

ALERT!
SPECIAL NEEDS VOUCHERS BILLS GAINING MOMENTUM
DISABILITY GROUPS CONTINUE TO OPPOSE MODIFIED BILLS
CONTACT YOUR LEGISLATORS NOW!

Background: The national voucher group, American Federation for Children, has been promoting Special Needs Vouchers throughout the country. A few states have adopted them. This past fall, AB 110 was introduced in the Wisconsin Assembly, modeled after the Florida version of this law. During the public hearing, all disability groups in Wisconsin opposed the bill, and many legislators from both sides of the aisle recognized that this bill would not pass in its original form.

Current status: Recently, Rep. Litjens, the sponsor of AB 110, submitted a rewritten version of AB 110, which is now modeled on the Ohio program. While it does contain some improvements, disability groups in Wisconsin continue to oppose it for the reasons described below. Of particular concern is that the bill does not require private schools to have any special educators or related services expertise (e.g., therapists) on staff. Sen. Vukmir has introduced the same bill in the Senate as SB 486.

Hearing schedule:

Assembly: AB 110 will be voted on by the Assembly Education committee on Feb. 22nd @ 10 AM. No testimony is taken during this hearing.

Senate: Although no official announcement has been made, it looks like SB 486 will have a hearing during the afternoon of Feb. 28th.

Concerns with these bills:

1. The funding mechanism is highly problematic for the following reasons:
 - a. Since Wisconsin does not fund special education students on a per pupil basis, but this bill does, it withdraws per pupil funding for collectively used services such as teachers, aides and therapists, from the public school, thereby increasing the likelihood that those who do not use vouchers will not receive the services they need in public schools. We would withdraw this objection if there was separate funding for these vouchers that did not punish the 95% or greater students with special needs who remain in public school.
 - b. Since the bill does not provide a tuition cap, and the voucher is limited to the greater of a per pupil average or the cost of the child's special education program, students with moderate to severe needs will not receive a voucher which pays for the cost of their education. This will have three negative effects. First, these students will be unlikely to find schools who will serve them for the amount of their voucher. Second, it means that the voucher program will likely cream off students with less complex disabilities, leaving the public schools with students

who have the most complex needs. This is exactly what has happened in Florida. Third, it means that low- and possibly moderate- income families who seek to attend a private school which has a tuition higher than the voucher amount will be unable to use the voucher, resulting in vouchers simply serving to subsidize families who can already afford to send their children to private school, rather than giving the monetary choice to families who cannot afford to do so.

2. The cap of 5% of children is statewide, but there is no district-wide cap. This could result in some districts losing far more than 5% of their special education students, increasing the problems of segregating higher needs students in the public schools, as addressed above.
3. While we appreciate the reference to implementing the child's most recent IEP, that reference becomes less relevant the longer the child remains in the private school (which the bill gives them a right to do through graduation or age 21 whichever comes first). In addition, there are no legal rights that go with that obligation. In other words, what happens if the child's IEP is not implemented? The bill provides no remedy for that. Finally, as pointed in in point 4, below, without special educators on staff, how can parents have any confidence that private schools can actually implement their children's IEPs?
4. The new bill is modeled Ohio's legislation, with one glaring exception. Ohio's legislation requires that private schools who accept these vouchers to have special education and related services (therapists, etc...) on staff in order to provide the children's special education as called for in their IEPs. This new bill does not have that requirement.

Take Action!

Please contact your member of the Assembly immediately to express any concerns which you may have about AB 110. If you do not know who your Assembly member is, you may call:: 1-800-362-9472 or go to www.legis.state.wi.us

We will alert you about the Senate Education Committee hearing that is tentatively scheduled for Feb. 28th in the afternoon, when the official announcement comes out. Please attend and testify if you can. If you cannot attend, please submit any concerns you may have to the chair of the committee, Sen. Luther Olsen at: Sen.Olsen@legis.wisconsin.gov or if your Senator is on the committee, please contact your Senator. The other Senators on the committee are Senators: Vukmir, Grothman, Darling, Vinehout, Larson and Cullen.