

Senate Committee on Education
February 13, 2014

Department of Public Instruction
Testimony on 2013 Senate Bill 525

I want to thank Chairman Olsen and members of the committee for the opportunity to testify before you today on Senate Bill 525 (SB 525). My name is Jennifer Kammerud and I am the legislative liaison for the Department of Public Instruction and with me today is Marge Resan, who works on our special education team. On behalf of State Superintendent Tony Evers I am here today to testify in opposition to SB 525.

This bill was first introduced last session, and while the authors have made changes to it, the bill is riddled with unanswered questions related to implementation. Furthermore, it will result in increased costs to the state, increased property taxes, the loss of due process rights and services for special education students, and fewer resources for local school districts to educate both special and regular education students. Moreover, at the end of the day, nothing in this bill will require data to show if this program is actually resulting in a better education for students with disabilities.

Let's start with how SB 525 will fund the vouchers created under the bill. Section 1 of the bill specifically reduces the amount of general school aids that would be made available to school districts beginning in the 2014-15 school year to pay for special education vouchers. This is on top of the \$64 million dollars the state already takes from general school aids to fund independent charter schools in Milwaukee and Racine. Since the bill does not make any changes to school district revenue limits or the calculation of general school aids, this provision would result in a commensurate increase in school district property taxes on a statewide basis. Put another way, your school levy equals your revenue limit minus school aids. As aid goes down your levy can go up, meaning property taxes go up.

However, since this bill is drafted in a manner that reduces general school aids before the department would run the school aid formula, the impact of this overall reduction in general school aids would affect school districts differently. Had this legislation been in place in the 2013-14 school year, 61 school districts would have realized no reduction in their general school aids from the state as they are either no longer eligible for state equalization aids or are "primary aid only" districts that receive state aid only at the first tier of the formula. Thus, the impact of a reduction in general school aids, and resulting increase in property taxes, would have been concentrated on the remaining 363 school districts in the state.

How much would the voucher amount be? This year it would be \$14,705. While the bill describes two calculations, with the department paying the lesser of the two calculations, the reality is that the voucher amount will always be the standard amount as the standard amount is both well below the average cost to public school districts to educate a special education student and because the department is unable to calculate this second calculation for private schools. The department can't do the calculation for private schools as the department has no private school data of the kind required under the bill to calculate the cost to educate a student in that setting and the bill allows no time to gather that information. Moreover, the calculation for private schools includes operating and debt service costs determined under the private school voucher program, which is the result of a lesser of calculation in and of itself. It is also based on prior year costs and doesn't take into account what happens when a new school accepts a student and there are no prior

year costs.

As a result, based on the nonstatutory language applying the bill retroactively to students who attempted to open enroll beginning in the 2012-13 school year, the department used the \$14,705 per pupil figure to estimate the total cost for vouchers in the first year of the program. Based on those numbers, the cost of the program would be \$57,349,500 if every student eligible were to take advantage of it.

It is interesting to note that the per pupil voucher amount of \$14,705 under the bill is significantly higher than all other states that have a similar program, with the exception of Ohio's Autism Vouchers. The other seven states that have this type of program have average scholarship amounts ranging from \$5,580 to \$6,799 per pupil.

It should also be noted that the voucher amount under this program is sum sufficient. It can never be reduced or made sum certain due to federal maintenance of effort (MOE) requirements on the state under the Individuals with Disabilities Education Act (IDEA). Basically, as long as the scholarship amount is sum sufficient, there is no state MOE issue because we are saying we will make any amount available, no matter the amount. If, at any time, however, the law is changed to create a sum certain appropriation that is less than what was spent the year before, then we will have a state MOE issue if we ever decrease the amount made available from one year to the next.

The bill may also impact the state's general fund. Under current law, school districts, which are Medicaid-certified providers, can claim federal School Based Services (SBS) funds. Under current law 60 percent of the funds claimed are deposited in the state's general fund. Not all private schools are certified to claim SBS funds so there could be a loss of GPR earned.

School districts could also see significant increased costs under this program leading to fewer resources for special and general education students. Under SB 525 resident school districts no longer count students who leave their districts on this voucher for aid or revenue limit purposes. Under the school aid formula, if everything else remains constant, having fewer students gives you more property wealth behind every student which makes you look richer under the school aid formula resulting in less general equalization aid. This is the same problem declining enrollment districts have. Yet under this bill, the resident district must still absorb significant costs related to the student who has left such as annual state testing and all necessary accommodations (if requested by the parent) and all testing and staff costs associated with the three-year Individualized Education Program (IEP) review (if allowed by parent).

Furthermore, if students return to their resident school district due to their needs not being met at the eligible school or being dismissed by the private school, the public school district will have to absorb any costs associated with retesting, reevaluation, and intensive services needed to restore students to prior functioning levels. Depending on when the student returned the school district could be in a situation where they would be unable to claim that student for general school aids.

SB 525 will impact the amount of federal IDEA dollars a district has available to spend on public school special education students. Under equitable participation requirements in IDEA, school districts are required to set aside IDEA funds for special education services for private school students with disabilities attending private schools located in the school district. It doesn't matter what district the student comes from as the district responsible for setting aside funds is the school district in which the private school is located. As an example, if five students from the Sparta School District take scholarships to attend a private school in Tomah, it will be the Tomah School District that will see the amount of IDEA dollars available to cover their own special education costs decrease as Tomah will need to set aside more of this money for private school students.

While there have been changes made to the bill from last session, there is still little to no meaningful accountability in SB 525 for students or the state.

- The required reevaluation of the IEP by the school board of residence is meaningless if parents don't consent. There is no way to enforce this.
- While private schools are required to conduct background checks and exclude from employment certain persons, there is no one authorized to oversee that this is done.
- While private schools are required to provide a profile of the special education program available, along with methods of instruction, there is no oversight or verification.
- Minimal teacher requirements should be in place. No special education or related services staff are required to be employed or contracted by the private school. Even the existing choice programs require at least a bachelor's degree.
- Individualized Education Plans (IEP) are legally enforceable documents that exist between the school district and the parent. It is not a binding document on anyone but the school district. To say that a private school must implement the IEP or IEP as modified by agreement is basically a blank check that provides no assurances or guarantees to the parent and provides no due process or recourse to parents if the agreement is not kept.
- While there is a requirement for a record of implementation of the IEP or agreement, along with an evaluation of a child's progress, it is to the resident school district. This doesn't accomplish anything as there is no authority by the school district to do anything with this information on a student who is no longer attached to their district. Additionally, without parental consent this could have potential Family Educational Rights and Privacy Act (FERPA) issues.
- All of the penalties prescribed under the bill are conditioned and really do not provide viable recourse to review, enforce, or sanction any private school.

Other examples of areas where SB 525 doesn't measure up to the standards set in the existing choice programs include:

- Hours of instruction.
- Testing requirements.
- Surety bonds.
- Bad actor provisions.
- Ability for state to bar schools from the program.
- Record retention.

There are simply a host of other policy and administrative questions that need to be answered. I have an addendum to the department's testimony listing these. Given the issues and questions surrounding this bill, the department requests that you do not move this bill forward. At this time I would be happy to answer any questions you may have.

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February 13, 2014

Honorable Members of the Senate Education Committee:

I am here today with my 14-year-old son Sam who has autism and is nonverbal. We live in Wauwatosa and Sam attended Wauwatosa Public Schools for 7 years. During those years, the school district time and again failed to provide Sam with an appropriate education as required by law. Teachers did not know how to teach Sam. A big part of the problem was that they did not have any sort of evidence-based curriculum in place for him, and they only introduced one after 5 years of my husband and I insisting that they do so. Even after they introduced it, they did not follow it consistently.

Anyone who tells you that the public education system has safeguards in place to protect the rights of special ed students and to hold schools accountable is just plain wrong. I know, because I tried for 7 years to work within that system to have my son's rights respected. I attended countless IEP meetings; I worked with 3 advocates (including one from Disability Rights Wisconsin), and 2 attorneys. I even went through mediation. Yet the school district adamantly refused to provide Sam with an education that met his needs as required by law. Things reached a new low in 2013, when an aide subjected Sam to verbal and physical abuse. Our advocate from Disability Rights Wisconsin filed a complaint with DPI and told us we had a strong case. Much to her surprise and ours, DPI ruled that the incident somehow did not violate Act 125's prohibition on seclusion and restraint.

In our struggle to get the Wauwatosa School District to respect Sam's educational rights, we also consulted a very reputable attorney. Her advice to us was simply to move to a better district. We felt we had no choice but to put our house on the market. But we were unable to sell it in this dismal market. We then tried open enrollment but were denied. So we had reached a dead end.

We finally placed Sam in a private school last fall where he is thriving. Unlike Wauwatosa Public Schools, Sam's private school has highly trained staff working with him, genuine inclusion with typically developing peers, and timely adjustments to his programs after consultation between parents and staff. For the first time, his right to an appropriate education is being respected and being met. But my husband and I are paying for this out of our own pocket, and it is placing a heavy financial strain on us. I do not see how we can sustain this in the long term.

His IEP goals were transferred from 1 year to the next. They did NOT follow the IEP. Sam made no progress in 7 yrs

Since our district was unreasonable,

he is making genuine progress

This is why I support the special needs scholarship bill. It provides both choices and accountability, something that DPI, our public school district, and the open enrollment process have monumentally failed to do. It provides real options to those parents who have made good faith efforts to work within a system that has consistently failed their children. It allows parents to choose public, charter, or private schools that fit their children's needs. And it includes strong transparency and accountability measures that all schools must meet, while giving DPI the authority to remove from the program schools that don't meet such standards. Opponents of this bill have constructed a false dichotomy between choice and accountability. Those who claim that the special needs scholarship is the death of public schools and of educational rights of special ed children have clearly not read the bill. There is no reason that one cannot have both choice and accountability, and this bill meets both standards.

Furthermore, the critics of this bill fail to hold public schools accountable and let them violate the educational rights of special needs children like my son. They turn a blind eye to the failure of DPI to enforce the rights of special ed students in the public schools. Indeed, what answer do they have for my son? They ~~would~~ let him languish in a public school that is failing him. They ~~would~~ allow the resident school district to hold him hostage and deny him open enrollment in the interest of holding onto the taxpayer money that comes with him. They also deny the fact that there are good private and charter schools that provide quality education tailored to the needs of special ed students. Before they attack the private and charter schools, the critics should take a hard look at DPI and the public schools and their failures to enforce the rights of special needs children. They should work on getting their own house in order.

But changing the system from within takes time that my son does not have. Over the past 3 years, I have been coming to Madison to express my concerns over the unresponsiveness of the public bureaucracy to respect and defend the rights of special ed children. I have met with legislators and Disability Rights Wisconsin and they have acknowledged that the current system is failing some of these children. Disability Rights Wisconsin admits that due process is not a realistic option for some parents. They should know: the failure of their 7-year class action lawsuit against MPS special ed violations makes it painfully clear how long and uncertain the legal route can be. Three years after beginning these conversations with legislators and disability community, I have yet to see any changes.

Somewhere along the line, ~~this debate~~ ^{the disability advocates groups} and the public education bureaucracy have lost sight of what really matters, which is the children. Sacrificing some special needs children to the benefit of others is just unconscionable. Expecting my son to languish in a failing public school while the education bureaucracy figures out how to get its house in order is no solution. Nor is telling me to move to another district.

By allowing parents, rather than the school districts that have a direct financial interest in keeping him, to make the choice of which school he can attend, will give

me the power to hold that school accountable. This bill provides me with that choice and includes strong accountability provisions as well. My son and other special needs students like him have the right to an education that allows them to realize their full human potential. It is his civil right, his dignity as a human being. Get past the ideological blinders and pass this special needs scholarship now. so that my son and others like him can realize their full potential.



Dr. Susan Giaimo

I am willing
to hear this
discussion w/
the critics
lead now.

OPEN ENROLLMENT APPROVALS AND DENIALS - SPECIAL EDUCATION AND NOT SPECIAL EDUCATION

APPROVALS AND DENIALS	SPED			NONSPED			TOTAL		
	2010-11	2011-12	2012-13	2010-11	2011-12	2012-13	2010-11	2011-12	2012-13
Total Applications	4,168	4,712	5,525	28,423	31,298	35,679	32,591	36,010	41,204
% of Total Applications	12.79%	13.09%	13.41%	87.21%	86.91%	86.59%			
Nonresident Approved or Not Denied	2,644	3,021	3,368	21,240	22,638	24,473	23,884	25,659	27,841
% Approved	63.44%	64.11%	60.96%	74.73%	72.33%	68.59%	73.28%	71.26%	67.57%
Nonresident Denied	1,524	1,691	2,157	7,183	8,660	11,206	8,707	10,351	13,363
% Denied	36.56%	35.89%	39.04%	25.27%	27.67%	31.41%	26.72%	28.74%	32.43%
Resident Approved or Not Denied	3,839	4,240	5,008	28,232	31,084	35,482	32,071	35,324	40,490
% Approved	92.11%	89.98%	90.64%	99.33%	99.32%	99.45%	98.40%	98.09%	98.27%
Resident Denied	329	472	517	191	214	197	520	686	714
% Denied	7.89%	10.02%	9.36%	0.67%	0.68%	0.55%	1.60%	1.91%	1.73%
Approved by Nonresident & Resident	2,486	2,822	3,198	21,161	22,582	24,418	23,647	25,404	27,616
% Approved by Both	59.64%	59.89%	57.88%	74.45%	72.15%	68.44%	72.56%	70.55%	67.02%
Denied by Either Nonresident or Resident	1,682	1,890	2,327	7,262	8,716	11,261	8,944	10,606	13,588
% Denied by Either	40.36%	40.11%	42.12%	25.55%	27.85%	31.56%	27.44%	29.45%	32.98%

NONRESIDENT DISTRICT REASONS FOR DENIAL	SPED			NONSPED			TOTAL		
	2010-11	2011-12	2012-13	2010-11	2011-12	2012-13	2010-11	2011-12	2012-13
NONSPED Reasons Only	472	396	597	7,183	8,660	11,206	7,655	9,056	11,803
% Denied NONSPED Reasons	30.97%	23.42%	27.68%	100.00%	100.00%	100.00%	87.92%	87.49%	88.33%
SPED Reasons Only	776	980	1,014				776	980	1,014
% Denied SPED Reasons Only	50.92%	57.95%	47.01%	0.00%	0.00%	0.00%	8.91%	9.47%	7.59%
SPED and NONSPED Reasons	276	315	546				276	315	546
% Denied SPED and NONSPED Reasons	18.11%	18.63%	25.31%	0.00%	0.00%	0.00%	3.17%	3.04%	4.09%
Specific Reasons for Denial									
SPED Space Is Not Available	635	946	1,227				635	946	1,227
SPED Program Is Not Available	266	250	188				266	250	188
Referred for Special Education Evaluation	169	119	79				169	119	79
Regular Ed Space Is Not Available	679	623	984	6,709	8,204	10,667	7,388	8,827	11,651
Expelled or Habitual Truant	47	70	102	178	196	269	225	266	371
4K Not Offered in Resident District	9	9	19	146	161	149	155	170	168
Other	18	15	46	180	136	169	198	151	215

RESIDENT DISTRICT REASONS FOR DENIAL	SPED			NONSPED			TOTAL		
	2010-11	2011-12	2012-13	2010-11	2011-12	2012-13	2010-11	2011-12	2012-13
Undue Financial Burden	302	458	485				302	458	485
4K Not Offered in Resident District	10	9	18	151	265	139	161	274	157
Other	17	9	16	47	15	62	64	24	78

Note:

A "SPED" application is one which the parent answered "yes" to one or more of three questions on the open enrollment application (does the child have an IEP, is the child receiving special education or has the child been referred for a special education evaluation) or one that was denied for a special education reason even though the parent responded "no" to all three questions or did not respond.

