

TRUMP ADMINISTRATION PLAY-BY-PLAY

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Trump Administration Play-by-Play

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Trump Administration Play-by-Play

Public education has long been under attack in the U.S. Now, the players leading that attack will be directing federal education policy and they have not hidden their plans for public schools. To the contrary, they've published them for everyone to see. This Administration Play-by-Play looks under the hood of those plans to explore how President Trump and his appointees might accomplish their goals. It lays out the potential timing and process for Administration actions to implement education priorities and highlights opportunities for disrupting those plans. It also offers additional resources for anyone who wants to learn more about these anticipated policy actions and their impact on public schools, as well as how public school advocates are preparing and responding. By demystifying the federal actions and process the Administration might follow and identifying resources, we hope to support partners in developing strategies to protect public education in local communities, cities, and states.

What are Executive Orders? An Administrative Tool

An executive order is a written directive, signed by the president, that orders the government to take specific actions to ensure “the laws be faithfully executed.” While executive orders can be wide-ranging in their areas of focus, they cannot be used to circumvent the legislative or administrative process. That means that executive orders cannot overturn existing laws or rescind regulation. Also, a president cannot use executive orders to usurp powers that the Constitution explicitly grants to Congress such as taxation and spending or the powers the Constitution reserves for the states.

The President is empowered by the US Constitution to issue executive orders to compel the federal government to take steps that are within the authority of the executive branch and not in violation of federal law. While the President cannot use executive orders to rewrite existing laws, the President can use them to instruct agencies on how to enforce existing laws, for example by identifying priorities of the administration or calling for new regulation.

Some executive orders take effect upon the president's signing, but others require further action by the relevant agency to have an impact, such as promulgating a new rule, initiating an investigation, developing recommendations or drafting a report. Those steps may take anywhere from days to years to accomplish.

To summarize, an executive order is a written command from the president telling the government what actions to take. It can't change laws, override Congress, or take away powers that belong to states. Executive orders can help enforce existing laws or set priorities for government agencies, like creating new regulations or launching investigations. Some orders take effect immediately, while others need additional steps, which can take days or even years to happen.



Essential Questions to Ask

Depending on the answer to these questions, the order may not be legally enforceable or even legal. If it is not, it is important that state and local actors know they are not required to comply with the order at such time. Depending on the legality or enforceability of the executive order, preemptive compliance may even violate state laws.

- 1. Is this executive order self-effectuating?** Does this order on its own result in a change in policy, for example, by rescinding a previous executive order? If so, then the order, including the policy changes it announces, will go into effect upon the president's signature. If the order is not self-effectuating, does it require further action by an agency, Congress, or both? If the order requires further action, then it cannot be immediately enforced. For orders that require subsequent action, are there opportunities to organize opposition to the order and/or to influence potential actions by Congress or the relevant agency? Do state and local actors know that they are not yet obligated to comply with ~~the order?~~ *the order? In other words, some executive orders change the rules right away when the president signs them. Others need extra steps from Congress or government agencies, which gives people time to push back or try to change what happens next.*
- 2. Does this executive order exceed the powers of the executive branch?** Does this order infringe upon existing law, regulations, or contractual obligations at the state or federal level? Does it assume that the president has powers that the Constitution reserves for another branch of government or for state governments? If the answer to any of these questions is yes, the order may be legally unenforceable and should be challenged in court. However, until a court issues a ruling on the legality of the order, advocates and organizers should expect parties targeted by the order, such as school districts, state educational agencies, or federal agencies, to operate as if it is enforceable. *In other words, if an executive order breaks existing laws or oversteps the president's powers, it might not be legal and can be challenged in court. But until a court rules on it, most schools and government agencies will act like the order is in effect.*
- 3. Is there ongoing litigation surrounding this executive order?** Has a judge issued a temporary restraining order or some other form of judicial stay preventing the enforcement of the order in whole or in part? Has the administration explicitly or implicitly indicated whether it will comply with the court's order? If a judge has halted enforcement of the order, in part or in whole, temporarily or permanently, it is critical that state and local actors are made aware that they do not have to comply with the order, especially where enforcing the order would violate existing state law. If the administration fails to comply with a court order, the public must be made aware of the administration's continual disregard of Constitutional limitations. *In other words, if a judge blocks an executive order, even temporarily, schools and state agencies don't have to follow it while the block is in place. If the administration ignores the court's decision, it's important to let the public know that the administration is breaking the law.*



