



TSTA's Written Testimony Opposing Senate Bill 1301 by Senator Shapiro

This bill creates a voucher program that will send taxpayer dollars to private schools that are not accountable to the public.

Over the past 30 years, federal and state laws have evolved to ensure that students with disabilities receive a free, appropriate public education. Private schools are not required to provide the legal procedures federal and state laws mandate to protect the rights and interests of students with disabilities, which unnecessarily puts those students at significant risk.

This bill would disproportionately benefit students with disabilities in urban areas. Students in rural areas would not have equal access to private schools that serve students with disabilities because few appropriate private schools exist in rural areas.

School districts are required by federal law to provide transportation to students with disabilities; private schools are not required to provide transportation to students with disabilities. Economically disadvantaged students are disproportionately hurt by this bill because they typically do not have a mode of transportation available that would allow them to attend a qualifying private school.

Vouchers provide choice for private schools, not students. Private schools have a profit motive to admit students who have the fewest educational challenges; therefore, private schools generally will not admit students with pervasive disabilities. This bill aims to help those students with disabilities who are higher functioning, wealthier and already attending private schools. This bill intends to siphon money out of our public schools that would go to special education areas, while leaving those public schools with the most demanding special education students.

This bill makes it more difficult for our school districts to operate properly and makes harder the jobs of all school district employees who work in special education.

Public schools must provide a quality education to all students. Senate Bills 100 (by Sen. Eddie Lucio Jr.), 451 (by Sen. Leticia Van de Putte), 987 (by Sen. Florence Shapiro), and 1125 (by Sen. Judith Zaffirini) would ensure that special education students in public schools receive a quality education, and that is the reason TSTA supports those bills.

Finally, if the voucher program is implemented incorrectly, this bill has the potential to open up the state to costly liability on constitutional grounds.

For all of these reasons of fairness, equity, constitutionality and, most important, student well-being, TSTA opposes this voucher bill.