

Congress Poised To Reject Trump Changes To Special Ed, Disability Programs

by Michelle Diamant | January 23, 2026

A budget agreement working its way through Congress rebuffs Trump administration efforts to make major changes to the Individuals with Disabilities Education Act and eliminate some disability programs.

Lawmakers in the U.S. Senate and House of Representatives are working furiously to approve funding for most federal agencies before it expires Jan. 30. The House approved a bipartisan agreement this week that would fund the agencies through September and the Senate is expected to take up the measure next week.

The deal dismisses many sweeping changes that President Donald Trump had sought for programs serving people with developmental disabilities and includes new limits on what the administration can do going forward.

Special education funding would increase by \$20 million under the bill, which also spurns a Trump plan to alter IDEA in order to consolidate funding and give states more control over where dollars go.

“Importantly, the deal rejects the block granting of IDEA funds proposed by the administration that would have eliminated parent training and information centers, technical assistance centers, personnel preparation and other important programs,” said Stephanie Smith Lee, co-director of policy and advocacy at the National Down Syndrome Congress, who served as director of the Department of Education’s Office of Special Education Programs under President George W. Bush.

There are also provisions in the spending package designed to hamper Trump’s efforts to move oversight of special education out of the Education Department.

“The bill prohibits the U.S. Department of Education from transferring any education funding to another federal agency unless an appropriations law allows it to do so. The bill clearly states that no authorities exist for ED to transfer its fundamental responsibilities and prohibits any funds to be used for any department reorganization that decentralizes, reduces staffing levels, or alters the responsibilities of the department,” Lee said. “We appreciate this clear direction from Congress.”

Likewise, the plan under consideration in Congress calls for the Department of Health and Human Services to retain its Administration for Community Living, which oversees programs helping people with disabilities access all range of services in their communities and advocates for the needs of people with disabilities, older adults, families and caregivers across the federal government. HHS had announced last year that it would shutter the agency as part of a massive reorganization effort.

Trump had also pushed in his budget request to eliminate funding for University Centers for Excellence in Developmental Disabilities, or UCEDDs, and some programs serving people with disabilities at protection and advocacy agencies, but those programs are being maintained under the bill.

“Congress has unequivocally rejected the proposals in the president’s budget to cut programs that support people with disabilities, choosing instead to continue funding these programs at current levels,” said Alison Barkoff, a health law and policy professor at George Washington University who previously led the Administration for Community Living. “This is a win for people with disabilities and their families.”

Still, Barkoff cautions that even if Congress approves the spending package, advocacy will remain critical.

“Advocates will need to remain vigilant that funding appropriated by Congress is distributed in a timely manner and that HHS does not try to cut or eliminate grants that Congress has chosen to fund based on claims that they do not further the president’s priorities,” she said.

Likewise, those focused on special education remain wary.

“It is clear that Congress has not approved abolishing the Department of Education and is vigilant in ensuring that interagency agreements are not used to accomplish the same goal,” said Denise Marshall, CEO of the Council of Parent Attorneys and Advocates, or COPAA, a nonprofit that advocates for the rights of students with disabilities and their families. “How ED determines to act if/when this becomes law is not something we can control, however, our position remains the same — we do not believe the secretary has the authority to transfer K-12 or special education programs out of the department.”

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