THE FIRST 100 DAYS (JANUARY 20TH - APRIL 30, 2025)

Administration Priority: *Weaponizing the Office for Civil Rights (OCR)*

The Office for Civil Rights is responsible for enforcing federal civil rights laws in schools, colleges, and universities, and other entities receiving federal education funds. Under the Trump Administration, this office has abused that power by targeting states, districts, and schools that do not adhere to the Administration's policy agenda, ultimately threatening to withhold federal funding.

Background

The Department of Education's Office for Civil Rights (OCR) is charged with ensuring that all students have equal access to education and vigorously enforcing federal civil rights laws prohibiting discrimination based on race, nationality, gender, sex, disability status, and age by schools, districts, states, or other recipients of federal funds. OCR determines whether a violation has taken place through a complaint and investigation process. OCR is also responsible for overseeing signed assurances from recipients of Department funds confirming that the recipient is in compliance with federal civil rights law. Anyone with knowledge of a potential violation of civil rights law may file a complaint with OCR. OCR may decide to open an investigation in response to a complaint or it may initiate an investigation independently based on its own data or information about potential violations. As part of the resolution of investigations, OCR can require a wide range of remedies up to and including withholding federal funding.

How It Would Work

Officials in the Trump Administration are using this enforcement mechanism to punish schools, states, and districts that do not adhere to their policy agenda. The groundwork for this type of action was laid during the Biden Administration when thousands of complaints were filed by Trump allies against schools, districts, as well as colleges and universities that permitted affinity groups, scholarships for underrepresented minorities, mentorship programs for girls and young women entering traditionally male-dominated fields, and so on. The Trump Administration has directed OCR to investigate these complaints, as well as others relating to DEI, culturally affirming curricula, and policies supporting transgender and nonbinary students, and to require harsher remedies to resolve them. Not only has OCR opened investigations into these complaints, but they appear to have reopened complaints that had previously been resolved during the Biden Administration. Since the inauguration, OCR has opened or threatened to open thousands of new complaints while simultaneously firing a large percentage of the staff responsible for leading these investigations.

Under President Trump, OCR threatened to withhold federal funding unless states and districts signed new assurances stating that they were in compliance with the Administration's



interpretation of the law, an interpretation that had not gone through the required administrative procedure.

Process for Enacting

The White House

The Administration publicly communicated its priorities on civil rights enforcement through a series of executive orders, including most notably an executive order targeting DEI in K-12 and postsecondary education settings. The White House is appointing staff to OCR who shared these views, and developed policy guidance that interpreted the law in their favor.

The Department of Education (ED)

Staff appointed to lead the Department of Education, including those appointed to lead OCR, have hewed closely to President Trump's priorities. That means they look skeptically on certain programming, such as that related to supporting or protecting underrepresented minorities, and prioritize opening and resolving investigations in a manner that supports their policy agenda.

Even though these investigations do not always result in a finding of violation, this level of scrutiny has had a chilling effect, discouraging schools and districts from engaging in activities related to equity and inclusion regardless of whether they actually violate federal law. The Department, including OCR, has also advanced its agenda by issuing guidance and regulation. Guidance to schools and districts has been released relatively quickly, and gives insight to schools and districts on how the Department is interpreting the law. However, it does not carry the weight of law itself. Regulations are agency policies that help the agency implement, interpret,

or prescribe specific

legislation. If implemented appropriately, regulations carry the weight of law. However, to do so, they must be promulgated through a lengthy process that provides the public with adequate notice and opportunity to comment.

What Can Community Members Do?