My girls attended MPS for 8 years, during that time I had a special education teacher who stated it was not her job to implement an IEP. I had my girls "geographically included" in class with no modifications to work (even though it was written in the IEP), and no social support (even though autism is a social communication disorder) IEP goals were simply being rewritten year after year, and as a result, I purchased materials and taught my girls how to read and do simple math problems at home. I had numerous meetings with the Principal, the Special Education Supervisor and the head of Special Education for the district. No meaningful changes were made.

I discussed these out of compliance issues with advocates from WI Facets and Disability Rights Wisconsin, only to find out that this did not constitute as a priority case with them so they could offer no legal assistance. I was also told "DPI almost always sides in favor of the school district on issues such as these."

Since I have been sharing my story publicly for the past 3 years I have begun to get calls and emails from parents who are dealing with similar issues in their resident public school district. These families feel trapped. Some of them simply want to switch schools within their district and have been told no. Others want to switch public schools but have been denied open enrollment; most sighting undo financial burden, which makes me wonder, "Are we funding institutions or children's education?"

Some of these children are in a situation where the social demands at their public school are simply too high and need alternate placement without these pressures or they need a school that can use a unique approach because they are not successful at learning through a standard curriculum.

Kradwell, St. Coletta's and Richardson School are examples of schools in the Milwaukee area, where families can find this unique setting for their children. These schools work for families and are meeting the children's needs. The older kids at St. Coletta's are even working, getting real on the job experience at St. Sebastian's where they also have the opportunity learn through meaningful inclusion with their peers. I have toured such schools and although they might not be the necessary setting for my children, I would NEVER stand in the way of another parent having access to this type of environment for their children. All children learn differently and have unique challenges and to make the generalization that a specific placement will work for all special needs children is misguided.

Many of the kids at these schools are placed there through district funding. You see, the public schools can decide who is worth the money and who is not. If your child has behaviors the school cannot or chooses not to deal with, they can send that child (and associated funding) elsewhere. They also decide when the child returns back to the public school. My children can sit and doodle in the classroom. They are not learning but they are also not causing a disturbance. The school district will not send them, and their funding elsewhere. The school system should not have all the power, parent's should be able to get an out of district placement, without a legal battle, if that is what is best for their children.

I am so fortunate to have found a wonderful private school placement for my girls. Their needs are taken seriously; if they are not making gains through a teaching procedure or curriculum, it is changed. They are making real progress in academics, are involved in meaningful inclusion and as a result feel part of the school community. This all comes at a price, and I am not sure how long we will be able to continue this placement. Families like mine should not be required to quit our jobs and home school, we shouldn't be required to sell our homes to get a quality education for our children and we should not be forced to go broke funding such education when our children are guaranteed, by law, a free and appropriate education.

I have met with Senators and Representatives for the past 3 years; I also met with advocacy groups as recent as last month regarding these issues. What have I found out? We all know the system doesn't work for everyone. I am grateful for IDEA and the framework it provides, but the reality is that its interpretation and implementation varies widely between districts and even between schools in the same district. When administrators choose not to provide adequate training to their staff members, or educators refuse to explore and implement the best practices for students, the shortcomings rest squarely on the shoulders of children like mine.

I have been told that groups are working on fixes to the Open Enrollment process. That changes were made already this year. The application looked the same to me, it still appears we treat special needs kids differently in this process; the needs of the school district still trump the needs of the child. It's about money, not about the education of the child.

Disability Rights Wisconsin advised me to start working on challenging the public school system; this is where I should be placing my efforts. Their legal team recently lost a 7-year class action lawsuit with my school district, how I am going to be able to make meaningful changes swiftly enough for my children to benefit? My girls don't have the years it will take for these necessary changes to happen and holding them hostage in a district that is not giving them the education they are entitled to by law, is unreasonable. Families like mine deserve real options and we need them now.

I have run into many closed doors while seeking out a quality education for my children; our open enrollment application was denied, DRW said our case was not a priority and that DPI will not side in our favor. A costly, lengthy legal battle with uncertain outcome is the only door open for me.

You opened a door for other children in WI by expanding the existing school choice program, which has MUCH less accountability than the proposed special needs scholarship. I am SURE someone opposed to this scholarship is going to mention Life Skills Academy; they were operating under this recently expanded voucher system. I do not believe they would not have been able to participate in the special needs scholarship program with the included safeguards, added accountability and DPI oversight. We could sit here and give examples of public schools doing unscrupulous things too. Remember that plywood box a child with autism was locked in? Administrators at Rock River School in the Waupun Public School District called it "the quiet room."

But this isn't about public vs. private schools or about which schools are doing things right or wrong. It's about giving children the education they are entitled to by law, plain and simple. It's not about special interest groups, the only special interest I have is my children and the other children whose parents could not be here today because they are homeschooling or working a second job to pay for their child's education, or they are simply too scared about what could happen if they speak out.

Please don't throw this proposed legislation aside, like you have done in the past. Work together; reach a compromise to give families like mine real options. It's time to put these children first.

David Lassa

Brian Pleva

From: Brian Pleva
Sent: Tuesday, February 04, 2014 8:31 AM
To: Brian Pleva
Subject: ICYMI: Milwaukee Journal Sentinel Op-Ed ~ Why We Need the Special Needs Scholarship for Our Kids

Good morning,

Seven parents of children with special needs wrote an excellent op-ed, which was published in today's *Milwaukee Journal Sentinel*, illustrating how the proposed special needs scholarship (AB 682/SB 525) would benefit their children. Only children with special needs who have been denied open enrollment to a different public school are eligible under the scholarships provided in these companion bills.

Please read the op-ed below: <http://www.jsonline.com/news/opinion/why-we-need-the-special-needs-scholarship-for-our-kids-b99197413z1-243426761.html>

Why we need the special needs scholarship for our kids

Feb. 3, 2014 8:26 p.m.

As parents of children with special needs, we know that every one of our children is extremely different. That is why we view with great skepticism groups that purport to speak for all parents of children with special needs even though they and their experiences are all unique.

For example, such parents recently published an [op-ed in the Journal Sentinel](#) suggesting that because their children with special needs have had a wonderful public school experience, they see no reason for parents like us, who reside in school districts that are failing our children, to have access to the special needs scholarships recently proposed by Sen. Leah Vukmir and Rep. John Jagler, himself a parent of a child with special needs.

When parents like us who work within the system and submit an open enrollment application so that our children can go to a neighboring public school district are denied that access to a free appropriate public education, we should be given more options. While the experts have been promising parents like us fixes to the discriminatory open enrollment system for decades, we have yet to see an actual proposal.

But we have read and support a different proposal that, instead of vague promises of future fixes, delivers options to us immediately: the special needs scholarship. The scholarship would allow parents of children with special needs, who were denied an effort to open enroll their children in a neighboring public school district, the opportunity to have their children educated in a charter, private or different public school.

Opponents tend to leave out that last part.

That is because they know that special interests have sustained the discriminatory open enrollment practice of denying children with special needs what is supposed to be their federally guaranteed free, appropriate public education (FAPE). Open enrollment applications from special needs families for the 2012-'13 school year were denied at a rate of 42%.

Imagine the emptiness the parents with special needs children felt when they received those 2,327 denial notifications. When they first learned their child had a special need, they were told that they had a right to FAPE for their child, but they're holding a letter contradicting that government guarantee.

You see, children with special needs are very often denied open enrollment because of their disability, but opponents of the special needs scholarship don't bother holding press conferences or writing op-eds to bring attention to that discrimination for some reason. Under open enrollment, even if the school district down the road would be happy to educate the child, the resident school district can veto such a transfer because it wants the taxpayer dollars that the special needs child brings with him or her. With a special needs scholarship, these parents could enroll their child in the neighboring school district without the resident district locking them in.

Opponents of special needs scholarships draw a false dichotomy between choice and accountability and conveniently ignore the state Department of Public Instruction's failure to enforce the legal rights of special needs students in the public schools. By contrast, this legislation gives parents actual choices and broadens the definition of accountability to include student safety and genuine educational achievement.

Under the proposed special needs scholarship, all schools participating in the program must follow existing state law that prohibits seclusion and restraint of students, implement the child's most recent individualized education program and be completely transparent with parents about their special education instruction and staff qualifications. The bill also gives the DPI the authority to remove schools from the program that violate these and other accountability measures.

We are part of a small group of parents who simply want the right that disadvantaged parents all over Wisconsin currently have: the right to direct a portion of the education dollars currently being spent on our children to the school that would best meet their needs. A couple of state senators approved this means-tested school choice expansion in the state budget last summer, while removing the special needs scholarship from that same budget.

They have an opportunity to redeem themselves in the eyes of powerless parents like us by getting behind this narrowly focused version of the special needs scholarship. We will be watching, as we have been during our three-year fight for this civil right.

This was submitted by Susan Giaimo of Wauwatosa, Kristen Glaser of Waukesha, Sandy Krause of Wauwatosa, Josh and Katie Madlung of Whitefish Bay, Dani Rossa of Milwaukee and Kim Schippers of Hartford.

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Visit our [website](#); follow us [@SchoolChoiceNow](#); visit us on [Facebook](#); & read our [blog](#).



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FOR IMMEDIATE RELEASE

WILL to DPI: Open Enrollment Process May Violate ADA, State Law
Records show that School Districts and the DPI may be illegally rejecting open enrollment applications from students with disabilities

February 13, 2014, Milwaukee, WI – Today, the Wisconsin Institute for Law & Liberty sent a letter to Superintendent Evers of the Department of Public Instruction, raising serious concerns about whether the DPI is misapplying the open enrollment laws in a way that discriminates against students with disabilities in violation of state law as well as Title II of the Americans with Disabilities Act of 1990 (“ADA”) and Section 504 of the Rehabilitation Act of 1973.

Explained CJ Szafer, WILL Education Policy Director, “Every school year, hundreds of students with disabilities are denied the right to open enroll by their school district. When parents appeal the decision, records and interviews with parents have shown that the DPI is not protecting the rights of those students but is instead approving the rejections without conducting the analysis that it is legally required. The whole process leaves parents frustrated, and trapped in a school district that does not serve the needs of their child.”

The purpose of Wisconsin’s open enrollment program is to allow parents to choose a school district for their child other than the school district where they reside. But students with disabilities have their applications for open enrollment rejected at a much higher rate than those without a disability. A major cause of this disparity is the resident school district claiming that they would incur an “undue financial burden” if the child leaves the school district.

After interviews with parents of students with disabilities, and an analysis of the law and public records, WILL has serious concerns about how the DPI is administering the Open Enrollment Laws. School districts are denying open enrollment applications for students with disabilities on account of some perceived “financial burden” – but the districts are not accurately calculating whether such a burden actually exists and the DPI is not correcting the resident school districts’ errors even when the misapplication is appealed. This raises the question of whether the DPI is following the requirements of the Open Enrollment Law and Title II of the Americans with Disabilities Act (ADA), as explained in a federal court case, *Doe v. Burmaster*, Case No. 03-CV-892 (E.D. Wis. December 2, 2004).

Before WILL takes action on this issue, we hope that Superintendent Evers will take the time to answer a few questions, which are explained in greater detail in WILL's letter. The letter to Superintendent Evers can be found on the WILL website (or by clicking [here](#)).

The Wisconsin Institute for Law & Liberty is a non-profit, public interest law firm promoting the public interest in constitutional and open government, individual liberty, and a robust civil society. Further inquiries may be directed to Mr. Esenberg at rick@will-law.org.

Submitted
by DPI

**Administrative and Policy Questions
2013 Senate Bill 525
February 2014**

Costs to School Districts

1. What about the costs school districts incur for staff they must continue to pay when a student leaves? Under the bill, students can leave their resident school district at any time of the year. It is not uncommon for districts to hire someone just to work with one student. That person would still be under contract.
2. How high will the reduction in state general equalization aid be for some school districts moving forward? For the 2013-14 school year, 363 school districts would have realized a reduction in their state general equalization school aids from the state. This reduction is on top of the 2r independent charter deduction.
3. Should students be able to leave any time during the school year? Under the bill, an application may be made and the student may begin attending the school at any time during the school year. School districts determine costs of services, including transportation and staffing needs, at the beginning of the school year. This bill makes it more difficult for districts to predict their costs and stabilize budgets.

Costs to the State General Fund

1. How much of a loss would the program be to the general fund? 60 percent of all Medicaid school based services claims are deposited in the general fund. Only Medicaid-certified providers may provide these services. All school districts are certified, but many private schools are not. Thus if a parent takes a voucher under the bill to transfer from a public to a private school there may be a loss of federal school based services funds to the state.
2. Funding for the Department of Public Instruction (DPI) staff will be needed (see number one in the following section).

Inability for DPI to Implement the Program as Described

1. How will DPI implement this program? **The department is unable to implement the bill without additional staff and funding.** The current DPI special education staff is 100 percent federally funded. Managing this program is outside the activities funded by federal Individuals with Disabilities Education Act (IDEA) funds. This work would have to be funded with GPR dollars. [Based on experience administering other choice programs, DPI estimates needing 4 new FTE to administer the special needs scholarship program at a cost of \$340,015 new GPR annually for salaries, fringe benefits, fixed costs, and supplies and services. The 4 FTE are as follows: 1 school administration consultant, 1 information systems development services specialist, 1 school finance auditor, and 1 financial specialist-5. Additionally, DPI estimates needing 2 contract programmers at a cost of \$30,000 new GPR for the initial design, programming and implementation of a special needs scholarship program (databases, applications, forms, interfaces, etc).]

