



The Arc of Texas

The Arc of Texas, a statewide non-profit, advocates for people with intellectual and developmental disabilities to be included in their communities. The Arc of Texas does not support SB 183.

The federal Individuals with Disabilities Education Act guarantees the right for students with disabilities to receive a free appropriate public education. IDEA requires TEA to monitor local school districts, implement a continuous Improvement process and a dispute resolution system. For many parents the State monitoring, continuous improvement process, and dispute resolution system do not guarantee that their child is receiving a free appropriate public education. Parents who have exhausted their administrative remedies often do not find the relief they are looking for and still believe their child is not receiving appropriate services and could even be harmed by the services they are receiving. As a result many parents withdraw their children from public school and pay for private school or home school their child.

The Arc of Texas believes it is absolutely necessary to provide a mechanism to enforce the law and ensure that every school district rural or urban, small or large implements the law. It is our job to ensure the public school system works for all students and we have been working to improve services for students with disabilities. We believe that the SB 183 is not the best way to do this. SB 183 would not be available to many families who believe the school is not providing their child with appropriate services. Most private programs for students with disabilities cost well over the amount provided by the school district. Most parents will not be able to supplement what the school is providing and will not be able to use this program. This program does not provide transportation which for many families would preclude them from using this program. For families that live in rural communities or small towns there literally will not be a private school close enough to them to be able to use this program. So for the many families who will not be able to use this program there is no motivation or incentive to the school district to improve their services for the majority of students with disabilities who will remain in the public school. This bill does not provide a transition or training component that would help to return students to their home school. There is also no requirement that the school follow the Federal IDEA laws or be held accountable for ensuring the students is prepared for post secondary readiness.

There should be a system for TEA to determine that a student 's need s are not being met by the local ldistrict and if so they should be required to intervene and require the school district to contract with an approved local community provider or private school. The contract should be reviewed annually and should include a transition process back to the school with training, coached mentoring and ongoing technical assistance to ensure the transition is successful and teachers who are trained to implement the program for other students. This can be done without a voucher program and will result in more students receiving appropriate services.

If the school is contracting for services the school continues to be accountable for implementation of the students IEP and the provision of a free appropriate public education. In order to make systemic change and to ensure all students at the school receive appropriate services the school must continue to be involved in ensuring the success of the student.

Creating opportunities for people with intellectual and developmental disabilities to be included in their communities and make the choices that affect their lives.

8001 Centre Park Drive, Suite 100 • Austin, TX 78754 • 512-454-6694 • 1-800-252-9729 • fax 512-454-4956

www.thearcoftexas.org



TSTA's Written Testimony Opposing Senate Bill 183 by Senator Williams

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.