- Amplify the recent decision that the Trump Administration cannot require schools and universities to certify they won't use DEI. See: [Trump Can't Require Schools to Certify They Won't Use DEI. Judge Says](#), by Brooke Schultz, *EdWeek*
- Advocate for states and districts to strengthen their own civil rights reporting and oversight procedures.
- Ensure that schools and districts understand their rights and responsibilities, including what is required to comply with the law and what constitutes a violation. Although the Trump Administration may interpret facts differently, they cannot change laws or regulations outside of specific, and often lengthy, procedures. See: The [Pennsylvania WInS Coalition](#) provides support for districts and schools so they know their rights and can protect historically marginalized students.
- Document any curricular or classroom changes as they happen, and where possible include reasoning provided.



- Develop plans to protect the programming and staff most likely to be targeted by changes in OCR policy (e.g. [inclusive state or district policy prohibiting discrimination](#))

Learn More

- [Trump’s OCR steps up pace for dismissing complaints](#) by Naaz Modan, *K-12 Dive*. July 2025
- [Judge strikes down Trump administration guidance against DEI programs at schools](#) By Collin Binkley, *The Associated Press*. Aug. 2025
- [Trump on DEI And Anti-Discrimination Law](#) from the ACLU. July 2024
- [Can Trump Force Schools to Change Their Curricula?](#) by Alyson Klein, *EdWeek*. Nov. 2024
- [How the Trump Team Plans to Dismantle Civil Rights](#) from the Chicago Teachers Union
- [Inside Trump’s ominous plan to turn civil rights law against vulnerable Americans](#) by Zack Beauchamp, *Vox*. Nov. 2024

Administration Priority: School-to-Deportation Pipeline

On January 20, 2025, the Trump Administration removed the protected status from schools, churches, hospitals, and other critical service providers that have enabled them to serve undocumented children and families and ensure access to essential resources. This action combined with a 400% increase in ICE’s detainment budget [See Reconciliation Box] will increase the presence of ICE officials in protected spaces, and expands their ability to overly police immigrant students and families.

Background

President Trump stated that immigration would be a key focus of his second term. During his first term, he moved swiftly to issue executive orders related to immigration and the US southern border that directed the building of the wall and threatened to withhold federal grant money from Sanctuary Cities that refused to enforce immigration laws. However, the first Trump Administration left guidance in place from the Department of Homeland Security that designated hospitals and schools as protected spaces. In accordance with that guidance, immigration arrests or detentions at or near schools, hospitals, or churches could only be conducted under a limited set of circumstances.

Process for Enacting

The White House

Because the protected spaces policy is not enshrined in legislation or regulation, the President can change it unilaterally. On his first day in office, President Trump signed an Executive Order requiring DHS to rescind the policy.

Department of Homeland Security (DHS): As the agency issuing the guidance, DHS was responsible for actually rescinding the policy. On Jan. 21, 2025, DHS issued a release



announcing that the “protected spaces” policy had been terminated, making it more likely that students or their parents will be detained after a disciplinary infraction that leads to an encounter with the school law enforcement.

Potential obstacles to this agenda

Although the protected spaces policy was rescinded, it does not strip immigrant students of their right to equal access to public education. First, while states cannot prevent federal law enforcement from enforcing federal immigration law, the federal law enforcement cannot force states or municipalities to enforce or assist in enforcing federal immigration law. To circumvent mayors who disagree with his immigration policy, the President has begun sending the National Guard into cities where he intends to ramp up ICE enforcement. In addition, according to longstanding Supreme Court precedent, students are guaranteed equal access to public education regardless of their immigration status. The ruling in *Plyer v. Doe* has been interpreted to prohibit both the exclusion of undocumented students from public schools and the collection of documents that would indicate a student’s immigration status. Finally, there are student privacy laws (e.g., FERPA) that prohibit sharing student information except in set circumstances. While this Supreme Court has shown a willingness to overturn long-standing precedent and, even now, states cannot stop ICE from carrying out arrests in their jurisdiction, they can develop policies and procedures dictating how state employees will respond to federal immigration enforcement.

What Can Community Members Do?

