



For people with intellectual
and developmental disabilities

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Written Statement for the Hearing Record: US House Oversight Committee
Opening Doors to Opportunity: The Promise of Expanded School Choice and Alternatives to Four-Year College Degrees
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Chairman Comer and Ranking Member Garcia, thank you for the opportunity to submit the following statement for the record of the Committee's September 17 hearing, "*Opening Doors to Opportunity: The Promise of Expanded School Choice and Alternatives to Four-Year College Degrees*." The Arc appreciates your leadership to ensure the effectiveness and accountability of the federal government and the programs it supports. Examining our nation's current landscape of school choice opportunities is a welcome opportunity to highlight the ways that these programs too often leave students with disabilities and their families behind, the "promise" is not for all students.

The Arc is the largest national community-based organization advocating for and serving people with intellectual and developmental disabilities (IDD) and their families. The Arc has nearly 600 state and local chapters across the United States. These chapters provide a wide range of services for people with IDD, including individual and systems advocacy, public education, family support, systems navigation, support coordination services, employment, housing, support groups, and recreation. The Arc promotes and protects the human rights of people with IDD and actively supports their full inclusion and participation in the community throughout the lifespan.

The Arc of the United States has a storied history with federal education laws. In 1971, before federal protections for people with disabilities existed, states were free to exclude disabled children from their public schools—and many did. Millions of children were denied an education, not because they couldn't learn, but because our society didn't believe they were worth educating. That changed because of federal action. Parents, led by The Arc, [fought in court and won](#). Their victory laid the foundation for the Individuals with Disabilities Education Act (IDEA), securing the right to a free, appropriate public education for students with disabilities, regardless of the nature or severity of their disability. Today, more than 7.5 million children with disabilities receive special education services in accordance with IDEA. Voucher programs threaten to weaken the system of protection and funding that The Arc and countless others have fought for over the last fifty years.

Private school voucher programs are often promoted as ways to increase parental choice, reduce costs, or improve educational outcomes. However, for students with disabilities,

vouchers frequently result in diminished rights, unequal access to services, and worse academic outcomes. These effects do not simply disadvantage students, they raise serious concerns about equity, civil rights, and the obligation of the federal government and states under IDEA, Section 504, and the Americans with Disabilities Act (ADA).

Private schools are not subject to some of our nation's civil rights laws—including the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 as well as IDEA. Thus, when families use vouchers or other private choice mechanisms, unless explicitly protected, they forfeit important rights, legal protections, and services guaranteed by IDEA, often without their knowledge. These include the right to a free and appropriate public education (FAPE) in the least restrictive environment (LRE), to attend and participate in IEP meetings, to agree to the services or changes in services before they are implemented, and procedural due process protections. [GAO found](#) private school choice programs inconsistently provided information on changes in rights and protections under IDEA when families move a child with a disability from public to private school. Voucher programs do not increase “rights” or “choice” for parents of children with disabilities, they diminish them.

Students with disabilities hoping to use a voucher often cannot find a school that will accept them. Private schools can deny enrollment to students with disabilities simply because they have disabilities. Schools are known to reject or reconsider proposed admission to students with disabilities who may require specialized instruction, education services and supports, or accommodations to access an education. This is exacerbated for students with intellectual or developmental disabilities, such as autism or Down syndrome. In 2024, the mother of a child with a disability [testified](#) to the Tennessee Government Operations Committee about her experience attempting to find a school that would accept her child using a voucher. She lists the responses from nine different schools saying they could not serve her child. If a family is desperately trying to use a voucher but cannot find a school that will accept their child because of their disability, how is that choice? The choice lies with the school, not with the families.

For families of children with disabilities who gain access to a private school through a voucher, academic outcomes are often no better or even worse than public school alternatives. [Evaluations of several voucher programs](#) (in Washington, D.C, Louisiana, Indiana, Ohio) show that students using vouchers tend to perform worse on standardized tests, especially in math, relative to similar students who remained in public schools. For many students with disabilities, the gap is larger.

Furthermore, school choice initiatives may not cover the full cost of attending a private school, especially for students with disabilities. In [Louisiana](#), the average voucher amount for a student with a disability is \$2,500—average private school tuition in Louisiana is \$7,849, but the average tuition at a private school specifically designed for students with disabilities is over \$15,000. Families are left with significant out-of-pocket expenses to cover the difference between the voucher and tuition. The families who can afford this are most often the families who already had their children enrolled in private school. In [Florida, 69% of the new applicants](#) to the

universal voucher program were already enrolled in a private school. In [Arizona, 75% of students](#) who utilized their voucher were not previously enrolled in public schools.

As voucher programs expand public schools, who educate [95% of students with disabilities](#), lose funding. The right to a free, appropriate public education for eligible students with disabilities has never been predicated on public funding of education. Children with disabilities have the right to a public education even if federal and state funds are removed from the public education system. However, with less public funding, states will be extremely challenged to meet their obligations. With less funding, how will states ensure that every child has a teacher qualified to ensure academic progress? How will states ensure that essential services like speech therapy and occupational therapy are delivered to students in accordance with their individualized plans?

The federal voucher program included in the recently passed budget reconciliation bill is particularly worrisome to The Arc. Despite attempts by Members to include protections for students with disabilities in the bill, none were included. For the first time in our nation's history, federal taxpayer money will be flowing to schools who can legally discriminate against students with disabilities. As the Department of Treasury begins to craft the regulations that will govern this program, The Arc will staunchly advocate that the enacted program explicitly maintains IDEA and civil rights protections and that private schools receiving federal funds are held to the same standards for accountability, inclusion, reporting, and due process. We strongly urge this committee to continue the oversight process to ensure that students with disabilities retain the rights that The Arc and so many others have fought for decades to obtain.

The Arc appreciates the focus of this committee on the role of school vouchers and thanks you for your leadership in working to address the problems for disabled students. We stand ready to work in collaboration to ensure that all children and families with disabilities have access to a high-quality education with meaningful supports, protections, and oversight. Please do not hesitate to reach out with any questions to Robyn Linscott, linscott@thearc.org.

Sincerely,
Robyn Linscott
The Arc of the United States