



May 16, 2017

To Whom It May Concern:

We, the undersigned organizations, encourage you to vote against the Committee Substitute to House Bill 21 (CSHB 21), which will soon come before the Texas Senate. We oppose this bill because of the following issues:

- ***CSHB 21 provides no additional state funding for our Texas public schools.*** While supporters of CSHB 21 claim that it adds money for Texas public schools, the reality is that the Texas Senate's proposed budget does not currently support this funding, rendering the proposed funding increases in the bill null and void. The current Senate budget fails to add the \$1.5 billion needed to make changes in Texas' school finance system. This makes CSHB 21 wholly a voucher bill.
- ***CSHB 21 is a voucher bill that would drain state funds away from Texas public schools.*** With the inclusion of an Education Savings Account voucher, CSHB 21 would drain millions of dollars away from Texas public schools. Based on an estimated 450,000 special education students who attend Texas public schools, the costs could be enormous. Beginning in the second year of operation of the voucher program, Texas school districts stand to lose over \$37.4 million annually if 1 percent of eligible students opted for ESA vouchers; over \$74.9 million annually if 2 percent opted for ESA vouchers; and over \$112.4 million annually if 3 percent opted for ESA vouchers. See more details at <http://bit.ly/2ppqelh>. Furthermore, by including students covered by Section 504 of the Rehabilitation Act of 1973 in this ESA voucher program, millions more in additional costs could be added. Section 504 covers any student deemed to have a physical or mental impairment that "substantially" limits one or more major life activity (e.g. asthma, hearing loss, anxiety, food allergy, etc.). Educators tell us that 504 students are a fast-growing group. With the passage of the ESA voucher in CSHB 21, any parent that can get their student classified as 504 for any reason may use an average of \$8300 per year of taxpayer funds to attend a private or religious school.
- ***Parents and students would give up their federal protections under an ESA.*** Students with disabilities in special education receiving an ESA 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. All federal protections under IDEA would disappear once the student exits the public school



system. This includes the right to related services like counseling, and speech, occupational and physical therapy; the right to instructional supports like assistive technology and accommodated or modified curriculum; the right for the parent to be involved in the development of the child's education plan; the right to a transition plan to ready the student for post-graduation independence and success; and due process rights if the parent disagrees with the school's plan.

- ***There is no accountability for ESA vouchers under CSHB 21.*** 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 funds while not meeting the same curriculum or 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. Schools receiving vouchers would also not be responsible for monitoring the overrepresentation of African American students in special education; monitoring students with disabilities being overrepresented in discipline settings; monitoring graduation rates, assessment performance and evaluation timelines; or monitoring students with disabilities who are not placed in segregated settings.
- ***CSHB 21 violates the separation of church and state and the First Amendment.*** CSHB 21 provides monies that can be used in any private or religious school. ESAs provide no disallowance for religious content or services. Taxpayer funds used for religious content or services violate the First Amendment. Under CSHB 21, taxpayer funds would be available for students to attend a Christian school, an Islamic Madras, a school run by Scientologists, a Wiccan school, etc.

For these reasons, we vigorously oppose the passage of CSHB 21 and urge lawmakers to vote NO on this bill. The list of organizations signing on to this letter is attached.

A handwritten signature in black ink, appearing to read "Charles Luke". The signature is fluid and cursive, written over a light grey horizontal line.

Charles Luke, Ed.D. –
Coalition for Public Schools –
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ORGANIZATIONS OPPOSING CSHB 21

American Association of University Women
American Civil Liberties Union of Texas
American Jewish Committee
American Jewish Congress
Americans for Religious Liberty
Americans United for Separation of Church and State
Association of Texas Professional Educators
Center for Public Policy Priorities
Delta Kappa Gamma Texas
Equity Center
Fast Growth School Coalition
Friends of Texas Public Schools
HillCo Partners
Jewish Federation of San Antonio Community Relations Council
League of Women Voters of Texas
Make Education a Priority
Mexican American Legal Defense and Educational Fund
National Council of Jewish Women
Pastors for Peace
Pastors for Texas Children
People for the American Way Foundation
Texas AFL-CIO
Texas AFT
Texas Association for the Gifted and Talented
Texas Association of Community Schools
Texas Association of School Administrators
Texas Association of School Boards



Texas Association of Secondary School Principals
Texas Baptist Christian Life Commission
Texas Classroom Teachers Association
Texas Council of Administrators of Special Education
Texas Elementary Principals and Supervisors Association
Texas Freedom Network
Texas Impact
Texas Kids Can't Wait
Texas Latino Education Coalition
Texas PTA
Texas Retired Teachers Association
Texas Rural Education Association
Texas School Coalition
Texas School Public Relations Association
Texas Speech-Language-Hearing-Association
Texas State Teachers Association