- Build and share community knowledge about the rights of immigrant students and families in this changing landscape.
 - [Factsheet: Trump’s Rescission of Protected Areas Policies Undermines Safety for All - NILC](#)
 - Statewide organizations formed the [Education for All TN](#) campaign in response to Tennessee lawmakers attempts to overturn the *Plyer v. Doe* decision, challenging immigrant students' rights to a public education. The campaign was led by the Tennessee Immigrant and Refugee Rights Coalition (TIRRC), EdTrust-Tennessee, the NAACP of Tennessee, and Statewide Organizing for Community eMpowerment (SOCM), whose collective efforts organizing in local communities and coordinated rallies at the capitol [successfully killed the legislation](#).
- Work with schools, districts, and states to develop policies and procedures for arrests or detentions that occur on or near school campuses. See: [How Schools Are Helping Students Feel Safe Enough to Attend Amid Immigration Raids](#), by Nadia Tamez-Robledo, *EdSurge*, Sept. 2025; [Potential for immigration arrests at schools under Trump spurs push to shield families](#), by Kalyn Belsha, *Chalkbeat*, Dec. 2024
- [Advocate](#) for state and local laws and policy to protect against federal efforts to limit access to public education regardless of immigration status. See: [Mini-Action Kit: The School to Deportation Pipeline](#), The Advancement Project



- Examples: [California](#); [Chicago](#); [Oakland](#); and [NYC School Resolution](#) and [NYC school board to vote on resolution affirming support for undocumented students](#), by Michael Elsen-Rooney, Jan. 2025

Learn More

- [This Back-to-School Season, Teachers and Parents Are Fighting Back Against ICE](#), by Mike Ludwig, *TruthOut*, Sept. 2025
- [These Teachers Have Taken On A New Duty In The Trump Era: Watching Out For ICE](#) by Levi Kalish and Jessica Schulberg, *Huffpost*, Sept. 2025
- [Immigration enforcement and US schools: What could happen and what education leaders can do](#) by Amalia Chamorro, Sophia Rodriguez, and Rimga Viskanta, Brookings Institute, Jan. 2025
- American Federation of Teachers [Immigration Resources](#)
- [Schools Under Siege: The Impact of Immigration Enforcement on Educational Equity](#) from the Civil Rights Project at the University of California, profiled on Los Angeles on Texas Public Radio by Norma Martinez and Marian Navarro, Nov. 2024
- [A Real Crime \(Video\)](#) from the Partnership for the Future of Learning
- [Help Children Impacted by ICE Raids](#), Intercultural Development Research Ass. (IDRA)
- [Education of Immigrant Children](#), Intercultural Development Research Ass. (IDRA)

Note on Eliminating the Department of Education: Throughout his campaign, President Trump reaffirmed his commitment to shutting down the Department of Education. To do so, Congress would have to pass legislation that not only terminates the Department, but also transfers all of its responsibilities to other actors at the federal and/or state levels. Because such legislation would involve a major policy change that is not related to the budget, proponents in Congress could not use reconciliation to pass it, and they do not currently have the 60 votes in the Senate necessary to pass the legislation by standard process. However, the administration has sought alternative means to significantly limit the role of the Department of Education and its ability to carry out responsibilities. On July 14, the Supreme Court ruled that the Trump Administration can continue its efforts to dismantle the Education Department by firing thousands of workers.

Note on Reconciliation: Reconciliation is a parliamentary procedure that allows the Senate to bypass the filibuster and the requirement of 60 votes to pass legislation. Reconciliation bills can pass the Senate on a simple majority of 51 votes or 50 votes plus the Vice President's vote to break the tie. Through this process on July 4th, President Trump signed the "[One Big Beautiful Bill Act](#)" (H.R. 1). The legislation includes [significant harms to social safety net programs while providing tax cuts to billionaires](#). Unprecedented cuts to SNAP and Medicaid programs, the first federal tax credit voucher program, and massive funding increases to ICE are just some of the changes that will significantly impact students and families across the country.



