

As Government Reopens, Ed Department Brings Back Fired Special Education Staffers

by Michelle Diamant | November 14, 2025

A deal to end the nation's longest-ever government shutdown is reversing plans to gut the U.S. Department of Education's special education office and providing funds for other disability programs — at least temporarily.

President Donald Trump signed legislation late Wednesday to fund the government bringing the 43-day shutdown to an end. The spending package funds some things for the year, but will ensure spending for most federal agencies — including the vast majority of disability programs — only through Jan. 30.

The agreement also requires the Trump administration to reverse layoffs issued during the shutdown and precludes any similar firings through Jan. 30.

The layoffs in October, which were halted by a judge, hit particularly hard at the Education Department's Office of Special Education and Rehabilitative Services where 121 employees were let go. The move left the agency's Office for Special Education Programs, which administers funding and oversees implementation of the Individuals with Disabilities Education Act, with no more than a handful of staff.

Disability advocates warned that dismantling the special education office — and the resulting lack of federal oversight — put the rights guaranteed to students under IDEA at risk. Already, they said they were hearing that some local officials were asking which parts of IDEA could be ignored since no one in Washington was paying attention.

Now, the fired special education staffers are back on the job for the first time since September, but questions remain about how long that will last. A union representing Education Department employees said Thursday that many of the staffers who were part of the October layoffs remain locked out of their computers and agency email accounts despite being employed by the department.

“There is no guarantee or assurance, that I am aware of, that the employees will not be fired again on Feb. 1. Given the administration’s focus on eliminating the U.S. Department of Education, I am deeply concerned that this move, while positive, will only be temporary,” said Stephanie Smith Lee, co-director of policy and advocacy at the National Down Syndrome Congress, who served as director of the Education Department’s Office of Special Education Programs under President George W. Bush.

What’s more, there are worries that damage has already been done.

“The extreme chaos that this has caused is not easily undone,” said Robyn Linscott, director of education and family policy at The Arc of the United States. “School districts are beginning to make decisions now for the next school year. If they are concerned that this level of upheaval or uncertainty can happen again, or funding could be in jeopardy, they are going to base their decisions on that — which can mean fewer staff hired or resources to support all students including students with disabilities.”

Trump and Secretary of Education Linda McMahon have been open about their intent to close the Education Department. Trump said in March that he intended to shift oversight of special education to the Department of Health and Human Services and the Education Department recently confirmed that it is in talks with other agencies about the program.

“Secretary McMahon has been very clear that her goal is to put herself out of a job by shutting down the Department of Education and returning education to the states,” Madi Biedermann, deputy assistant secretary for communications at the Education Department, said last month. “The department is exploring additional partnerships with federal agencies to support special education programs without any interruption or impact on students with disabilities, but no agreement has been signed.”

Education Department officials said after the shutdown officially ended that they had no update on the status of those discussions.

Aside from the implications for special education, the agreement to reopen the federal government will mean that funding is available again to support other disability programs including protection and advocacy organizations. The entities, which exist in each state to provide free legal and advocacy services to individuals with disabilities, were starting to scale back services because leftover money from the last fiscal year was running out and no new federal funds were coming.

Even now that Congress has approved spending for a portion of the year, however, it will take time for money to flow.

“P&As are still running low on funds as the amounts they had to (carry over) are diminishing the longer we get away from the start of the fiscal year on Oct. 1 and advocacy is still being needed in their communities,” said Eric Buehlmann, deputy executive director of public policy at the National Disability Rights Network, an umbrella group for so-called P&As.

“How long will it take to get the funding into the P&As accounts is a great mystery,” Buehlmann said, noting that he anticipates it could take four to six weeks, but it’s unclear how the holidays might affect that timeline. “The longer it takes to get the funding the more it will impact the P&As as they begin to run out of carryover funds. That will require some restrictions in service until the new funding comes through.”

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