



3DA Policy Agenda 2026

Executive Summary

This policy agenda will go in depth about 3DA's policy priorities as an organization.

This policy agenda was written by Sam Shepherd with Board Approval.

If you want to get involved in our advocacy efforts, please contact Sam Shepherd at Samshepherd@3da.org.

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Federal Funding and Enforcement

Please note that federal funding directly related to assistive technology and special education will be addressed in their respective sections.

Medicaid

Per H.R.1, medicaid is estimated to be cut by \$911 Billion over the next 10 years Medicaid helps provide waivers for Home and Community Based Services (HCBS)¹, assistive technology needs such as devices to support employment, remote supports and other devices to support independent living, and other technological solutions.²

Therefore, we ask that medicaid is given an increase in funding from both the federal and state levels to support individuals with disabilities and to reverse what will be extremely harmful to many.

Where applicable, states need to apply for and attain waivers specifically for assistive technology usage.

Administration for Community Living

The proposed elimination of the Administration for Community Living (ACL) has many negative implications. For one, the ACL was a bipartisan effort to create in 2012 to serve as an efficient agency to help oversee the DD Network, including, including the state DD councils, Protection and Advocacy (P&A) organizations, and the University Centers for Excellence in Developmental Disabilities (UCEDDs)³. These are programs

that support independence, AT research, self advocacy training, and much more. So, the ACL being dismantled puts not only the overseeing structure that the ACL serves in, but it also limits or removes the programs within.

Therefore, we ask to prevent the ACL and the programs within from being eliminated or cut funding.

Enforcing the ADA

Signed into law in 1990, The Americans with Disabilities Act (ADA) is the ultimate disability rights law in the United States and is the law that prohibits discrimination for those with disabilities in the workplace, promotes accessibility (physically and digitally), public accommodations, and telecommunications ⁴. The ADA is crucial for many individuals with developmental disabilities, yet it isn't always properly enforced at the state and local levels.⁵

Where applicable, there need to be state statutory amendments to include the essentials of the ADA and to expand upon it by creating policies unique to the state.

Furthermore, we do not support lawsuits referred to as "drive-by lawsuits," which are lawsuits filed by people without disabilities who aren't intending on going to the physical business or using the website that prey solely to get ADA complaint settlement money.⁶ There needs to be proper enforcement and education around ADA requirements.

Assistive Technology

The Assistive Technology Act

The Assistive Technology (AT) Act created the 56 AT Act Programs, 1 for each state, DC, and the 5 U.S. territories, and provides many essential services such as AT assessment, trials, loan services, and more.⁷ The Assistive Technology Act was reauthorized in 2022 and will need to be reauthorized again in 2027, so the only concern before the reauthorization is due is annual funding that is determined by federal appropriations.⁸ A \$732 million return on investment from a \$311 million investment from 2014 to 2024 has proven that the AT Act Program is also cost effective, in addition to supporting individuals with disabilities.⁹ In FY2024, \$41.6 Million was given to the AT Act.

Therefore, we propose that the AT Act programs are in total granted \$45 Million for FY2027 to support the sustainability and growth of state AT programs and state P&A AT grants.

Furthermore, we also propose to increase the base funding for states from \$410,000/year to \$450,000/year.

Technology First

Technology First is considered a “framework for systems change where technology is considered first in the discussion of support options available to individuals and families through person-centered approaches to promote meaningful participation, social inclusion, self-determination and quality of life.”¹⁰ Technology First is state by state.

Where appropriate, states need to initiate and develop Technology First frameworks to best support individuals with developmental disabilities.

Where appropriate, there needs to be policy action at the state level to create a Technology First task force to serve as the implementation team of Technology First for the respective state.

IDEA (Pertaining to Assistive Technology)

The majority of the Individuals with Disabilities Education Act (IDEA) will be discussed in the next section, Special Education, aside from the assistive technology measures under this law.