THE FIRST SIX MONTHS (JANUARY 20 - JULY, 31 2025)

Administration Priority: *Federal Voucher Tax Credit - A Tax Shelter for the Wealthy*

The first federal tax credit voucher program passed as an attachment to a budget reconciliation bill. This means that private school donations will be the only cause that taxpayers can donate to and see the entire cost of their contribution refunded by the federal government. Overall, this legislation will cause unprecedented harm for students and families, and especially for low-income communities and communities of color.

Background

President Trump's campaign promises and statements on expanding school choice and his nomination of Education Secretary Linda McMahon suggested that federal voucher legislation would be a top priority during his Administration. Lawmakers had proposed federal voucher legislation in the past to varying degrees of success. Last session, federal voucher legislation, [H.R. 9462](#), the Educational Choice for Children Act (ECCA), advanced out of committee for the first time. While it did not pass that session, it was eventually passed as an attachment to the budget reconciliation bill (see process for enacting).

How It Works

The legislation allows an individual who donates money to a Scholarship Granting Organization (SGO) for a private school voucher to receive a dollar-for-dollar tax credit to offset their federal taxes. Voucher recipients are eligible if their household income falls under 300 percent of the area median gross income. The credit cannot exceed \$1,700 per taxpayer however, this is likely doubled for married couples at \$3,400. Compared to the House version, the Senate version removes the cap the government would spend on the program, does not allow for using the credit as a means of avoiding capital gains tax, and the Senate version allows states to opt in to the program. Scholarship granting organizations would only be able to administer the program in their own state;. The cost of the program is one of many concerns with the final bill as it eliminated the \$5 billion per year budgetary safeguard included in the House version. According to Congress's Joint Committee on Taxation the program is estimated to cost \$3 to \$4 billion per year. Therefore, if more states opt in to the program the cost will escalate leaving public schools drained of funds and critical resources.

Process for Enacting

The House of Representatives

A federal voucher tax credit will likely be included in a broader budget reconciliation bill. This legislation will be added to the U.S. House of Representatives Union Calendar to be eligible for consideration by the "Committee of the Whole." This Committee will debate the legislation, including the voucher tax credit provisions, and vote on amendments before moving the bill to



the House floor for a vote. The Committee includes all members of the House, but only needs a quorum of 100. This is the primary point for making changes to the draft legislation before it goes for a final vote.

To pass in the House of Representatives, H.R. 9462 will need a simple majority, which translates to 218 votes as there are 435 members in the House. Republicans currently hold the majority with 220 Republicans, 213 Democrats, and 2 vacant positions. If the bill is approved, it will be sent to the Senate to be considered. To defeat this legislation at least 5 Republicans will have to vote against the legislation in addition to the vast majority of Democrats.

The Senate

Because ECCA was folded into budget reconciliation and passed in the House, it was then considered by the Senate Finance Committee. The Senate's version had three Republicans voting no, and passed only after Vice President JD Vance broke the 50-50 tie.

The House of Representatives (Final Reconciliation Bill)

Following the Senate's passage, the House passed the final reconciliation bill by a 218-214 count, with two Republicans voting no. The House had adopted the Senate's version of the reconciliation package without making any changes. In protest, proceeding the House vote, House Minority Leader Hakeem Jeffries (D-NY) engaged in an hours-long speech about the harms of the legislation which include significant cuts and changes to social safety net programs—i.e. SNAP, Medicaid, and programs that support higher education access.

The Administration

On July 4th, President Trump signed the "One Big Beautiful Bill Act" (H.R. 1) thereby enacting the first permanent federal tax credit voucher program into law.