2. Why does the draft inhibit the ability of DPI to enforce provisions of the law? Why is this program less accountable than other choice programs? The wording included in Section 6 of this bill of “Intentionally and substantially misrepresented” and “Routinely failed to comply” significantly negates the requirements listed under the Private School Duties s. 115.7915 (4) in this bill. This wording will increase DPI legal costs for program compliance because DPI will need to engage in significant amounts of litigation to determine precisely how the wording applies in many different fact situations. Under existing choice programs, schools can be banned for simply not meeting the requirements.
3. Is there a time-frame during which schools will have to notify of their intent to participate or is there a year-round process for DPI to implement?
4. If a school is barred from the program, students under the bill are given the option to go to another school with a voucher. If the voucher amount has already been awarded, where is that amount to come from? Is it to come from the general fund?
5. How will the department accurately calculate the amount of each student’s voucher using the second calculation method under the bill? The bill requires DPI to calculate the amount of the voucher based on the cost at the eligible school. The costs at eligible schools can vary tremendously. DPI does not have information to verify the reporting of accurate costs by eligible schools (i.e. private school costs and public school operating and debt service costs). Additionally, private schools have no incentive to provide a cost less than the standard scholarship amount. This will result in nearly all scholarships being awarded at the standard scholarship amount which will be higher than the current public school costs of many students with mild disabilities.
6. It appears that the department is to award the voucher prior to determining the scholarship amount. The department can’t award the voucher until it determines which of the two voucher amounts under the bill is less, and the department is unable to calculate the scholarship under the second method (eligible school cost).
7. How quickly is the application approved and the voucher amount determined? How long does a scholarship applicant have to respond so the department can complete the application?
8. What happens if a resident school district does not provide an Individualized Education Program (IEP) in three days?
9. What is meant by “informed acknowledgement” and how does it differ from “informed consent”? The bill provides that receipt by an applicant of the document constitutes notice the applicant has been informed of his or her rights under IDEA and the scholarship program. Acceptance of a scholarship constitutes the applicant’s “informed acknowledgement” of the rights specified in the document. Previous versions of this proposal noted acceptance of a scholarship constituted the applicant’s “informed consent.”
10. How is DPI to implement provisions surrounding unanimous IEP reevaluation determinations? The department is unable to carry out provisions in this bill that would attempt to require parents to have their child reevaluated for special education. School districts can only offer reevaluation. Parents

can refuse. Additionally, the department does not have information regarding unanimous IEP determinations nor is this a requirement under IDEA. DPI does not have the information regarding determinations to award scholarships based on unanimous IEP reevaluation determinations. This provision will require reporting more individual student data to DPI.

Lack of Appeal Processes

1. How are appeals handled? There is no appeal process for children, families or eligible schools listed in the bill. For example: who receives a scholarship and who doesn't, and when and for how long a school district or private school could be barred from the program.
2. Is the department supposed to follow Chapter 227 in regards to due process? The related costs in doing so could be substantial and will need to be covered by the 4 new DPI FTE listed earlier. Each contested case hearing will cost at least \$2,000 GPR for the hearing officer and approximately 40 hours of DPI staff attorney time.

Lack of Private School Reporting and Accountability Requirements

1. Private schools under the special needs scholarship program are not required to meet the same reporting and accountability requirements as a private school participating in the Milwaukee Parental Choice Program (119.23). Below are a list of some of the requirements for the Milwaukee Parental Choice Program:
 - Teachers have at least a Bachelor's Degree.
 - Students are required to take the same tests as public school students.
 - The state determines when a surety bond is required.
 - Bad actors are barred from further participation in the program.
 - The state may withhold aid or terminate a school from the program if they violate any section of the statute.
 - Hours of instruction: 1,050 for grades 1-6; 1,137 for grades 7-12.
 - Required to keep pupil records and transmit records upon closure.

Do we want the same accountability requirements for the special needs scholarship program as the existing choice programs?

Removal of Legal Protections for Students

1. Why is there no process governing dispute resolution over special education services in the private school setting like there is for public schools? There is no language created in the bill to provide dispute resolution options for parents who disagree with decisions made by their child's private school.
2. What about nondiscrimination protections under state law? This bill requires private schools participating in the voucher program to comply with federal law preventing discrimination on the basis of race, color or national origin (42 USC 2000 (d)). However, it does not require compliance with Wisconsin pupil nondiscrimination law which provides additional protections against discrimination on the basis of a person's sex, religion, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability. What recourse would

be available to parents of children with disabilities attending private schools under vouchers if their child was being discriminated against, harassed or bullied for one of these reasons?

3. What about segregation concerns? The department is deeply concerned with the potential under this bill for the creation of private schools that serve only special education students. This type of segregation flies in the face of what years of research and experience has taught us regarding educational outcomes for these students.

Conflicts with IDEA

1. Why is the IEP reevaluation required to be conducted by the resident school district? IDEA currently places the child find/evaluation responsibility on the school district in which the private school is located.
2. Why is a unanimous IEP determination required under this bill? Under this bill, the IEP team must unanimously determine a child is no longer a child with a disability. Unanimous determination requirements do not exist under IDEA. Under IDEA, the responsibility of making decisions about special education eligibility belongs to the IEP team. The IDEA includes requirements to ensure parents are equal participants on their child's IEP team, and no participant on the team has "veto" power over the team's decisions. This language sets up a situation where a child could never be determined as no longer being a child with a disability. Mover the bills, required reevaluation is related to eligibility not services.

Lack of Recourse for Parents and School Boards

1. Why is there no requirement that the private schools have certified staff to provide special services? Ohio's Jon Peterson Special Needs Scholarship Program requires providers to have the appropriate credentials to provide services listed on an IEP.
2. How will the student, their parents, and the state be able to judge educational success? There is no requirement to take state tests, as there is in the choice program, report on attendance, dropout rates, suspension or expulsion or any other measure.
3. What happens if the private school never implements the IEP or agreement as modified? Neither the department nor the resident school district or parent have the ability to enforce any agreement with the private school or ensure compliance.

Open Enrollment

1. The bill only requires the parent to apply to one nonresident school district. A parent is permitted to apply to three nonresident school districts in a school year. Why is the bill not requiring the parent to take full advantage of the open enrollment program?
2. The bill requires the pupil to be attending a public school, to apply for open enrollment and be denied before being eligible for a voucher. If the pupil is already attending a nonresident district

under open enrollment and is eligible to continue to attend, does the pupil get a special needs voucher if the pupil applies to and is denied by a different nonresident district?

3. A pupil who is already open enrolled may have the open enrollment revoked by the nonresident district if a new or revised IEP requires special education the nonresident district does not have or does not have space for or is habitually truant. The open enrollment may be revoked by the resident district if the cost to implement the new or revised IEP is an undue financial burden. Under the bill, as drafted, these pupils would not be eligible to apply for a special needs scholarship until they applied to a different nonresident district and were denied. Is this intended?
4. If the parent isn't required to file an appeal, what difference does it make whether DPI affirms or overturns the school district?
5. How is the timing supposed to work? The regular application period is from February to April. Notices of approval or denial must be sent by June 6 (for nonresident districts) and June 13 (for resident districts).
6. If the parent files an appeal, the appeal might not be decided until late July or even August. The Department must affirm the school board's decision unless it was arbitrary or unreasonable and the district gets the benefit of the doubt. Why would any parent file an appeal when (1) it will delay being able to apply for the special needs voucher and (2) there is a good chance the parent will lose the appeal and (3) while the parent is waiting someone else may have applied for and gotten the only space(s) at the private school the parent wants the child to attend. (See later comment about random selection.)
7. What is the relationship between the spaces the nonresident school district designates for special needs vouchers and the spaces it designates for open enrollment?
8. Why would a nonresident school district designate any open enrollment spaces for the most common special education programs under this bill? For example, a nonresident district would normally receive only the basic open enrollment amount (\$6,635 for 14-15) for speech and language services, while under a voucher it will receive either its full tuition cost or the state average special education cost, either of which is larger than the basic open enrollment amount.
9. If a public school district set aside a number of spaces for students to participate in this program, could those set-aside seats be used as a reason to deny an application under traditional open enrollment for lack of space?
10. Why wouldn't a resident district deny open enrollment for any cost greater than its revenue per member? For example, if a district raises \$10,000 in revenue and the open enrollment special education cost is more than that amount, wouldn't it be make sense for the district to deny the open enrollment and instead have the cost spread across the state?
11. There are no application periods or deadlines. Without application periods or deadlines, random selection is meaningless. How can a district conduct a random selection between a pupil who

submits an application in June and one who submits an application in August?

Other questions

1. Is it right that we will have individual private schools in the state receiving more state aid than entire public school districts? This scholarship program will result in some private schools receiving more state aid than a public school district.
2. Unlike the choice program the bill does not prohibit schools from charging tuition above the voucher amount. Why? The effects of this could be substantial.
3. What about income limits? Under the choice program there are income limits, currently set at 300 percent of the federal poverty level. If an IEP team unanimously determines a child is no longer eligible for special education the child continues to receive the amount provided under the MPCP or WPCP programs.
4. This program is a sum sufficient program. Why are we not instead looking at supporting special education in our public school districts in a sum sufficient fashion or at least increasing the current reimbursement rate for special education categorical aids beyond the current 27 percent?
5. Why doesn't the Legislative Audit Bureau Report look at academic performance, provision of services as agreed to, or fiscal accountability? The bill requires the Legislative Audit Bureau to study the program including determining the percentage of participating pupils who were victimized because of their special needs at their resident school district. This creates an assumption that the reasons parents want the special needs vouchers are that the pupil was victimized or had behavior problems. Parents of children with disabilities may apply for open enrollment for the same reasons as parents of non-disabled children. Why assume these two reasons?

Assembly Bill 682
Senate Bill 525

My name is Kristen Glaser. I am a mother of three children who reside in Waukesha County. My youngest child, Sarah, is 8 years old and has Autism Spectrum Disorder. Sarah is a 3rd grade student at a Title 1, Dual- Language public school in the city of Waukesha. There are many reasons why I feel her current resident school isn't appropriate for her education with the biggest reason being we are an English Speaking Family and with my daughter having a brain disorder, trying to comprehend two different languages is not appropriate or beneficial to her education. Sarah often confuses the two languages. Sarah will script Spanish over & over again for hours in the middle of the night as well as during the day and we have no clue what she is saying to us. We have a hard enough time trying to get her to use her words in English let alone now having a tremendous interference with adding in a different language that WE don't even speak. We have had three different principals in the last four years. My daughter has had four different special education teachers in the last 4 school years with two of those teacher's being long term substitutes who didn't know how to implement or follow through with my daughter's IEP, nor had any license or certifications to even teach special education. IDEA law states if someone is not licensed or certified in special education they can only remain in that position for 21 days so the school district would have these long term subs 'call in sick' every 22nd day so they could lawfully keep them in this position and be in compliance.

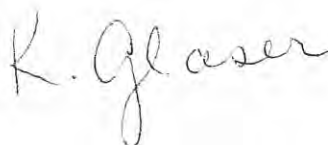
I was told, "if you're unhappy, you have options!" I was told I could easily do an in-district transfer to a different public school WITHIN our same school district or I could open enroll out of our current school district and transfer to a different school district altogether. I was told the deadline times and that the process was easy. For the past two school years I have tried applying for open enrollment to other school districts and have been denied each time. I even tried doing an in-district transfer to another public school within our same school district and I was also denied.

My daughter should not be stuck at a school that is dual language. My daughter should not be stuck at a school where the school has staffing issues continually. My daughter should not be forced to be at a school where the staff plainly won't listen to or implement suggestions. My family should not have to go through any long winded 'PROCESS' of hiring advocates, taking off work for numerous meetings, filing complaints with DPI, sitting through mediation, etc.. This 'PROCESS' does not always work and I'll tell you why. The 'PROCESS' is VERY time consuming, VERY stressful and parents often feel like if they complain to DPI then they will be treated poorly by the school staff once word gets out that they have complained to the State. It is a stressful balancing act and it's not a fight that all parents are capable of fighting. We are STRESSED enough with just LIFE!

Personally, I have tried to get the school 'on board' for years by attending meetings, going into observe, hiring advocates, offering suggestions, attending every seminar I could to better educate myself to even be able to advocate properly. I even went as far as paying my daughter's in-home therapy team to go to school and help train & educate the special education teachers and paraprofessionals on how to implement things for my daughter. If the school doesn't listen or plainly ignores suggestions from other professionals that are documented & proven to be effective then there truly isn't a working relationship. If there is not a working relationship & families like mine have done everything they could to make things work and their children are still not learning properly at school then families need other options!!! TIME & MONEY is precious to all of us & sometimes we simply lose the fight to fight. Sometimes it's just best to walk away and start over fresh in a new environment with new staff that may have new idea's to help your child learn. We shouldn't feel as if our children are just #'s to you or just a dollar figure. If these schools do their jobs then nobody will have to use these vouchers. If these schools fail then they should be held accountable! Please help support this Special Needs Scholarship Bill! Help families like mine get options we desperately need and deserve without going through a long winded 'PROCESS'! Please help my child get into an environment where she can learn in a language she actually speaks! Thank you!

Kristen Glaser

(Waukesha School District Parent)

A handwritten signature in black ink that reads "K. Glaser". The signature is written in a cursive style with a large, looped "K" and a long, sweeping underline.



of Wisconsin Disability Organizations

101 East Wilson Street, Room 219, Madison, Wisconsin 53703
Voice: 608/266-7826 Fax: 608/267-3906

February 13, 2014

Senate Committee on Education
Senator Olsen, Chair
State Capitol, Room 319 South
Madison, WI 53707

Dear Sen. Olsen and members of the Committee:

Thank you for the opportunity to comment on proposed Senate Bill 525.

The Survival Coalition is a cross-disability coalition of more than 30 state and local organizations and groups focused on changing and improving policies and practices that support people with disabilities of all ages to be full participants in community life.

Members of Survival Coalition are comprised of and work with families statewide, many of whom struggle to get the basic educational needs of their sons and daughters met. However, we also hear clearly from these families that vouchers are not the solution. In fact, not a single disability group in the state of Wisconsin supports special needs vouchers.

A statewide stakeholder survey last winter circulated by disability groups gathered more than 1,000 responses in less than two weeks. The survey found that 87% of respondents actively opposed special needs vouchers. Respondents listed multiple concerns, including lack of accountability, loss of federal legal protections, no assurance that private schools provide special education services, fraud and abuse, and lack of demonstrated improved outcomes from voucher programs in other states.

There is no evidence that public investment in private school voucher programs results in better education for students with disabilities: voucher programs in other states cannot be objectively evaluated because there have been no requirements to collect data quantifying improved outcomes for students with disabilities. There are, however, egregious examples in other states of voucher programs leading to rampant fraud and abuse, with little to no educational outcomes for vulnerable students and their families.

In Florida, a lack of state oversight and school accountability has led to widespread abuses and criminal activity as schools take advantage of parents and students with disabilities in order to capture state voucher dollars. Some Florida schools receiving voucher dollars for students with disabilities were found to have no curriculum, be unaccredited, have no physical location, using corporal punishment, segregating students with disabilities away from same-age peers without disabilities, even forging student enrollment to capture thousands in tuition for students who did not attend or no longer attended the school. With no expectations for outcomes, Florida students with

disabilities have become a target population that provides a means to an end for state voucher dollars, and many parents and students have ended up being swindled out of an education.

Because private schools are not held to the same standards, practices that have been demonstrated to be ineffective or even counterproductive to positive educational outcomes for students with disabilities are occurring, often without parent knowledge, to the long-term detriment of the student's future. We are aware of many parents who have enrolled their students with disabilities in private schools, discovered after the check has been cashed that promises made to parents go unfulfilled and quality expectations go unmet.