Under IDEA, codified as 20 USC § 1414(3)(B)(v) and 20 USC § 1401(1)(A), assistive technology must be considered for every student with an Individualized Education Plan (IEP) at least once annually; and if a need is identified, the student is entitled to both the assistive technology and related services.¹¹ This needs to be fully implemented and enforced at state and local levels.

Where appropriate, there need to be state statutory amendments to include the essentials of assistive technology being in the classroom, including definitions, considerations, and being provided with both devices and related services. As many components of IDEA are written within state statutes, assistive technology should also be.

Where appropriate, the state department of education needs to make their own enforcements, guidelines, statements, and teacher training mandates for enforcing students' assistive technology rights in the classroom.

Where appropriate, states should have a low tech AT initiative that prioritizes getting low tech into every classroom and creating a sustainable ecosystem for doing so.

Where appropriate, state departments of education should be recording data on assistive technology usage on an annual basis; including metrics such as the number of students receiving AT and related services, the amount of devices used, and specific AT utilized.

Assistive Technology Staffing Shortage

With an estimated shortage of assistive technology staff, there is a need to enable policy and best practice to increase the number of assistive technology specialists while also receiving exceptional training, especially in schools.¹²

Where appropriate, the state department of education must collect data on the amount of assistive technology specialists in each school district and analyze methods of increasing as well as training assistive technology specialists.

Where appropriate, the state department of education and school districts must develop and perform enhanced assistive technology training.

Assistive Device Warranty Laws

When assistive technology users purchase or lease new devices or software, there needs to be assistive device warranty laws in the state they reside in. Many states have existing statutes relating to either all assistive devices or specific devices (ex: wheelchairs) under warranty.

Where applicable, states need to amend or create assistive device warranty laws that cover all assistive devices.

Special Education

IDEA Funding and Enforcement

The Individuals with Disabilities Education Act, under U.S. Code Chapter 33 § 1400-1482 needs to be properly funded and enforced down to each state, district, and school. This includes the following: free appropriate public education (FAPE), students being placed in the least restrictive environment (LRE), extended school year, assistive technology consideration and service delivery (mentioned in the previous section), and individualized education plans (IEPs). With the Federal Department of Education being diminished, each state department of education has more responsibility to enforce IDEA.¹¹

Therefore, the federal government needs to fund IDEA the full 40% that is intended to by IDEA.

Where appropriate, there needs to be an increase in state funding specific for special education, including but not limited to: recruitment and retainment of staff (special education teachers, paraprofessionals, assistive technology specialists, etc), additional programmatic support,

Where appropriate, school districts need to allocate enough funding for assistive technology needs, early intervention, transition services, and more for current and future students.

Where appropriate, there need to be state statutory amendments to include the essentials of IDEA and how it is enforced at the state level.

Where appropriate, the state department of education needs to make their own enforcements, guidelines, statements, and teacher training mandates on special education.

Where appropriate, school districts need to consider how technological solutions can better support students and teachers.

Appendix

[1] Euhus, Rhiannon, et al. "Allocating CBO's Estimates of Federal Medicaid Spending Reductions Across the States: Enacted Reconciliation Package." *KFF*, 23 Jul. 2025, www.kff.org/medicaid/issue-brief/allocating-cbos-estimates-of-federal-medicaid-spending-reductions-across-the-states-enacted-reconciliation-package/

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[11] Elementary and Secondary Education Act. *United States Code*, Title 20, Chapter 33. *Legal Information Institute*, Cornell Law School, www.law.cornell.edu/uscode/text/20/chapter-33.

[12] RESNA. "RESNA Position Paper on the Capacity-Building Role of Assistive Technology Specialists in PreK-12 Educational Settings." *RESNA*, Mar. 2022, <https://resna.org/Portals/0/Position%20Papers/RESNA%20K12%20Practice%20SIG%20Position%20Paper%20Final.pdf>.