Learn More

- [Federal Voucher Program – FAQs and Advocacy Tool](#) from the Education Law Center
- [3 things to know about school choice in the 'One Big, Beautiful Bill'](#) by Kara Arundel at *K-12 Dive*, July 2025
- [New national school voucher program included in 'big, beautiful' law, with no cap on cost](#) by Shauneen Miranda, *Stateline*, July 2025
- [Megabill Takes Cap Off Unprecedented Private School Voucher Tax Credit, Potentially Raising Cost by Tens of Billions Relative to Earlier Version](#) by Carl Davis, Institute on Taxation and Economic Policy, July 2025.
- [The Senate Passed a Federal Voucher Program. What's In It?](#) by Brooke Schultz at *EdWeek*, July 2025
- [How 4 of the Federal Megabill's Education Policies Will Affect States](#) by Austin Reid at National Council of State Legislatures
- [New federal school voucher program poses a quandary for Pa. and other states: Opt in or opt out?](#) by Robbie Sequeira, *Pennsylvania Capital Star*, July 2025



THE FIRST YEAR (JANUARY 20, 2025 - JANUARY 20, 2026)

Administration Priority: ~~Democratizing~~ **Democratizing Federal Education Funding**

The Trump Administration has continued in its efforts to dismantle public education by attempting to eliminate the Department of Education and block grant critical programs. In July, the supreme court approved the Trump administration's efforts to [dismantle the Department of Education](#), and the FY 2026 budget [proposal](#) includes \$12 billion in cuts to public education funding and the consolidation of 18 programs into a single block grant.

Background

A key pillar of the Project 2025 agenda has been to convert federal grant programs overseen by the Department of Education into “no strings attached” block grants, reduce funding for those programs, and ultimately eliminate them. The FY 2026 proposed budget cuts and consolidation into a single block grant called the K-12 Simplified Funding Program with no strings attached, could potentially allow districts to distribute funds for alternative means or against the original funding intention. These proposed cuts will eliminate critical programs including services for English language learners and migrant students, community schools, and college access programs — negatively impacting all students and especially those who are furthest from equity.

How It Works

Currently, federal education funding is distributed from the Department of Education to state education agencies (SEAs), which in turn disperse the funds to districts and schools in accordance with federal regulations. These regulations are intended to ensure that schools and districts receive funding proportionate to the level of student need so that all students have an equitable opportunity to learn. Each funding program (e.g., Title I) requires districts to utilize the funding for specific purposes and meet specific accountability requirements. Transitioning these programs into block grants reduces the oversight on how states use the resources, running the risk of hundreds of millions of dollars for vulnerable students being redirected for other state or local priorities. Block grants also make it challenging to track how funding is being used and assess the impact of the funding on improving student outcomes.

Process for Enacting

White House

On May, 2025 President Trump released his FY 2026 Budget proposal. While this budget is not law and thus Congress is not required to follow it to the letter, it does signal the President's priorities, and Republicans in Congress are likely to heavily rely on it during their own budget process.



House of Representatives

The budget process in Congress starts in the House of Representatives. With 220 members, Republicans will be in the driver's seat for this process, and they will likely follow the President's budget closely throughout the annual appropriations process. Because the President's budget calls for a \$12 billion reduction and a shift to block granting Department of Education funding programs, House Republicans are likely to include that change in their budget legislation. Because this spending is discretionary, the House does not need to maintain funding at previous levels. They need a simple majority of 218 votes to pass their budget.

Senate

Typically, the Senate considers the budget once the House approves it. However, because this is a lengthy process, the Senate may develop its own legislation and then reconcile it with the budget the house passes.

Potential logistical and political barriers

The Trump administration faced significant criticism in July for withholding over \$6 billion in approved Title programs for schools. The administration paused the distribution of funding for after-school programs, English Language instruction, and adult literacy which had major implications for school communities. The administration eventually relented and released all of the funds due lawsuits and advocacy efforts from educators, school communities, and lawmakers on both sides of the aisle. If Congress fails to pass appropriations bills by October 1, 2025—the beginning of the federal fiscal year—it must pass a continuing resolution (CR) to temporarily fund the government and avoid a shutdown.

What Can Community Members Do?

- [AROS Stop the Cuts Toolkit](#): Contact your members of Congress and amplify the impact.
- Watch EdWeek's Education Funding Webinar: [The Trump Administration's Latest K-12 Moves and Your District: How Do You Plan?](#) on the FY 2026 education budget proposal and its status.

Learn More

- [Trump 2.0: Proposed FY2026 Budget Cuts for School Districts](#) by the Education Law Center and the New York University Metro Center.