Families of students with disabilities want to make the best educational choices for their children, but a voucher scholarship program without accountability to the same standards as public schools gives parents a false choice, and it can cost students the most precious of resources—time. As is the case with all students, education is the foundation that prepares students with disabilities to become contributing members of their communities and a valuable asset to Wisconsin's skilled workforce. Poor educational preparation of students with disabilities translates into a lifetime of high unemployment (63% unemployment rate), lower wages (30% less than workers without disabilities), and reliance on public benefit programs (27% have incomes below the federal poverty line).

Families of children with disabilities in Wisconsin know their children can achieve and learn with their peers with the right instruction and supports. Research clearly shows that 99% of students – including those with disabilities -- can learn grade-level content in the general education curriculum and achieve proficiency on grade level standards.

Survival Coalition supports policy efforts to provide families with better supports for their students with disabilities, and investments in evidence-based educational practices that have been demonstrated to improve educational outcomes for students with disabilities. However, the current voucher scholarship bill appears only to shift taxpayer dollars away from public schools and in favor of unregulated private schools that are not held accountable for student progress.

Survival Coalition looks forward to continuing to work for substantive improvements in quality statewide special education supports for all students with disabilities.

Thank you for your consideration,

Sincerely,
Survival Co-Chairs:

Maureen Ryan, moryan@charter.net; (608) 444-3842;
Beth Swedeen, beth.swedeen@wisconsin.gov; (608) 266-1166;
Kristin M. Kerschensteiner, kitk@drwi.org; (608) 267-0214

Survival Coalition Issue Teams: education, employment, housing, long term care for Adults, long term care for children, mental health, transportation, workforce, voting, Medicaid and health care.

Scott Walker
Governor



Shel Gross
Chairperson

Mary Neubauer
Vice-Chairperson

State of Wisconsin

Wisconsin Council on Mental Health

1 West Wilson Street, P.O. Box 7851
Madison, Wisconsin 53707-7851

Date: Feb. 13, 2014

From: Shel Gross, Chair

A handwritten signature in cursive script that reads "Shel Gross".

To: Members of Senate Committee on Education

Re: AB525

The Wisconsin Council on Mental Health (WCMH) is the Governor's statutorily mandated advisory council on mental health issues. Among the charges to the WCMH is to advise the Governor, Legislature and state agencies with regard to mental health policy and funding. As part of this charge we are contacting you to indicate our opposition to SB525.

While we understand that a number of changes have been made from prior versions of this legislation we continue to have two primary concerns. It is our understanding that in other states, private schools have been unwilling or unable to accept students with a wide array of disabilities, resulting in the "cherry-picking" of those students who are less costly to educate. This will often include children with serious emotional disturbances (SED). To the degree this is the case it results in discrimination against these children and families. While the bill does require that private schools provide applicants information about their special education program and the qualifications of teachers, if they don't provide appropriate staff to serve children with SED then this will discourage use by families of these children.

Additionally, the program is funded by diverting dollars that currently support public education, including special education. These are already limited resources. If, in fact, the scholarships are used to primarily serve those children with less severe disabilities, basing the payment on the average costs to serve children with disabilities will further burden the public schools; they will be left to serve a population skewed towards children with greater needs with a pot of money based on children with average needs.

Private schools are not required to provide all the protections guaranteed under the Individuals with Disabilities Education Act (IDEA). While the bill requires the Department of Public Instruction to prepare a document to be provided with the application comparing the rights they will have in the private school with the rights they would have under IDEA, it is our understanding that parents do not always

appreciate the implications of these distinctions until it is too late. Should a voucher school fail to provide an adequate education with appropriate supports, the family has no legal recourse to obtain necessary services and supports. Their choice is then limited: remain at the private school that does not support their child, or return to their local public school that receives no additional funds for that child.

We appreciate changes from previous versions of the bill including the fact that it requires the receiving school to implement the child's most recent individualized education plan and provide a record of implementation. However, this again is not of value to parents of children with SED unless schools are required to accept these applicants and ensure that qualified staffs are present.

Thank you for your consideration of our position.

Copies:

Members, Wisconsin Council on Mental Health

Testimony on SB525
Shel Gross, Director of Public Policy
Mental Health America of Wisconsin

Senate Committee on Education
Feb. 13, 2014

Mental Health America of Wisconsin opposes SB525. We have two primary concerns about the legislation:

- It is our understanding that in other states, private schools have been unwilling or unable to accept students with a wide array of disabilities, resulting in the “cherry-picking” of those students who are less costly to educate. This will often include children with serious emotional disturbances. To the degree this is the case it results in discrimination against these children and families. While the bill does require that private schools provide applicants information about their special education program and the qualifications of teachers, if they don’t provide appropriate staff to serve children with SED than this will discourage use by families of these children.
- The program is funded by diverting dollars that currently support public education. These are already limited resources. If, in fact, the scholarships are used to primarily serve those children with less severe disabilities, basing the payment on the average costs to serve children with disabilities will further burden the public schools who will be left to serve these children.

Private schools are not required to provide all the protections guaranteed under the Individuals with Disabilities Education Act (IDEA). While the bill requires the Department of Public Instruction to prepare a document to be provided with the application comparing the rights they will have in the private school with the rights they would have under IDEA, it is our understanding that parents do not always appreciate the implications of these distinctions until it is too late. Should a voucher school fail to provide an adequate education with appropriate supports, the family has no legal recourse to obtain necessary services and supports. Their choice is then limited: remain at the private school that does not support their child, or return to their local public school that receives no additional funds for that child.

We appreciate changes from previous versions of the bill including the fact that it requires the receiving school to implement the child’s most recent individualized education plan and provide a record of implementation. However, this again is not of value to parents of children with SED unless schools are required to accept these applicants and ensure that qualified staffs are present.

February 12, 2014

Brown Deer

Cudahy

Elmbrook

Fox Point/
Bayside

Franklin

Glendale/
River Hills

Greendale

Greenfield

Hamilton

Hartford

Kenosha

Kettle Moraine

Milwaukee

Menomonee Falls

Mequon-Thiensville

Muskego-Norway

Nicolet

Oak Creek/
Franklin

Oconomowoc

Pewaukee

Port Washington/
Saukville

St. Francis

Shorewood

South Milwaukee

Waukesha

West Allis/
West Milwaukee

Westosha UHS

Whitefish Bay

Whitnall

My name is Terri Phillips and I am the Executive Director for the Southeastern Wisconsin Schools Alliance (SWSA). We represent 29 school districts in the Southeastern Wisconsin region and educate approximately 200,000 students. The districts I represent pride themselves in providing all students with the best educational opportunities possible, and this includes ensuring that the rights of our special needs students are protected.

As a large organization representing many public schools families, we appreciate the opportunity to testify at today's public hearing and share our position on the proposed Senate Bill 525.

The SWSA is opposed to SB525 for the following reasons:

1. The Individuals with Disabilities Education Act (IDEA) guarantees children vital and long fought for rights and protections. This legislation would eliminate that protection for children moving to private voucher schools.
2. The proposed legislation is unlikely to assist children with the most severe disabilities, who are very expensive to educate. Private schools may very well accept children with mild disabilities and leave those children with the most severe disabilities in neighborhood schools whose state funding continues to decline.
3. Once again, we are considering funding a program that skims school aid directly off the top of the State K-12 funding allocation, thus reducing State funds to local school districts. Ultimately, this program will increase local property taxes as school districts will be forced to increase their levy in order to make up for state revenue loss.
4. The intention of this legislation is to assist those families who were denied open enrollment when they are dissatisfied with the services provided by their home district. Fortunately, students with disabilities are guaranteed a free and appropriate public education. The Department of Public Instruction has a process in place that families can access if due process has been violated.
5. Finally, SWSA asks the legislature to take a step back and examine what problem they are trying to resolve. We question the intent of this legislation when so many families of special needs students are speaking out against it.

The SWSA continues to offer guidance to members of our legislature as you consider future education legislation. We ask that you thoughtfully consider your actions before taking an action that will be so detrimental to our special needs students and their families.

Terri Phillips
Executive Director

swsaexecdirector@gmail.com

632 Wakefield Downs
Wales, WI 53183
p: 262.442-0047

Terri Phillips
SWSA Executive Director

The Mission of the Southeastern Wisconsin Schools Alliance is to support and promote world class schools through research, advocacy, public policy and effective communication for the benefit of students and the economic vitality of the region.



**School District of
West Allis-West Milwaukee, et al.**
EDUCATIONAL ADMINISTRATION CENTER

February 13, 2014

Dear Senate Education Committee Members,

The School District of West Allis-West Milwaukee is providing testimony on Senate Bill 525.

The following are a few concerns regarding the Special Needs Scholarship proposal:

- By Federal Law the home public district is still ultimately responsible for the Individual Education Plan (IEP) of the Special Education Student even though he/she is not attending the district.
- Under current protocols, private schools are not required to have certified Special Education programs or staff members available for students which would be in violation of Federal IDEA guidelines.
- There is no clear defined plan in this legislation as to how the money will come back to the home district should a child who attends a private or voucher school decides to come back during the same school year.
- In this legislation the transportation responsibility is to be delivered by the public school district with no financial reimbursement identified. Currently we are only reimbursed for 27% of transportation costs and this will be an additional financial burden for public schools.
- This legislation has the Special Needs Scholarship equal the state-wide average of what public schools receive per pupil for educating special needs students. However, no portion of the Special Education Voucher dollars will be maintained by the public school district for staff and other related services and responsibilities the public school must provide according to Federal IDEA law for special needs children.

Thank you for your attention and consideration of this matter. Please contact my office with any questions.

Kurt Wachholz,
Superintendent of Schools

NMT

RESEARCH FOUNDATIONS AND PRACTICAL APPLICATION

I. What is Neurologic Music Therapy?

A. NMT?

NMT is defined as the therapeutic application of music to cognitive, sensory, and motor dysfunctions due to neurologic disease of the human nervous system. NMT is based on a neuroscience model of music perception and production, and the influence of music on functional changes in nonmusical brain and behavior functions.

B. Perception and production

NMT INTERVENTION/MEDICAL CODING QUICK REFERENCE SHEET

Code	Title	Description	NMT Intervention (s)	
97110	Therapeutic Procedure, one or more areas, each 15 minutes	Therapeutic exercises to develop Strength and endurance, range of motion and flexibility	PSE TIMP	
97112	Neuromuscular Re-education	Of movement, balance, coordination, kinesthetic sense, posture, and/or proprioception for sitting and/or standing activities	PSE TIMP	
97116	Gait Training	Includes stair climbing	RAS	
97530	Therapeutic Activities (one-to-one) each 15 minutes	Direct patient contact by the provider (use of dynamic activities to improve functional performance)	PSE TIMP APT	MMT MEFT
97535	Self care, home management training	Activities of daily living (ADL) and compensatory training; direct one-on-one contact by provider	PSE MMT	
92506	Evaluation of Speech	Evaluation of speech, language, voice, communication, auditory processing, and/or aural rehabilitation status	MIT RSC VIT TS	OMREX MUSTIM DSLML SYCOM
92507	Treatment of Speech, individual	Treatment of speech, language, voice, communication, and/or auditory processing disorders (includes aural rehabilitation)	MIT RSC VIT TS	OMREX MUSTIM DSLML SYCOM
97532	Development of Cognitive Skills (one-to-one) 15 minutes each	Improve attention, memory, problem solving (includes compensatory training) direct patient contact by the provider	MSOT MMT EM MACT	AMMT MEFT MPC
97533	Sensory Integrative Techniques (one-to-one) 15 minutes each	Enhance sensory processing and promote adaptive responses to environmental demands, direct patient contact by the provider	MSOT MNT APT	MACT EM MPC
97150 90810	Therapeutic Procedure(s), Group (2 or more individuals)	Group therapy procedures involve constant attendance of the physician or therapist, but by definition do not require one-on-one patient contact by the physician or therapist	MEFT MPC	

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II. Arousal, Orientation, Vigilance

- A. Auditory or sensory motor perception
- B. Sub-cortical processes, kidney response
- C. Cortical Arousal
- D. Functional Module Connectivity
- E. Reflex Model
- F. Coma and Consciousness

III. *Case Examples*

1. Javaire
2. Jeremiah
3. Meshal
4. Deshawn
5. Vaquon

IV Musical Sensory Orientation Training (MSOT)

1. Sensory Stimulation
2. Arousal Orientation
3. Vigilance and Attention Maintenance

Intervention Definition

MSOT is a technique that uses live or recorded music to stimulate arousal and recovery of wake states and to facilitate meaningful responsiveness and orientation to time, place, and person. In more advanced recovery or developmental stages, active engagement in simple musical exercises increases vigilance and trains basic attention maintenance with emphasis on quantity rather than quality of response. It includes sensory stimulation, arousal orientation, and vigilance and attention maintenance.

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Breitling et al, 1987
Gronwall 1977

Musical Sensory Orientation Training (MSOT) In Action

Deshawn:

- A. Diagnosis
- B. Brain function and connectivity
- C. Intervention selection and outcome measurement
- D. Clinical example video

V. Cognition: Music Attention Control Training (MACT)

- A. Attention
- B. Initiation, Sustain, Inhibition
- C. Sustained, Alternating, Divided
- D. Executive Function
- E. Brain structures and relevance to observable function

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VI. *Sensory Motor*

- A. RAS: Rhythmic Auditory Stimuli
- B. Motor priming, Sensory Arousal and Initiation of Motor Neurons at the spinal chord
- C. Motor Initiation, Priming, Sequencing, Timing
- D. Motor force
- E. PSE, patterned sensory enhancement
- F. Therapeutic Instrumental Performance (TIMP)

Sensory Motor In Action

Jeremiah, motor and memory processing and planning, patterned sensory enhancement

- A. Diagnosis
- B. Production of cognitive responses
- C. Cognitive modular connectivity, storage and recall, short-term or long-term
- D. Recall and retrieval through neural sequences/patterns
- E. Limbic VRS cortical

VII. Communication in sensory motor terms and neural sequences

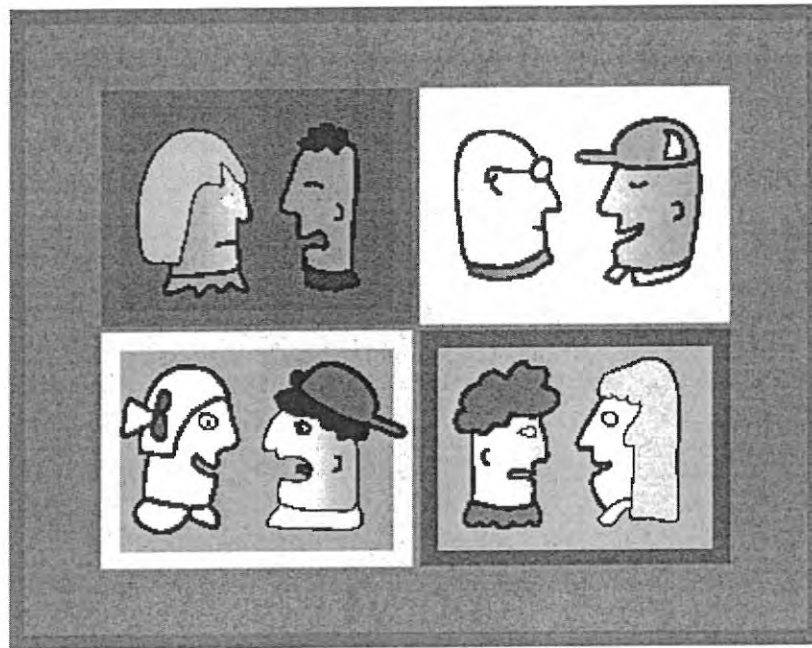
- A. Symbolic communication: (SYCOM) input output neural sequence
- B. Proximity of motor and communication modules
- C. Oral motor Respiratory exercises (OMREX)
- D. Musical Speech Stimulation (MUSTIM)

VIII. Transformation Design Model (TDM)

- A. Understanding neural basis for disability
- B. Designing functional goal and neural need to facilitate functional response
- C. Choosing musical elements that effect that process
- D. Designing musical tasks that facilitate that neural process, motor, sensory or cognitive response

Assessment tools:

TRIAD Social Skills Assessment



**Assessing Children with
Autism Spectrum Disorders**

Chapter 1

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Review

Into the groove: Can rhythm influence Parkinson's disease?*

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ABSTRACT

Previous research has noted that music can improve gait in several pathological conditions, including Parkinson's disease, Huntington's disease and stroke. Current research into auditory-motor interactions and the neural bases of musical rhythm perception has provided important insights for developing potential movement therapies. Specifically, neuroimaging studies show that rhythm perception activates structures within key motor networks, such as premotor and supplementary motor areas, basal ganglia and the cerebellum – many of which are compromised to varying degrees in Parkinson's disease. It thus seems likely that automatic engagement of motor areas during rhythm perception may be the connecting link between music and motor improvements in Parkinson's disease. This review seeks to describe the link, address core questions about its underlying mechanisms, and examine whether it can be utilized as a compensatory mechanism.

