

Project 2025 and Special Education

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The Heritage Foundation published, in December 2023, a 920-page document entitled, “Mandate for Leadership: The Conservative Promise”, which has become more commonly known as “Project 2025”. Despite various non-credible statements by Donald Trump, the document is likely the agenda for a second Trump presidency. This paper mines Project 2025 to understand how this agenda would impact parents of students with disabilities.

A few central themes play out in a plethora of policy proposals. One theme is that the federal government should remove itself from the oversight of public education. This theme is manifest in proposals to eliminate the Department of Education (page 319), to block grant education funds to the states (page 320), to limit the federal role to statistics gathering (page 325), and to allow states to opt out of federally funded programs (page 351). Specifically, in the area of special education, Project 2025 seeks to turn special education funding into block grants to the states (page 326) and to reverse federal rule making on the racially discriminatory use of discipline (page 334), on the overidentification of children of color as students with disabilities (page 336), as well as the requirement that 15% of IDEA funds be set aside for early intervention programs. Indeed, Project 2025’s hostility to early intervention is also evident in its proposals to eliminate Head Start (page 482) and federal day care programs (page 486).

The Project’s hostility to federal involvement in education is not absolute. Rather, the Project endorses wide school choice programs (page 322), expanded voucher programs (page 346), micro education savings accounts (page 349) and separate voucher programs for students with disabilities (page 349).

Further, the document makes clear that federal spending on education is far too high.
(Page 359).

Taken as a whole, these proposals would seriously erode public education. Students of parents with means could choose private options, funded largely with voucher funds, especially if such students did not require special services. Voucher programs for special education students, which exist now in Florida, Oklahoma, Tennessee, Mississippi, South Carolina, and North Carolina, however, provide stipends wildly insufficient to fund the special education services needed by many students with disabilities. Moreover, participation in private special education programs using a voucher or an education savings account strips the student and his/her family of their statutory rights to vindicate their entitlement to a free appropriate public education.

Transferring authority of special education to the states and providing them with block grants in no way ensures the continuation of the existing level of special education services. Presently, the federal government funds about 14% of the cost of special education services, despite the pledge made in 1975 to fund 40%. No where in the Project 2025 document is there any indication that the current level of funding would be preserved. Indeed, the document's anti-federal spending tone certainly indicates otherwise. The forward promised to make "the federal government smaller, more effective, and accountable." (Page 6). Above and beyond the federal dollars for special education, the elimination of the Department of Education would strip state and local education officials of a vital resource in curriculum development, best practices, and progress monitoring.

The deconstruction of public education, as outlined in Project 2025, would largely destroy special education as well. That deconstruction is the goal is made clear in the Forward,

stating that the next Administration “should promote educational opportunities outside the woke-dominated system of public schools and universities, including trade schools, apprenticeship programs, and student-loan alternatives that fund students’ dreams instead of Marxist academics.” (Pages 15-16). If public schools become a ghetto for low-income students and students with disabilities, public support for those schools would necessarily decline. The promise of free universal education for all children would be revoked. Students with disabilities would lose the opportunity to be educated side-by-side with their neurotypical peers. The single experience shared by all Americans would be no more. The future of civil society in America would be in doubt.

A second theme permeating the document is intolerance of students who question their gender identity. This theme is evident both in the education section and in other sections of the document. In the education chapter, there is an attack on the use of the term sexual orientation and gender identity in the Title IX regulations (page 337), as well as proposals for parental consent for any change in gender identity (page 343), a prohibition on the use of names other than the name on a birth certificate (page 346) or on a change in pronouns (page 346). Elsewhere, there are proposals to compel the National Institutes of Health to publish studies “short-term and long-term negative effects of crosssex interventions, including ‘affirmation,’ puberty blockers, cross-sex hormones and surgeries, and the likelihood of desistence if young people are given counseling that does not include medical or social interventions.” (Page 462). Further, the document proposes banning Medicare coverage of gender reassignment surgery (page 474), and redefining sex for purposes of nondiscrimination regulations to preclude coverage based on “sex stereotypes; sex characteristics, including intersex traits; pregnancy or related conditions; sexual orientation; and gender identity.” (Page 475). Project 2025 proposes a

rule “explicitly interpreting the law not to include sexual orientation and gender identity discrimination.” (Page 496).

While impacting only a small proportion of students, gender issues have increased among students with disabilities and are particularly evident in students with anxiety, depression and suicidality. Pretending these issues are part of some left-wing ideological agenda, rather than the real suffering of these students, is cruel and counterproductive.

Many parents of students with disabilities provide extra educational services for their children. The costs of such services are now deductible on federal taxes. Project 2025 proposes to eliminate that deduction. (Page 697).

Project 2025 incorporates the rhetoric of Moms for Liberty, stating “In our schools, the question of parental authority over their children’s education is a simple one: Schools serve parents, not the other way around. That is, of course, the best argument for universal school choice—a goal all conservatives and conservative Presidents must pursue. But even before we achieve that long-term goal, parents’ rights as their children’s primary educators should be non-negotiable in American schools. States, cities and counties, school boards, union bosses, principals, and teachers who disagree should be immediately cut off from federal funds.” (Page 5). In practice this means that a small group of vocal parents can veto the curriculum developed by educators. What gets struck from the educational program is anything to do with “sexual orientation and gender identity (“SOGI”), diversity, equity, and inclusion (“DEI”), gender, gender equality, gender equity, gender awareness, gender-sensitive, abortion, reproductive health, [or] reproductive rights.” (Pages 4-5).

In sum, Project 2025 envisions, and sets a plan, for a dramatic revamping of education in America. The current centralized system that assembles virtually all children into a common

learning experience, with specialized instruction for those in need, would be replaced. The new system would be constructed by each family. Those with greater wealth could buy far better educational services for their children. Children would not have the experience of learning together with students who come from different backgrounds, different races, different religions, and different points of view. Future citizens would not have been taught the same things.

We know from history that when children with disabilities are segregated, they are poorly educated, or not educated at all. They become invisible to other children. They are treated as other, as inferior, as unworthy of societal support.

The promise of Project 2025 is not merely a decentralization and a diminution of public support for students with disabilities. It is a promise to a return to the segregation, institutionalization, and marginalization of individuals with disabilities.