provide universal free meals to students.

Given this, states should consider policies and initiatives that ensure districts and schools have the resources to identify and support students experiencing hunger.

### **5. Consider strengthening state policy protections for students with disabilities as a backstop to potential future shifts in federal policy**

States have traditionally relied on the requirements and regulations of IDEA to establish a framework for serving students with disabilities. This reliance has led many states to forego the development of their own comprehensive policies or regulations. States could proactively adopt policies that align with their priorities for protecting and serving students with disabilities, ensuring continued strong protections, even if federal requirements continue to change into the future.



# Ongoing Considerations for State Policymakers and Advocates

Federal programmatic and funding uncertainty places even more responsibility on state policymakers to develop, implement, and sustain policies that support and serve students with disabilities and their families. To anticipate and embrace this responsibility, state policymakers should begin to consider the following set of strategic questions.

## Stakeholder Engagement

1. How often are policymakers engaging with key stakeholders, including students with disabilities, their families, district and school leaders, disability rights groups, and other organizations that support students with disabilities?
2. What mechanisms or communication channels exist for students with disabilities, their families, and community advocates to provide input on changes or new policies, initiatives, or services that impact them?
3. How are cross-sector leaders – including those in early childhood, education, health and human services, the attorney general, and immigration – collaborating and jointly problem-solving around state responses?
4. Which groups or individuals are most outspoken or influential on issues related to the education of students with disabilities in your state? What are they advocating for (or against)?

## Policy and Budget

1. Which key protections for students with disabilities may be impacted as federal funding, oversight, policies, and assistance are changed, reduced, or cut?
2. What current state policies, practices, or initiatives can be changed or adopted to strengthen support and protections for students with disabilities?
3. What policies or practices can be changed or adopted to ensure your state can enforce IDEA, ADA, and Section 504 protections, in the absence of federal oversight?
4. How are your state leaders engaging with other state leaders, like through a task force or working group, to learn how different states are responding to federal changes?
5. How do your current data systems and infrastructure support the state's efforts to accurately identify gaps in access, services, or outcomes for students with disabilities and inform targeted investments?

## Budget Implementation and Technical Assistance

1. What guidance and technical assistance do districts currently receive from the federal government related to special education, including for students with different disability types or services needed?

2. How is the state prepared to fill gaps in services and support if the federal government reduces its role and funding?
3. How does the state use data to identify where additional supports or technical assistance are needed? Are these data at risk of being eliminated? If so, what data could substitute in the short term, and how will you replace the data in the long term?

## OTHER RESOURCES

- [Splitting the Bill: Special Education Briefs](#), Bellwether
- [Who Pays for Special Education? An Analysis of Federal, State, and Local Spending by States and Districts](#), Bellwether
- [Special Education and Trump: What parents and schools need to know](#), Hechinger Report
- [Trump administration weighs future of special education oversight and funding](#), Brookings

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## About Bellwether

Bellwether is a national nonprofit that exists to transform education to ensure systemically marginalized young people achieve outcomes that lead to fulfilling lives and flourishing communities. Founded in 2010, we work hand in hand with education leaders and organizations to accelerate their impact, inform and influence policy and program design, and share what we learn along the way. For more, visit [bellwether.org](http://bellwether.org)



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