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*Every disease is a musical problem; every cure is a musical solution" (Novalis).

In the seventeenth century, the English physician William Harvey described animal movement as "the silent music of the body" (Harvey, 1627–1959). Walking, swimming, crawling, flying, and

other complex types of animal movement enable efficient exploration of different habitats, and although each is an inherently distinctive method of locomotion, all share a natural equipoise and fluency enabling swift sensorimotor responses to the environment. This smooth, graceful, "melodic" flow of movement is compromised in patients with Parkinson's disease.

One of the cardinal symptoms of Parkinson's disease (PD) is diminished ability in walking or gait. Patients demonstrate difficulty regulating stride length (Morris et al., 1996), reduced velocity, 'freezing' of gait and increased cadence or step rate (as demonstrated in Fig. 1) (Knutsson, 1972). Despite the success of pharmacological therapies in ameliorating some features of PD, gait deficits can be resistant to medication and over time become one of the most incapacitating symptoms (Blin et al., 1998).

One origin of gait impairment is deficient internal timing, the mechanism that precisely times and coordinates every movement

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Chapter 1

1

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2 CHAPTER 1 Assessment

Assessment

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- Prioritizing their problems
- Monitoring their progress
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Research Report

Author: Anne Shumway-Cook, Sandy Brauer, and Marjorie Woollacott

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RHYTHMIC AUDITORY STIMULATION IN REHABILITATION
OF MOVEMENT DISORDERS: A REVIEW OF CURRENT RESEARCH

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Rhythm, Music and the Brain

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Mindsight: Diagnostics in Disorders of Consciousness

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Toward Building a Better Brain: Neurobehavioral Outcomes, Mechanisms, and Processes
Of Environmental Enrichment

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JOURNAL OF APPLIED BEHAVIOR ANALYSIS 2002, 35, 213-231 NUMBER 3(FALL 2002)

USING THE PICTURE EXCHANGE COMMUNICATION

SYSTEM (PECS) WITH CHILDREN WITH AUTISM:

ASSESSMENT OF PECS ACQUISITION, SPEECH,

SOCIAL-COMMUNICATIVE BEHAVIOR, AND PROBLEM BEHAVIOR

MARJORIE H. CHARLOP-CHRISTY

CLAREMONT MCKENNA COLLEGE

MICHAEL CARPENTER AND LOC LE

CLAREMONT GRADUATE UNIVERSITY

AND

LINDA A. LEBLANC AND KRISTEN KELLET

CLAREMONT MCKENNA COLLEGE

Neuroscience and Biobehavioral Reviews

In to the Groove: Can rhythm influence Parkinson 's disease

Micromovement Analysis Improves Diagnosis of Autism - Psych Central News

psychcentral.com

By Elizabeth Torres, Indiana University

www.coma.ulg.ac.be/coma2009

the 13th Annual Meeting of the Association for the
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Unexpected recovery from the minimally conscious state: Lessons from Terry Wallis ...
Awareness in the vegetative state?

The brain's default state and intrinsic functional connectivity

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Critical Care Research and Practice

Volume 2012, Article ID 624724, 13 pages

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Review Article

Mindsight: Diagnostics in Disorders of Consciousness

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**Testimony on 2014 Senate Bill 525
By Sally Flaschberger, Advocate and
Monica Murphy, Managing Attorney
Disability Right Wisconsin**

Recommendation: Oppose

Good Morning. My name is Sally Flaschberger and I am a special education advocate with Disability Rights Wisconsin. I am also the parent of a young man who received special education services from age 3-18 in Wisconsin. Also, joining me today is Monica Murphy, Managing Attorney with DRW

Disability Rights Wisconsin is Wisconsin's Protection and Advocacy agency for people with disabilities. A major focus of our work both individually and systemically across the state focuses on special education and the rights of students with disabilities. While the majority of our work focuses on public education we are clearly not in the business of protecting "public schools" but the protection of the rights of students with disabilities and their families. This is the reason we are here today to speak against the current special needs voucher bill being considered.

Disability Rights Wisconsin understands the concerns raised by the parents that are struggling with their current school districts and their desire to find an alternative for their child. We work closely with many of these parents to find solutions that hold school districts accountable to educate students with disabilities. In the vast majority of cases, we are able to assist these families and come to a resolution between the parent and the school district sometimes even resulting in the placement of students in private schools to meet their needs. But, these agreements always come with the protections of the Individuals with Disabilities Education Act (IDEA.)

Disability Rights Wisconsin is in agreement with two of the current changes to the bill that protects students with disabilities. These were the addition of requiring the private schools to follow the requirements of Wisconsin Act 125, the seclusion and restraint bill and the addition of special education re-evaluation for students every three years to determine eligibility.

However, Disability Rights Wisconsin has been clear from the beginning that our organization's support of a special needs voucher bill is dependent on many factors including the protections of rights under IDEA and the further draining of resources from the public school system, which serve the vast majority of students with disabilities. The lack of these protections continues to be our overall objection to moving forward with this special needs voucher bill. While supporters of the bill will say that the individualized education plan, IEP, needs to be put in place at the voucher school, there is no Federal or State protections required with this implementation.

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RICE LAKE

217 West Knapp St.
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715 736-1232
715 736-1252 FAX

disabilityrightswi.org

800 928-8778 consumers & family

Schools participating in the program will not be required to have special education teachers or related service providers to deliver the services denoted in the IEP. Families will have no recourse to ensure the IEP services are provided as there are no avenues such as mediation, DPI complaints or Due Process Hearings available as there are for students protected by IDEA. We have found that most families, if given a true choice to attend any school or program to meet their child's needs, would choose also to retain their rights under IDEA. Under the current bill, families have no choice but to relinquish rights if they feel they must escape their district.

DRW is also concerned that this proposal does not require voucher schools to accept all children with disabilities. This will lead to students with the most significant disabilities unable to access the voucher program and school districts having a higher percentage of students with significant disabilities. Districts will see no reduction in overall special education costs as students with minimal needs will be the students able to access the program. Since there are no limits on the number of students that may be eligible to access the voucher system, the implications for funding are unknown and the overall impact on special education services in public school districts and the student they serve hang in the balance.

The current version of the bill requires an open enrollment denial as the gateway to voucher funding. Disability Rights Wisconsin is clearly aware of the discriminatory nature of the open enrollment system in Wisconsin for students with disabilities. We consider current open enrollment practices which allow for denials based upon extremely subjective factors of undue financial burden and space and give parents little negotiating power and appeal capacity to be discriminatory. Disability Rights Wisconsin and other advocacy groups have been working with the Wisconsin Department of Public Instruction to look at what changes can be made to open enrollment that does not require statutory changes. Changes are already occurring for this open enrollment period to provide more transparency to families. But, the real changes to end discrimination in open enrollment policies require legislative action. A revamped open enrollment system is the most advantageous school choice mechanism for families of students with disabilities in that it preserves essential rights and a parent's mandated, meaningful role in the special education planning process, at the same time giving families the options to relieve the pressures of a lower quality or poorly equipped school district. Significant improvements to the open enrollment system are a better alternative for students with disabilities than creating a new voucher system that requires them to relinquish IDEA protections.

Disability Rights Wisconsin seeks special education solutions that create safe choices for families, ensure maintenance of essential rights and demonstrate a commitment to improved quality in public schools. The proposed special needs voucher does not allow for these protections and does nothing to improve the quality of our public schools.



**Testimony of Glenn Schmidt
before the Senate Education Committee
February 13, 2014
Senate Bill 525**

Thank you for the opportunity to address the committee. I am Glenn Schmidt, a retired special education teacher from the Sun Prairie Area School District. I am speaking today on behalf of the Wisconsin Education Association Council.

I devoted 32 years to teaching children with special needs, kids who came to me in fourth grade unable to write their names; kids who couldn't get through a single class without an angry outburst; kids who had lost both parents to drugs, prison, or death.

Even with a Masters in Special Education, training in integrating high-needs students into regular classes, and partnering with Special Ed. parents, I was challenged to meet every student's unique needs. On the other hand, voucher schools are **not even required to employ special education teachers or therapists**, and have no obligation to meet a student's identified IEP goals.

SB 525 takes public tax dollars away from programs that serve special needs students and hands that money over to unaccountable private schools. Do you remember the LifeSkills Academy voucher school that closed in the middle of the night in Milwaukee recently, after taking more than 2 million in tax dollars? They've already opened a special needs voucher school in Florida that would fit right in with what you're proposing here.

They couldn't get a single student in the regular classroom to educational proficiency. Can you imagine how they'll be with students who have really serious learning problems?

Wisconsin children should not have to check their rights at the door. And taxpayers should not have to foot the bill for recovering lost academic time when a family realizes the lack of services and returns to the highly accountable public school system.

I was on the DPI committee charged with updating our definition of Learning Disabilities. I worked together with administrators, regular education teachers, parents and advocacy groups. That kind of collaboration is the solution to helping these children, not creating a separate unaccountable system.

Please oppose this bill. Decades of fighting for the rights of every child to get a free and appropriate public education should not be thrown out the door in the name of privatization and profit.

Thank you again for the opportunity to testify before you today.

Betsy Kippers, President



Stop Special Needs Vouchers Wisconsin

<https://www.facebook.com/StopSpecialNeedsVouchers>

<http://stopspecialneeds vouchers.blogspot.com>

Contact: Joanne Juhnke, joannethatsme@yahoo.com; 608-320-6165

February 13, 2014

TO: Sen. Luther Olsen, Chair Sen. Paul Farrow, Co-chair
 Sen. Leah Vukmir Sen. Alberta Darling
 Sen. Richard Gudex Sen. John Lehman
 Sen. Tim Cullen Sen. Nikiya Harris
 Sen. Kathleen Vinehout

Dear Members of the Senate Committee on Education:

We are parents and family members of students with disabilities; students and graduates of public-school special education; educators and community members and taxpayers of Wisconsin.

Together we urge you to reject SB525/AB682, the latest revision of a bill that would create a statewide special needs voucher program in Wisconsin. As with previous failed special needs vouchers proposals, this bill would be risky for the students who would take the vouchers, and harmful to students with disabilities in public schools and their classmates.

In Wisconsin and across the country, students with disabilities have the right to a free and appropriate public education, with legally enforceable protections, through the Individuals with Disabilities Education Act (IDEA). Unfortunately, the rights and protections of the IDEA do not apply in private voucher schools, and this special needs voucher bill does not change that. Private voucher schools are not required to have therapists or special educators on staff, and Wisconsin's existing voucher program has an unfortunate history of expelling or "counseling out" students with disabilities.

The bill puts no limit on the number of vouchers that could be granted statewide, reducing funding available for every school district in the state. While the recent statewide voucher expansion specified that schools must be in existence for at least two years before qualifying to take vouchers, the new special needs voucher bill makes no such provision, leaving the doors wide open for fly-by-night schools to choose Wisconsin solely to take advantage of the vouchers, and of some of Wisconsin's most vulnerable students.

We have seen just such a shady-operator disaster with LifeSkills Academy, the failed voucher school in Milwaukee that abandoned 66 Wisconsin students when they closed overnight in December. The school's founders moved to Florida to declare sudden expertise in special education, opening a new school that immediately qualified for that state's special needs voucher program. According to the Department of Public Instruction, LifeSkills Academy would also qualify for special needs vouchers in Wisconsin under this proposed bill. This is unconscionable.

In addition, the bill does not require private voucher schools to educate all students regardless of disability, the way public schools must. Private voucher schools can cherry-pick only the students they think will be easier to educate, while our already-underfunded public schools will have even fewer resources to fulfill their responsibilities to educate our students with the most complex challenges.

Finally, the bill requires families to receive a denial of an open enrollment request to transfer their student to another public school district before qualifying for a special needs voucher. Far from fixing existing issues in the open enrollment program, this provision would result in families seeking an open enrollment denial on purpose, just another hoop to jump through in order to claim a voucher.

We are deeply opposed to this latest attempt to pull public money out of public schools and into private schools where students with disabilities surrender their rights at the door, if the door is even open to them. We call upon the Education Committee to reject SB525/AB682, and to work instead toward improving open enrollment and restoring special education funding for Wisconsin's public schools.

Sincerely,

Family Members of Students with Special Needs, and Special Education Graduates:

1. Joanne Juhnke, Madison
2. Tammie Hefty, Mount Horeb
3. Terri Hart-Ellis, Milwaukee
4. Elsa Diaz-Bautista, Whitefish Bay
5. Anna Moffit, Madison:

There is no amount of money that is worth more than our children with special needs rights under IDEA.

6. Paula Buege, Middleton:

Please support Wisconsin's public schools. We're better together!

7. Sally Flaschberger, Brookfield
8. Barbara Katz, Madison:

"My son, now 22 and with significant developmental disabilities, benefited from a wonderful public school education that now allows him to hold three part time jobs and pay taxes. If he didn't have the protection of IDEA, and the rights it afforded him through his IEP, he would not be in the successful place he is today. I strongly oppose special needs voucher programs, primarily because families and youth give up their right to the important federal laws and regulations as stipulated in IDEA."

9. Chris Prange-Morgan, Sussex

10. Jennifer Bertram, Hartland:

I have an almost 18yo with epilepsy and has a IEP. She requires all the services that the school offers and the vouchers would affect her education greatly!

