

Input for Senate Education Committee Hearing

August 18, 2008

Dear Madam Chair and Members of the Senate Education Committee,

Eight years ago, I could never have anticipated that I would be here. My oldest child was thriving in school, and I trusted my local school district. But like many others, when I began to navigate the special education system for my second child, I learned that there are really two public school systems in Texas: one for typical children, and another entirely for special education students.

The laws designed to protect our children are being manipulated by a cottage industry of private attorneys who have found a cash-cow opportunity to use the public's education tax dollars to fight against Texas schoolchildren.

In 06-07, according to the Texas Education Agency, Texas public schools spent more than \$58,000,000 on private attorneys. *Fifty-eight million tax dollars* that the people of Texas thought were going to educate children went instead to private law firms. For special education parents, this is not surprising.

We know these attorneys. They show up at our children's educational plan meetings. They dine with school superintendents, lobbyists, and TEA employees - all paid for by taxpayers. They sponsor fancy, open-bar casino night parties for educators where they deliberately work to alienate the school staff from parents. And what they tell them is rarely in the best interest of the children.

Why *should* they serve the best interest of the children? If they did, there would be no need for their huge legal billings.

Texas schools come to you--the Texas legislature--asking for money. In return, you ask for accountability. I am here to ask you to follow the money to that accountability. The districts that can most afford to serve special-needs children are also the most able to afford private attorneys. School districts can outlast and outspend any parent because parents do not have unrestricted access to the tax coffers to pay for their legal representation.

Texas tax dollars are funding a system of deliberate discrimination against special-education students.

I applaud the Texas legislature's continuing efforts to improve school accountability. But I am very concerned that reliance on test scores is creating increased pressure for schools to use private law firms to push special-education students out of the public schools so they can be replaced with inter-district transfers who inflate the scores.

The *quiet cleansing* of special education students is happening all across this state, and the *people of Texas* are *paying for it*.

Here is one solution: tie the accountability ratings of public schools to its legal expenses by capping an acceptable amount of expenditure per student. The TEA report provided with my testimony shows that "exemplary" districts are in fact those spending the most tax dollars on attorneys to fight special education kids.

I am no longer naive. I know that these law firms have lobbyists who will take you to dinner and tell you I'm just another crazy mother. But I'm not crazy. Just as the black mothers in Selma Alabama in the 1950's were not crazy. Just as the Jewish mothers in Germany in the 1930's were not crazy. Discrimination happens. Sometimes it happens publicly and violently, and sometimes it happens in quiet meetings by people dressed in expensive suits.

Special education children need you to protect them. Please do.

Thank you,

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TEA Report of School District Legal Expenses available at this link:

[www.keepeanesinformed.com/\\$58_million.htm](http://www.keepeanesinformed.com/$58_million.htm)

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