



CSHB 21 with ESA voucher attached Talking Points

CSHB 21 provides an ESA type voucher for students with a disability including students identified as special education and 504. The voucher provides 90% of the funding the child would have generated in a public school. The money will come from the Foundation School Program. We oppose this voucher on the following grounds:

ESA's takes taxpayer funds directly from public schools and provides no real funding

With money coming directly from the Foundation School Program, ESA's siphon money directly from public schools and divert it to be used in private, religious and home schools. Aside from the 450,000 special education students in Texas, the inclusion of 504 students opens the door for any student with a "life impairment" (e.g. asthma, hearing loss, anxiety, etc.) and could cost billions of dollars. Besides, the current Senate budget does not fund CSHB 21 and doesn't provide any real funding for Texas public schools. With Texas public schools already being underfunded, Texas can't afford the voucher in CSHB 21.

Parents and students give up their federal protections under ESA's

Students with disabilities in special education receiving a voucher under CSHB 21 would give up their federal protections upon exiting the public school. This includes their rights to due process under admissions, review and dismissal (ARD) committees and other federal protections.

No accountability under ESA's

Private and religious schools that would access taxpayer dollars through CSHB 21 are not accountable to the state in the same way as public schools. CSHB 21 would allow these schools to receive taxpayer monies while not meeting the same curriculum nor fiscal requirements of a Texas public school. Texans overwhelmingly believe that schools that receive tax dollars should be accountable for how they are spent, but the schools that receive vouchers would not be accountable to taxpayers.

ESA's violate the separation of church and state and the first amendment

CSHB 21 provides monies that can be used in any private or religious school. Earlier ESA's that this was modeled from provided no disallowance for religious content or services. Taxpayer funds used for religious content or services violates the first amendment.