11. Hugh Davis, Hartland:

I am the parent of two boys who have received special education services. The protections afforded under IDEA must be available for all publicly-funded schools.

12. Karl Pierick, Madison:

I am a father of a daughter with special needs, we believe strongly in our public education, and are

STRONGLY AGAINST SPECIAL NEEDS VOUCHERS. You only have to look at other states, that already do this and the cost to taxpayers to agree this is NOT right for Wisconsin!

13. Sue McCormick, Iron Ridge:

"Public school absolutely saved my child with special needs. Accountability is imperative. My child started at a parochial school and they tossed him aside when he didn't fit into their mold. He almost gave up on himself. Now he is flourishing and continuing his education. This is because of Wisconsin's Public Schools and the special education program. Also, as a taxpayer, I have a big problem with my tax dollars going to private, parochial, and religious schools. I take seriously the separation of church and state. It is a proven fact that the voucher system is hugely open to corruption and creates the perfect environment for so-called schools to pop up overnight... like maybe the school of "I want federal tax dollars", all the while draining funds from our public schools. The voucher system does not have our children's well-being at heart, it is all about privatization. Please support our public schools and their special needs program!!!"

14. Jackie Baldwin, Arbor Vitae:

"As a parent of children with special needs who have had an IEP, I am opposed to the Special Needs Vouchers."

15. Charlotte Malone, Watertown:

3 of my 4 children had IEP's. They would not be the adults they are without the caring teachers at our public schools. For Charter schools to accept the children and their money without having the ability or requirements that public schools have would be so wrong. Thanks to public teachers they are doing fine now.

16. Katie Kubisiak, Rhinelander:

"As a parent of a child with special needs, I am opposed to special needs vouchers."

17. Nancy Gapinski, Glendale:

I am a parent of a child with a disability. I am very concerned about funding going to vouchers when special education in public schools is so underfunded. I also worry about parents giving up their rights under IDEA in exchange for a voucher.

18. Erin Miller, New Berlin:

"If typical children didn't get the same quality education using a voucher, we would be up in arms. Why should my child be any different?"

19. Ray Maurer, Oshkosh:

I am a parent of a child with special needs and am strongly opposed to this bill. Please reject it.

20. Pam DeLap, Oshkosh:

"I am the parent of a 13 year old son. I am opposed to these special needs vouchers for many reasons, but the priority reason is that by accepting a voucher the student loses their rights under IDEA and these vouchers create a discrimination process in which the private schools can pick the students with the fewest needs and deny the others."

21. Frances Bicknell, Madison:

We fought hard to include students with disabilities in the public schools and to have the federal rights to an appropriate education established. Do not throw our rights away!

22. Eric Anderson, Madison:

"There's a reason no established, mainstream disability organization supports this - it's not in the best interests of the disability community. While I appreciate the idea of improving the current system for those who are not being well-served, this isn't the way to do it - listen to those affected for more appropriate ideas! As a parent of a special needs child, I am appalled that a proposal that would in total do harm to our kids is even being considered. I'm generally not a one-issue voter, but this would fit that bill."

23. Danielle Kaiser, Madison

24. Kelli Simpkins, Madison

25. Kristie Halverson, Oregon:

"These vouchers recommend that children enter private schools without an IEP, often without proper SUPPORT and TRAINING necessary to assist their success there. This takes funds away from public schools and leaves the child VULNERABLE. Our children with special needs must be protected, and

their IEPs, required by law, do that. Our schools must be strengthened, so don't take special needs children and money away from public schools! You are targeting the wrong group of people."

26. Ian Bautista, Whitefish Bay:

"I am a parent of a thriving and successful special needs student. Please do not move forward with this measure. While on the surface it seems like a question of 'freedom of choice,' it is actually very limiting and harmful to students, families and communities that already struggle to attain adequate resources for inclusion and great education for all students."

27. David Pinno, New London

28. Kathleen Esson, Oshkosh:

I am a parent of a child with special needs and am strongly opposed to this bill. Please reject it.

29. Patti Becker, Oregon

30. Michael Oakleaf, Madison

31. Patrick Mooney, Madison:

"Our grandson has a public school IEP, but the staffing is not what it needs to be. Please oppose special needs vouchers in Wisconsin."

32. Mary Swifka, New London:

"I'm a parent of a child with a disability who expects that my public tax dollars support public schools, not private schools that will not be held accountable for educating children."

33. Cynthia Noffke, Madison:

I am a parent of a child with special needs and am opposed to this bill.

34. Donna Pahuski, Cambridge

35. Tonie Mixer, De Pere:

"I am a relative of a special needs child. Since funds have been drastically cut, my nephew is not getting the help he desperately needs. Please reject this voucher system. It will further hurt those who are already hurting!"

36. Dawn Wolff, Oshkosh:

Proud nana of a grandson with down syndrome

37. Barbara Sorensen, Washburn:

"I am the mom of a 32 year old with autism and mental health challenges who grew up in an age of enlightenment in Wisconsin. Sadly, the gains of that time are now under attack, and I am sad for the parents of today and their children. Those in power now will walk away with no remorse for the lives they have destroyed."

38. Beth Guthrie-Moss, Madison

39. Kevin Fech, Cudahy

40. Tracy Hedman, Glendale

41. Kathryn Schierl, Neenah

42. Meme Mihalovic, Onalaska

43. Kelly Highman, Racine:

I am a parent of a Special Needs child.

44. Mary Lynn Larson, Appleton:

Parent to two children with special needs

45. Jean Yosick, Middleton:

I am a parent of a student with special needs and feel the special needs vouchers would be a huge mistake!

46. Lori Fatla, Milwaukee,

47. Jennifer Kuhr, Menasha:

STOP SPECIAL NEED VOUCHERS

48. Jason Endres, Madison:

Tell ALEC and all of his rich friends to stay out of Wisconsin. WE DONT WANT YOU!!

49. Julie Welch, West Salem:

"I had a brother-in-law, now deceased, who was a special needs child and throughout his life. This was several decades ago when teachers had little or any training in working with students with learning difficulties. I think he would have been able to be more productive if he had had access to today's Special Education understanding."

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50. Sarah Altmann Johnson, Green Bay:
I am the mother of a special needs child and am opposed to special needs vouchers.
51. Lowell Sauers, New London:
"My son has a developmental disability and depends on the competent and caring staff in our public school. Why on earth would I want to send my child to a private school that isn't held accountable for his academic progress? Voucher schools aren't even required to provide the most basic, most fundamental rights and protections that are guaranteed by federal law in his public school. Public tax dollars should remain in public schools."
52. Pam Johnson, Cumberland:
I am the grandmother of a special needs child.
53. Julie Larson, Superior:
"I am a mom to Three girls & two of my children struggle in school right now. One has hearing impairments and the other is smart, but has a difficult time learning. With out funding for special needs my two children would really be behind the rest of the students. There are many other students that would not be able to be with their peers without Special Education. Please do not strip it from our schools. Every student deserves a equal education In Less Restrictive Environment."
54. Cathy Pagel, Sun Prairie
55. Lori Cathey, Bonduel:
"As a parent with a special needs child, I believe this is bad for him! Public schools meet all his needs and private schools are not required to!"
56. Julie Heibel, Waunakee
57. Tammy Sylvester, Union Grove:
"I am a parent of a child with special needs who I have HOPE for just as any other parent would! I am appalled that this is even a consideration. We need a community to raise all children, and unfortunately funding is a necessity to help ALL children be a success. The idea that a committee can meet and remove essential funding that will impact our children's future is incredibly wrong. No one on that committee should have that much power. Please reconsider your positions. The choices you make will affect my child's and many others' achivements. They deserve a chance to be self-sufficient and the the ability to be proud of who they are and what they may become and overcome. I implore you not to pass this bill."
58. Cassandra Hansen, West Allis:
I am the mother to a son with special needs.
59. Wendy Rainford, Middleton:
I am the parent of a child with special needs and I urge you to reject special needs vouchers in Wisconsin. They will not help my child and they will be detrimental to him and other children with special needs.
60. Teresa Raatz, Madison
61. Amy Polsin, Lowell
62. Brian Gehring, Madison:
I am against this. Students should be mainstreamed and not in segregated in a different school
63. Deb Ramacher, New Richmond
64. Mara Ansfield, Madison
65. Madeline Mignano Borkin, Cedarburg
66. Kelly Brodhagen, Appleton
67. Harriet Redman, Appleton
68. Robert Baldwin, Arbor Vitae
69. Meg Gauger, Arbor Vitae:
I am the mother of a special needs child. Please do NOT take away from special needs children any more than has already been taken away. They are not 'throw away' children which is what special needs vouchers will make them. I respectfully ask you not to pass special needs vouchers.
70. Angie Hughlett, Hartland:
"As a parent of two special needs students who graduated from the schools on IEPs, I can't imagine how it would've been done without the limited resources and accountability that were in place. Please stop the Special Needs Vouchers as worded."

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71. Rick Petzke, Madison
72. Carol Krogmann, New Berlin:
"As a grandparent of a special needs child, I strongly ask you to reject this SB525 and AB682. These special needs vouchers are wrong for our children and wrong for Wisconsin. There are provisions that are required in the public schools that will not be offered and regulated in the private voucher schools. Please protect our children; do NOT support this bill."
73. Jonquil Johnston, Madison
74. Lisa Helms, Whitewater:
Public schools are the glue that holds together our system for children with disabilities. There are regulations they must abide by to ensure these children get exactly what they need-- not to mention public schools help kids whose families might not be able to afford their childrens' educations.
75. Cheryl Boyd, Rhinelander:
I am a parent of a special needs child. I also have worked in daycare settings and respite for disabled children for many years. I feel that the special needs vouchers would be harmful for many children.
76. Carolyn Johnson, Green Bay
Vouchers for special needs are flat out WRONG and will undermine our need to strengthen public education for ALL students. Parent of special needs student....
77. James Holmberg, Waukesha:
"As a parent of three children with developmental disabilities I feel very strongly that the Special Needs Vouchers will negatively affect all Wisconsin children, especially those with disabilities."

Educators:

78. Rachel Schlueter, Milwaukee:
"As an educator I am really tired of these new bills being enacted by non-educators. I'm tired of my district and our resources being drained by the governor, the GOP and these ALEC backed vouchers. The vouchers would undermine the Individuals with Disabilities Education Act (IDEA), which gives students rights and protections in public schools but does not apply in private voucher schools. The vouchers would also drain funding from public school districts statewide, that have to educate all students regardless of disability. Private voucher schools, meanwhile, would get to pick and choose. Students with more complex disabilities will remain at the public schools, while the funding drains away. Please stop dismantling our public schools. We welcome all children at the door. Enough of this ALEC backed insanity!"
79. Nancy Mueller, Milwaukee:
"As a retired special education teacher, I oppose special needs vouchers because they take away rights from students who need the most help to succeed, because I have experienced special needs students return to public schools after losing a year or more growth in voucher schools, and because this proposal drains money from the public schools who will be left with the most severe special needs children after the voucher schools 'cherry pick' their students. This proposal is wrong for students with special needs. No special needs organization supports this bill. You shouldn't, either."
80. Heather DuBois Bourenane, Sun Prairie:
Please listen to the experts and parents who best know the needs of our most vulnerable students and stop special needs vouchers.
81. Jennifer Herdina, Madison
82. K Kennedy-Steffen, Madison
83. Julie Mead, Middleton:
There is no research that shows that special needs vouchers work.
84. Gail Hawley, Menasha:
I am an educator at a private school and I have a nephew with special needs.
85. Sheila Plotkin, McFarland:
"I was a teacher and diagnostician in Milwaukee Public Schools' Deaf and Hard of Hearing Program for 28 years. With the passage of IDEA in 1976, our program expanded its services, improved their

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delivery, and increased children's learning and chances for success. IDEA served as the impetus for a wide range of program developments and teacher training efforts. I participated as a learner and as a teacher, and I was proud of the way in which MPS supported us and our kids. Even with close-to-ideal circumstances and strict attention to IDEA's requirements, there were stumbling blocks to full implementation of the mandated Individual Education Plans (IEP). Chief among these was a lack of training for regular education teachers aimed at giving them a deeper understanding of special education students' needs. Throughout my 20 years as the program's diagnostic teacher, I encountered many dedicated regular education professionals, eager to provide the best learning environment they could for special education students. But, in many cases, their knowledge base was sparse, and they didn't know how to structure that environment appropriately. The IEP served as the vehicle for describing that environment as required by IDEA. What requirements do voucher schools have if IDEA does not apply to them? Who will train their teachers to create appropriate learning environments for the special education students entrusted to them? Will they hire specialists like me to train their staff? Will they be required to purchase expensive listening devices for the hearing impaired children they admit? Will they implement the IEP that is based on the individual needs and learning style of each student? Will they reevaluate on a regular basis? How will they assess special education students' progress? Will they hire sign language interpreters for deaf students who need them? Will they have an audiologist or trained teacher of the deaf on hand to deal with malfunctioning hearing aids? Will they modify standard English texts and tests so that students whose language is limited by their disability can learn from them? Will they hire aides for the child whose disability requires personal attention? The special education voucher gives education-for-profit schools tax payer money and a vulnerable child. It does so without insuring an appropriate education. Simultaneously, this education-for-profit voucher removes money from the public schools where the law requires an appropriate education. There is nothing in this education-for-profit scheme that benefits children with special education needs. There is nothing in it that benefits public education. The only benefit goes to the education-for-profit entrepreneurs who will use tax payer money for their personal enrichment while the needs of vulnerable children and the hopes of their trusting parents languish unmet. Tell your education-for-profit donors that our democracy requires more of you. Tell them that our children demand more of you. Tell them that you will draw the line at using vulnerable special needs children as cash cows. Tell them that you are the people's representative, not theirs. Tell them now."

86. Jane H. Kavaloski, Dodgeville:

I was a school social worker for 30 years. Special needs vouchers would drain vital resources away from the public schools and the wide variety of students with special needs that they serve.

87. Barbara Keresty, Madison:

"As a 28 year career educator in both public and private schools in WI, I am opposed to any legislation that takes money and support away from our public school students."

88. Tom Heppe, Shorewood:

I was a former school employee working specifically with Special Education children.

89. David Hulback, Bruce:

"I am a retired educator who spent a large amount of time helping parent, SPED educators, para-professional and other staff prepare IEPs for students with special needs. Public education is doing an outstanding job of helping these students find success while also providing these students with resources to use after high school. Removing any funding from the already stretched budgets will greatly impact these needy students."

90. Sherry Samardzich, Bruce:

Teacher

91. Michele Benesh, Brodhead:

"As a retired special education teacher, I am well aware of the need for extreme oversight of special education programming and well-trained professionals to deal with all of the facets involved in same. By law, students are entitled to be educated in the most appropriate environment, and I am sure that voucher schools don't meet those standards!"

92. Charles Tennessen, Dodgeville:

Retired teacher of students with special needs.

