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Testimony on SB 1000
Senate Education Committee
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(Note: This testimony is based on the bill as filed.)

I am here representing Advocacy, Inc., the state's federally-funded protection and advocacy program for Texans with disabilities. My job within the organization is to be an advocate for public policies that promote the provision of a quality education to the state's approximately 500,000 students who receive special education.

SB 1000 puts me in the unusual position of having to oppose legislation I know was brought to you by parents, some of whom I know and respect. Though we are pleased by the interest shown by the sponsors in the needs of students with autism spectrum disorders, we cannot agree with the bill's proposed solution. We believe that public money should be spent in public schools, where we know the vast majority of parents of students with disabilities will leave their children. We are joined in this position by 26 other statewide disability organizations. (See attached)

I am grateful to the parents behind this bill for bringing attention to the variance in the quality of special education provided around the state. I hope the result, though, is not passing a voucher-type bill that most parents will be unable to use, but is instead a commitment by the legislature, beginning with this committee, to making needed improvements in our public schools to the special education system in ways that benefit all students. Even if **SB 1000** passes, the majority of students with autism will remain in the public schools, many in the same public school system that these parents have left.

Many of the problems that have been raised are systemic and apply to all special education programs, not just those for students with autism. These include:

- Inadequate training and support for teachers, as most recently demonstrated by TEA's failure to secure available federal funds that could have been used for staff development for teachers and paraprofessionals;
- Failure of the State to have any kind of plan to assure implementation of scientifically-based practices throughout the state, though they are required by federal law;
- An emphasis in everything from training to accountability that it so focused on TAKS scores that those students who will never pass a grade level TAKS are almost second class citizens in their own schools;

- A state education agency that provides little or no oversight of local districts other than collecting and analyzing data in Austin; and, finally
- A special education system that in some places seems to be run mostly by attorneys.

Are there some bright spots in the State's public schools for educating students with autism? Of course there are. That's why I assume the bill provides for parents to move their child to another district or campus. It's why some districts have said they are concerned about an "influx" of students with autism if the bill passes. It's why many parents will choose to stay. At some point, though, why isn't someone telling the districts with the not-so-good programs to get over to the school districts that are doing a good job and see what they are doing, and then use that information to improve their own programs? Is it going to be okay for the sending district to tell unhappy parents to take their voucher and go somewhere else? Who is looking out for the students who are left? How is the State recognizing those districts and campuses that are doing a good job? These are some of the questions **SB 1000** doesn't address.

In conclusion, we appreciate your interest in doing something about the problems brought to you today. We hope, however, that you will not respond only by letting those with the resources to do so get out. There will be other opportunities before you to adopt a series of initiatives to improve special education programs around the State. This is the way, we believe, will get the most help to the most students.

Thank you.

Prepared by: Kay Lambert
Advocacy, Inc.



...promoting progressive public policy
for Texans with disabilities.

DPC Issue Brief

Public School Vouchers

Because of important federal laws and regulations, students with disabilities and their families have made significant educational gains in America's public schools. Since private schools are not required to comply with laws such as the IDEA, Section 504 of the Rehabilitation Act and No Child Left Behind, public schools have been the schools of choice for the majority of families with students with disabilities. Vouchers, or similar programs, that take students and money from the public schools will weaken that important public system. Based on information from other states and communities that have tried vouchers or similar programs, most students with disabilities will remain in the public schools.

Private schools offering very specialized services to students with disabilities are likely to charge more than the amount of the voucher, requiring the parents to pay the difference. Therefore, the use of a voucher in those schools is not really an option for low income, or many middle income, families. Other private schools might charge less but hold their costs down by accepting only students with the mildest disabilities who are less expensive to educate. Students with the most needs, and who cost the most to educate, will remain in the public schools.

The best way to improve the education of students with disabilities is by providing adequate funding and oversight of the programs in our public schools, not by siphoning funds and separating children.

Position: The Disability Policy Consortium opposes public school vouchers, or similar programs, that take state money from already underfunded public schools where the majority of students with disabilities will continue to be educated.

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MEMBER ORGANIZATIONS: *Statewide Members:* Advocacy, Incorporated, Brain Injury Association of Texas, Coalition of Texans with Disabilities, Epilepsy Coalition of Texas, The Institute for Disability Access/ADAPT, Lone Star Association for Persons in Supported Employment, Mental Health Association in Texas, National Alliance for the Mentally Ill of Texas, National Multiple Sclerosis Society of Texas, Texas Advocates, Texas AIDS Network, Texas Association of Centers for Independent Living, Texas Association of the Deaf, Texas Center for Disability Studies/ Texas Technology Access Project, Texas Council for Developmental Disabilities, Texas Federation of Families for Children's Mental Health, Texas Legal Services Center, Texas Mental Health Consumers, Texas State Independent Living Council, Texas State Sickle Cell Disease Association of America, the Center on Disability & Development (at Texas A&M University), Council for Families for Children, United Cerebral Palsy of Texas, The Spina Bifida Association of Texas, Inc., and the Depression and Bipolar Support Alliance of Texas. *Local Members:* Epilepsy Foundation Central & South Texas, REACH Resource Centers on Independent Living – Dallas, Fort Worth and Denton, Corpus Christi Committee for Persons with Disabilities, Goodwill of Central Texas and Coastal Bend Center for Independent Living

Allies: Unlocking Autism, The Arc of Texas and the Texas Silverhaired Legislature