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93. Nancy Gloe, Madison:
"Special needs students in public schools are guaranteed many educational rights through IDEA. They lose these provisions when they attend private schools which have little experience addressing the varied needs of these children. These kids cannot afford to be an experiment in educational funding. Please protect their rights. They should attend schools with IDEA provisions."
94. Deborah Galstad, Lake Mills:
I am a educator in the Lake Mills School District.
95. Ann Halverson, Appleton:
I am an educator. I worked in the Appleton Public Schools for 25 Years.
96. Catherine Anderson, Osseo:
I am a retired teacher of special needs students. I know first hand the needs of these children. Their needs can not be met by a school whose mission is not 100% dedicated to teaching all children.
97. Flo Muwana, Appleton:
Educator
98. Carol Kiemel, Madison:
"As a former Early Childhood Special Needs teacher in Wisconsin, I am greatly alarmed that the support surrounding children with special needs and their families will be undermined by allowing fragile parents to choose vouchers and thus lose protections under IDEA as well as all the supports in place in the public school system."
99. Kathryn Burns, Madison:
"I am a concerned Wisconsin public school teacher who teaches both regular and special education students in an inclusive classroom. Special needs vouchers are wrong for our students and wrong for our state. This proposal would put special education students at risk if they use the vouchers to attend unregulated, private schools. The vouchers would undermine the Individuals with Disabilities Education Act (IDEA), which gives students rights and protections in public schools but does not apply in private voucher schools. The vouchers would also drain funding from public school districts statewide, that have to educate all students regardless of type and severity of their disability. The loss of these resources in our already underfunded public education system would harm the students who remain in public schools. This is not a good use of our tax dollars, since the investment of public funds into private voucher schools has thus far shown little to no proven, positive result as an education reform. In fact, I believe research has shown that the majority of students enrolled do just as well or worse than their counterparts in public schools. Like me, as someone who has been given the public trust and responsibility to provide and protect the quality of our public education system, you must make sure you do no harm to our existing public schools. Those schools belong to all of us in the community, not just this generation of parents. They are not the only ones that should have choices. My CHOICE is to continue to invest in our Wisconsin public schools and support them in the important work they do for our state for this generation and those yet to come."
100. Lana Kropp, Madison
101. Sandy Whisler, Lake Mills:
I am a community member and retired educator. Special needs vouchers are wrong for our students and our state. I urge you to vote against them.
102. Elizabeth Gauger, Milwaukee:
"As an experienced, licensed, special educator, I know the harm that has come to our students who have been enrolled at voucher schools that don't even have one licensed teacher, let alone special educator and are not required to serve, or even look at their IEP. This would be like allowing someone to declare themselves a doctor or a lawyer and set up shop without any education. Why would anyone think this was a good idea? Is there so much blind hate for public education coming from the Republicans that they can't protect our vulnerable students?"
103. Julie Paulson, Racine:
"I am a Special Ed. teacher in a public school system. I witness every day the impact vouchers have had on the district, and what the cuts to public education have done to ALL programs. I also visit private voucher schools to do evaluations. Honestly, they are NOT prepared nor equipped to handle our very special children, and by law would NOT have to implement the plans developed to educate these children. Public monies to line private pockets for lesser service.....how is any of that right?"
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104. Linda Stellick, Verona:
"As a former public school occupational therapist, I doubt that private voucher schools will provide the level of service that special education students deserve. This is a very bad idea."
105. Lisa Dittbrener-Kolz, Milwaukee:
"I have been a public school teacher for 28 years. Each of these years have had fantastically trained and dedicated teachers who have served the special ed population of elementary students well. I served as a Title 1A teacher for reading and math k-8th grade for just 5 months. This was in the Milwaukee inner city. I left partially due to the fact that parents who had students with an IEP were not always told by administration that Title 1A was not the same as special ed support. The Title 1a teachers would tell the families, but the administrators would not always back the Title 1A teachers for saying this. The parents would trust the administration over the teacher. Title 1A teachers DO NOT have special ed training and could not meet the needs of the student. They did not receive copies of the IEPs from previous schools the students had attended. The main population did not have enough physical materials needed for learning on a daily basis. Not enough paper, pencils or pens. Teachers bought these items. One of the schools was being watched by the state as a result of the serious level of abuse in funds received and was in danger of shutting down. The Title 1A teachers fought hard to get the administration to hire certified special ed teachers for the special needs students, but this fell on deaf ears... This IS NOT what American education is all about. This is such a far cry from a quality education that certified teachers so happily provide for their special needs students. I personally can attest to the vast difference in the quality of education between certified and non-certified teachers in the area of depth in skills and tools the teachers did have over the non-certified teachers. The number of times I was just horrified at what the children were NOT being given at this school still bothers me to this day. I now work in a program with certified teachers who are well trained and committed to the well-being of their students and know how to provide the services or can network needed personnel in a timely manner for the duration needed. These students can be productive citizens given the proper support needed."
106. Brenda Morris, Madison:
"As a teacher, I see firsthand the wide range of services special needs students have a right to receive in public schools - these services are not guaranteed in voucher schools. Please don't dupe parents of special needs students into giving up their rights in voucher schools who have substandard accountability measures."
107. Christina Czosek, De Pere:
"I teach many students with special needs. Many of them have accommodations to help them to be successful. Those accommodations are not guaranteed in private schools. Private schools can accept special needs children until the 'third Friday count' - at which point they get state funding - and then tell families, 'We feel your child would be better served in the public school, we cannot provide the services he needs.' So the student now returns to his home public school, but the thousands of dollars it costs to educate him still belongs to the private school. Senators and Representatives, parents and educators of special needs students know that this is not what is best for our children. Please vote to STOP special needs vouchers in our state!"
108. Heather Arnoldussen, Madison
109. Carol Heffner, Eagle River:
I am a retired special education teacher who stays involved with the school environment through substitute teaching. Our students with special needs are more vulnerable than other students. Please do not take away the support systems they need to assist them to reach their potential. We want them to become as independent and self sufficient as they can be. Placing the students with special needs into the voucher system will lessen their chances of becoming more independent.
110. Eda Wilson, Whitewater:
Leave special education to the special educators. THEY know what they are doing and they know how to facilitate learning in kids with special needs. I practiced as a speech/language pathologist for 33 years in Jefferson County (WI). I think I know something about this.

Administrators and School Board Members

111. Mike Humke, Dodgeville:
"As a school board member, I am saddened by how the public schools are being put to the side burner for special interest money... just so a person can stay in his or her position of authority. Please listen to the parents of the special needs children."
112. Luke Gangler, Madison:
"Student Representative, Madison Board of Education"
113. Mary Arnold, Columbus:
"As a school board member, I join with WASB in asking you to reject special needs vouchers. As Senator Luther Olsen has put it, Wisconsin cannot afford 2 different school systems, and this bill will not only deny special needs students their rights under law, it will drain funds from public schools."
114. Randal Braun, Cameron:
As a district administrator I am well aware of the negative financial impact this bill would have on my district; but even more impactful would be the disservice that would be done to children with special needs whose parents unwittingly signed away their rights and services.
115. Wendy Bedale, Hollandale:
I'm a community member and school board member who strongly supports public schools in our state.
116. Marjorie Passman, Madison
117. Dean Loumos, Madison
118. Thomas Mertz, Madison
119. Michelle Schaefer, Wausau:
"As the president of the Wausau School District Board of Education, I am troubled that special interest groups continue to introduce these vouchers in our state. In my opinion, it is not just wrong, it is immoral. We must stand up and be a voice to children with special needs! We must continue to stand up for public education, we educate every child...every day."
120. Gail Radonski, West Allis:
"I am a West Allis-West Milwaukee School Board Member. No vouchers for special needs children outside the tax supported public schools. Giving vouchers to charter/private schools just takes the needed money away from the children with special needs that our school districts 'must provide' additional support for which is mandated by state standards, which private schools are not accountable to."
121. Doug Mering, Baraboo

Other Community Members

122. Alaura Cook, Milwaukee
123. Rafael Burgos Rivera, Milwaukee
124. Allen Kind, Waukesha
125. Nancy Morris, Milwaukee:
"Inclusive schools are the best way to educate our children, and prepare a future workforce and build a strong community."
126. Jill Gaskell, Blanchardville:
This is a misleading bill that is not good for special needs students or any other public school student anywhere in Wisconsin.
127. Meri Christensen, Watertown:
*"Respect the Wisconsin Constitution
ARTICLE X. EDUCATION. SECTION 3.
The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be FREE and WITHOUT CHARGE for tuition to all children between the ages of 4 and 20 years"*
128. Stephanie Ramer, Madison

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129. Nancy Youngerman, Madison
130. Carrie Klenko, Ridgeway
131. Karin Babcock, Appleton
132. Bradley Geyer, Jefferson:
Public dollars = public schools. They need to all follow the same rules.
133. Jeff Spitzer-Resnick, Madison:
Stop the rip-off of tax payer funds which further segregation.
134. Ivelis Perez, Milwaukee
135. Douglas Perry, South Milwaukee
136. Heidi Waddell, Verona
137. Joanne Fetting, Whitefish Bay
138. Liz Sanders, Whitefish Bay:
I am a parent of 3 children who do not have disabilities but I am standing for the preservation of the rights of all children to be protected by IDEA and for the value of public schools.
139. Barbara Muse, Sun Prairie
140. Greg Gordon, Waunakee:
There is no need for these vouchers. Support public schools.
141. Laura Chern, Madison
142. Margaret Tobias, Milwaukee
143. Kenneth Mering, Baraboo
144. Inna Larsen, Madison:
"Stop the transfer of money from public schools. It's a slow drip, first the minority and special needs kids and then everyone, because the ultimate goal is to dismantle public education and have an underclass that will do whatever it is told by their corporate minions."
145. Gerald Flynn, Stoughton
146. Mary Jones-Giampalo, New Lisbon
147. Kristin Collett, Milwaukee
148. Greg Meyer, Monico
149. Tanya Oemig, Evansville
150. Jill McNaughton, Madison
151. Char Brandl, Madison:
Support public schools and their teachers. We can do a better job. Special need vouchers is NOT the way to go!
152. Mary Maki, Little Chute
153. Jeanette McCallister, West Allis
154. Rick Ruecking, McFarland:
"As a taxpayer, I have a big problem with my tax dollars going to private, parochial, and religious schools. I take seriously the separation of church and state. The voucher system is open to corruption and creates the perfect environment for so-called schools to pop up overnight like the one that closed recently and whose owners ran off to Florida with \$2M of Wis tax dollars - draining funds from our public schools. The voucher system does not have our children's well-being at heart, it is all about privatization. Please support our public schools and their special needs programs!"
155. Susanne Breckenridge, Madison
156. Mary Jo Walters, Madison:
"It is the collaboration of many teachers in the classroom that is growing the cooperation movement in the public schools in Madison, WI, and my kid is better for it."
157. Lauren Selingo, Cedarburg:
As a person who coaches Special Olympics and is friends Voucher program would be harmful to our state.
158. Gary Stout, Madison
159. Rose Sime, Middleton:
Private schools often do NOT have resources and trained teachers to accommodate students with special needs! These special children are best served in the public school system. Let's not meet the needs of a few who feel they are not being well served to the detriment of many!
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160. Paula Benton, Madison:
Please protect our Wisconsin Public Schools and our special needs children.
161. Peg Wallace, Madison
162. Maddie Braun, Oshkosh
163. Sarah Wagner, Salem
164. Jeff Knight, Monona:
Fully fund our special education programs in public schools instead of developing a harmful two-tiered system that further erodes adequate funding for our special needs students.
165. Sharon Nash, Middleton:
Funds should not be provided to private schools that are allowed to teach discrimination according to their religious theology. Supporting discrimination and weakening public education for all students is a travesty and has crossed the line of the separation of church and state. If we are paying for private religious schools they should pay taxes to support the program. Fair is fair.
166. Donna Tarpinian, Stoughton
167. Helen Findley, Madison
168. Ellen Nibbelink, Middleton
169. Peggy Kriebel, Soldiers Grove:
This voucher plan would take Wisconsin back to the 1950s.
170. Kathleen McQuade, Madison:
"The struggle to protect students with special needs has been a long, hard-fought battle. The protections afforded by IDEA and state laws should not be tossed to the 'voucher wolves' in the name of 'choice!'"
171. Ann Green, Milwaukee:
Which voucher school will willingly accept a student with extensive medical and learning issues? Who will recruit those kids with mental illness? This bill promotes discrimination.
172. Mary Kushner, Milwaukee
173. Marveen Phelps, Madison:
Please fully fund the public schools. Special needs students need qualified teachers trained to meet their needs.
174. Trygve Danielson, Orfordville:
This is bad policy for special needs kids and bad policy for regular ed kids. What part of PUBLIC EDUCATION don't these people understand?
175. Jerene Silars, Port Edwards:
"Please stop Special Education Vouchers...you will be hurting the very children you wish to help by taking away special education services and equipment. By allow private schools to accept the money but not be accountable to the child's IEPs and needs, that is shameful!"
176. Elizabeth Gokey, Madison
177. Nan Brien, Madison:
"Special needs students deserve the services provided in PUBLIC SCHOOLS. Please, do not tamper with their education."
178. Katherine Spannbauer, Oshkosh
179. Dustin Beilke, Madison
180. John Egan, Kohler
181. Pamela Wall, Eau Claire
182. Christine Ratchman/Westphal, Oshkosh
183. Mary Gossett, Proctorville
184. Jill Ellinwood, Baraboo
185. Diane Barton, M:
I am a member of our community who wants to see a strong public school system which supports and educates our special needs kids along with our mainstream kids.
186. Richard Olson, Sheboygan:
I am a pastor to several families with special needs children in the public school system.
187. Peter Michaelis, Madison
188. Teri Hanson, Kennan

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189. Maia Perez, Madison:
"Schools are already underfunded. This bill would hurt them, and all of the students—but especially their special needs students—even more. Stop trying to privatize education at the expense of children."
190. J F Paul, Green Lake
191. Lisa Orvis, Glendale
192. Patricia Burton, Columbus
193. Julie Grimme, West Allis:
"Putting a corporation in 40% of the Wisconsin revenue stream, are you insane?"
194. Norm Littlejohn, Madison
195. Martin Alvarado, Madison:
Voucher schools discriminate against children with major disabilities.
196. Gail M Saari, Maple:
Public Education is what works in Northern Wisconsin in the CESA-12 area! Public Education is what works in Rural Schools through out the state of Wisconsin!
197. Rachel Buff, Milwaukee
198. Mike Zussman, Milwaukee
199. Susan Mueller, Fall River
200. Nancy Saiz, Madison
201. Kevin Ronnie, Milwaukee:
"Bad bad bad idea. We've already seen how vouchers with no standards creates openings for terrible schools in Milwaukee. No need to revalidate that experience with another, even more vulnerable, population."
202. Linda Pierron, Appleton
203. Shari Stephenson, Madison
204. Joni Weinert, Bruce:
Oppose this bill to keep services strong for special needs students in WI.
205. Ann Heywood, Eau Claire
206. Carol McDonald, Oshkosh:
"As a volunteer who works with children with disabilities it is clear to see that SB525 that not only will students participating in the voucher programs will lose their lose all their IDEA rights, and be harmful to students remaining in public schools which is already under-funded, and losing still more funding to the voucher program. Please do not pass this legislation. Thank you."
207. Barb Strand, Rice Lake
208. Lori Von Asten, Baraboo
209. Susan DuFresne, Green Bay:
"Special needs children need the help of specially trained teachers. Unfortunately some loving parents are swayed by private schools saying that they are so good, the children can be placed in a regular classroom. Parents want to hear this. Sadly a few months later, they find that their child's needs are not being met."
210. Janice Redford, Cambridge:
Wisconsin needs to protect public education and not erode help for Special Needs students!
211. Jim Ward, Greendale
212. Jeffrey Steinmetz, Bruce
213. Lori Scoles, Bruce
214. Jerilyn Michaud, Bruce
215. Wendy Sperberg, Shawano
216. Barbara Blackmore, Richland Center:
Funding for students with disabilities needs to stay with the public schools to prevent all programs from suffering from lack of funds.
217. Leslie Bruce, Madison:
Stop special needs vouchers. Children are not political playthings.
218. Mary Jurmain, Eau Claire
219. Lori Villiard, Exeland
220. Bill Werner, Milwaukee

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221. Jean Weisser, Bruce
222. Kristin Bausch, Lancaster
223. Linda Phillips, Cudahy
224. Andrea Crowley, McFarland
225. Ted Kraig, Milwaukee
226. Thomas Beebe, Fort Atkinson:
"I'm signing this as a parent, former school board member, and grandfather who knows we are better off supporting and working to improve the civil rights and quality schools in the public education system. Allowing some of our most vulnerable children to be used in this continuing and failing private school experimentation is just plain wrong. I support increasing the state special education reimbursement that has been reduced year after year after year for two decades."
227. Susan Kishel, Eau Claire
228. Richard Shikoski, Oshkosh
229. Bonnie Trudell, Madison
230. Alyson Zwiefelhofer, Bloomer
231. R Checkalski, Bruce
232. Richard Feldhausen, Green Bay
233. Jacalyn Schlies, Bruce
234. Dionne Pilachowski, Necedah
235. Deborah Speckmann, Madison
236. Nicole Homer, Eau Claire:
"My spouse is an educator that is struggling to teach his entire class because he lacks the classroom support to assist with a special needs student in his classroom. Thus, instead of focusing on every student, his attention is oftentimes having to be shared with only one. Thus, the whole classroom is at risk to suffer. His public school is feeling the pinch, as most are- so support staff were not hired to address this issue despite initially being posted (to have someone on for as many hours as they would need would require they provide health insurance! Goodness no to that!). Schools who do not offer quality education to all of their students should not be receiving a penny of this state's money (our money!). Education should be a right to all- and to make that a possibility you must mandate quality education to children of all levels of capability. If you cannot legally mandate that of private institutions, then those institutions should not be receiving money from the public. I also disagree with tax money being used to fund religious and parochial schools. Separation of church and state is pretty darn simple to understand. I have no problem with those schools, but I do have a serious problem with the state funding them."
237. Heidi Haas, Livingston:
Our country is only as strong as its public schools!
238. Patricia Dayton, La Crosse
239. Dianne Melby, Beloit
240. Laura Kirchoff, Mt. Pleasant
241. Donna Montgomery, Madison
242. Gloria Weiskotten, Milwaukee:
Special Education children need Specially trained teachers so their needs to be rules for who is qualified. Public schools have those requirements.
243. Kim Hayward, Beloit
244. Tom Fineran, Mount Pleasant
245. Jennifer Wisnewski, Oak Creek
246. Edna Feldman-Schultz, Janesville
247. Kimberlie Emery-Prichard, Milwaukee
248. Laura Hartnett-Weiner, Milwaukee
249. Eilene Stevens, Bayside
250. Kristin Ziama, West Bend
251. Gretchen Lowe, Madison
252. Susan Phillips, Cottage Grove
253. June McCluskey, Madison

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254. Daren Catlin, Merrill
255. Deborah Lofgren, Madison
256. William Turner, Madison
257. Laurie Ollhoff, Wausau
258. Mary Shaw, Madison:
"PLEASE! I am not a family member, but have friends with special needs children and I care. I worked and and retired from the Waisman Center here in Madison and came in contact with families of special needs children. They deserve only the best we have to give them and as this petition says, The vouchers would undermine the Individuals with Disabilities Education Act (IDEA)."
259. Brad Emmert, Madison:
Community member of GRUMPS
260. Lucy Walter, Fort Atkinson:
Keep public money public; separation of church and state is in the constitution.
261. Joseph Kane, Mt. Pleasant:
"Innumerable studies have shown charter schools, in addition to being ineffective, drain real tax money away from real public schools and funnel it into profit-making private hands. Reject this lunacy now! If private voucherized schools are as great as proponents CLAIM, then let them meet the same laws that the real schools do."
262. Nick Schueller, Jackson
263. Jeffery Hoffman, St. Francis
264. William Smeltzer, Madison:
*The Special Education voucher proposal should be opposed for several reasons. The parents of handicapped children oppose it. The consensus among educators is that these children benefit most from a supported inclusion. Similar programs have been badly abused in other places by charter schools skimming *cheap* special Ed kids while leaving students whose handicaps are difficult or expensive to mediate in the public schools.*
265. Laura Priebe, Milwaukee
266. Kelley Everson, Beloit
267. David Koeller, Shawano
268. Scott Fields, Milwaukee
269. Diane Faust, Oshkosh
270. Kay Brockman-Medegas, Clintonville
271. Diane Prefontaine, New Franken:
Please quit trying to funnel more public dollars to special interest Charter Schools and privatize public education.
272. Monica Lopez, Milwaukee
273. James Dunning, Eau Claire
274. Alison Viemeister, Janesville
275. Craig Fischer, Janesville
276. Linda Striegel, Janesville
277. Margaret Gnad, Plymouth
278. Roxanne Lamb, Menomonie:
The private schools can not provide the support needed and take away from the precious public resources
279. Lisa Mahan, Milwaukee
280. Piper Bacskai, Madison
281. Andrew Seeger, Clinton
282. Susan Gaeddert, Madison:
"I have several close friends who are the parents of children with special needs. I know how special needs vouchers will negatively impact public K-12 education in the state of Wisconsin, not just for special needs students, but for all students. I do NOT support this bill, and no one in the state Senate or Assembly should, either."
283. Michelle Klett, Oshkosh
284. Stephen Reuter, Milwaukee

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285. Laura Schroeder, Madison
286. Kathy Bomber, Green Bay
287. Lee Van Landuyt, Hillsboro:
Stop draining money from public schools! It is time that you consider the good of the children and not what for profits want...
288. Jack Ingeresoll, Viola
289. Pam Olson, Viroqua
290. Kenneth Hayward, Beloit
291. David Taylor, Duluth
292. Christel Szopieray, Cambria
293. Stephanie Lowden, Madison
294. Joanne Wagner, Madison
295. Jane Roberts, Delavan:
"Destroying public education in Wisconsin would be a terrible mistake. Quality businesses will not want to be located here. Wisconsin has a proud tradition of excellent public schools. Please support our public schools and stop pandering to 'big money'."
296. Kelly Sullivan, Oregon
297. Cris Carusi, Madison
298. Erica Lapid, Milwaukee
299. Kelly Kaiser, Mosine
300. Raymond Hardy, Green Bay
301. Diane Grueneberg, Neenah
302. Jerry Reinardy, Wausau
303. Janet Bohn, Middleton
304. Scott Graham, La Crosse
305. Sharon Hamilton, Janesville
306. Sarah Overholt, Stevens Point
307. Edward Zech, Fort Atkinson
308. Rebecca Alwin, Middleton:
Children's education must not be for profit.
309. LaNell Gill, Milwaukee
310. Gena Kraemer, West Allis
311. Grant Foster, Madison
312. Stuart Isaac, Madison
313. Amy Hefty, Madison
314. Rita Hefty, Mount Horeb
315. Richard Barden, Sun Prairie
316. Sarah Williams, Madison
317. Patrick JB Flynn, Madison:
"Stop stealing from the commons, our public schools."
318. Lynn Olijnyk, Mukwonago
319. Mark Schoenbohm, Appleton
320. Rozsa Keller, Waukesha
321. Vicky Van Straten, Merrill
322. Katie Neitzel, Oshkosh
323. Kirsten Tatum, Madison
324. Christine Miles, Eau Claire:
Do not make the parents of special needs children start all over in the fight to get quality education for their loved ones!
325. David Ewald, Milwaukee
326. Nicole Kartheiser, Menomonee Falls
327. Roger Lee, Holmen
328. Boris Matthews, Sun Prairie:
"Special needs demand special treatment. This bill continues the effort to undermine district-operated Stop Special Needs Vouchers is comprised of Wisconsin families committed to quality inclusive public education and to stopping harmful special needs vouchers."

- schools in Wisconsin, as well as undermines the IDEA that does not apply to private voucher schools.*
329. *Fundamentally, this is another act intended to disenfranchise voters and replace voter voice with top-down, corporate dictates."*
330. Dave Koltes, Waunakee
331. Mary Bean, Madison
332. Jen Shepard, Superior
333. Linda Sterling, Fitchburg
334. Amy Van Alstine, Merrill
335. Stephanie Bast, West Allis
336. Gina Palazzari, Menomonee Falls
337. Alan Schroeder, Appleton:
Wisconsin has one of the very best educational programs in the nation for children with special needs. Their needs are being met and our tax dollars are being spent very carefully. I would never want my special needs child to go to a school that doesn't have to be accountable to federal and state laws that insure that these very vulnerable children are being taken care of properly and professionally.
338. Metje Butler, Madison
339. Chantel Aguirre, River Hills
340. Mark Zimmer, Bruce
341. Susan Schroeder, Sauk City
342. Heather Anderson Nietz, Franklin
343. Debra Kadon, Green Bay
344. Sharon Sanderson, Bruce
345. Jan Kramschuster, Milwaukee
346. Nathaniel Haack, Milwaukee
347. Lori McVannel, Florence
348. Robert Gwynne, Madison
349. Ray Cary, Cedar Grove
350. Catherine Hoffman, Milwaukee
351. Donna Olig, Plymouth
352. Dustin Conley, Monico
Community member
353. Susan Blubaugh, Milford
354. Blaine Conley, Monico:
community worker
355. Lisa White, Racine
356. Vickie Strattner, Milwaukee
357. Nancy Migliano, Appleton
358. Marcia Halligan, Viroqua
359. Kathryn Berkey, Eau Claire
360. Jacalyn Bedworth, Grantsburg:
"I am a community member, and as such would wish that my community be able to educate all its children. Special needs vouchers are simply another way to segregate students . . . bad for our community."
361. William Hall, Wausau
362. Kay Krause, Racine
363. John Ludwig, Superior:
"As a person who was raised during a time when there was limited access to help for those with disabilities, I am appalled that this idea would even be suggested. This is nothing but an attempt to allow the state and school districts to circumvent their duty to provide equal access to education to all students. This will only allow for the commercial exploitation of people with special needs by corporate educational swindlers and harm those in need."
364. Lou Hull, Appleton
365. Mar McIlheran, Wauwatosa
366. Jayne Broeren, Green Bay

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367. Bill Kirsch, Elm Grove
368. Tammy Bednarik, Mason
369. Patricia Schwenke, Shawano
370. Michael Baldwin, Arbor Vitae
371. Susan Carey, Eau Claire
372. Jim Jastrow, Waukesha
373. Marianne Kirsch, Elm Grove:
Stop this senseless bill. Give public schools the funding to make the great programs they have even better.
374. Sara Wilda, Appleton:
Do what is right for ALL children and stop special needs vouchers!
375. Megan Bednar, Racine
376. Pamela Carey, Mount Pleasant
377. Jennifer Kamm, Appleton
378. Barbara Westhofen, Appleton
379. Jeff Adams, Janesville
380. Maureen Haig, Wauwatosa
381. Duong Duong, Pewaukee
382. Mary Willadsen, Fitchburg
383. Margit Rezabek, Neenah:
"My 4 sons all went through WI public schools K through 12 (and beyond), and I am happy to see our tax dollars support public education in public schools (not private) for ALL students."
384. Michelle Janz, Superior
385. Janice Schuette, Woodruff
386. Barbara Kelly, Appleton
387. Ronald Brandt, South Milwaukee
388. Jeff Kubeny, De Pere
389. Deb Mentzel, Bear Creek
390. Cheri Bricco, Hortonville
391. James Reinke, Madison



Gigi and Felix were born two months early because of complications during my pregnancy. They came into this world as fighters, weighing just 2 and 4 pounds a piece, and also with special needs. My daughter has speech and language delays and participates in the special education program in the Madison Metropolitan School District. Felix has autism and has severe delays in communication, as well as significant sensory processing issues. Despite his more significant needs, through intensive ABA and play-based therapy, as well as a comprehensive Individual Education Plan, he is able to attend public schools alongside his typically developing peers at Midvale Elementary School in Madison. My oldest son, Max, also has mental health needs and sensory differences. Without the services, supports and protections provided to them through the Individuals with Disability Education Act, they would not have the same opportunities in their lives.

AnnaMarie M. Moffit

556 Glen Drive, Madison, 53711

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February 13, 2014

As a parent to three children with special needs and member of numerous groups that advocate for individuals with special needs, it is critical for me to explain why SB 525 will erode the constitutional rights and protections for children with special needs in Wisconsin and should be opposed by this committee.

First, under the legislation SB 525, families that accept these vouchers would have to forfeit their rights under the Individuals with Disabilities Education Act. Also, the implementation of a child's IEP may or may not be carried out by certified special education staff within the private school. It is misguided and immoral to require parents, caregivers and children to give up their constitutional rights and their right to qualified special education staff, in order for the state to subsidize their child's education at a private school.

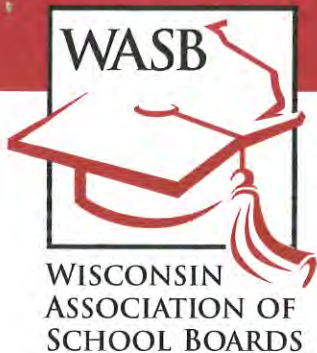
This legislation will also exempt private schools from having to annually review a child's IEP once the child is accepted into their school, thereby depriving children their right to a free and appropriate education suited to their changing needs over time. This bill also would not require private schools to re-evaluate children every three years to determine whether special education services are still appropriate. Approximately 1/3 of children that qualify for special education services will not require special education services for their entire academic career. This legislation ignores that fact and forces public taxpayers to spend money on things that may not be necessary. This is not only a waste of money, but is also demeaning and patronizing for our children with special needs.

Second, this legislation also states that a voucher will not exceed about \$14,000 per pupil with special needs, with no tuition cap placed on private schools. As a parent of a child with significant special needs, I know this amount would not provide the level of services my son should be receiving under the Individual with Disabilities Education Act. This provision forces children with significant special needs to either give up critical services or lose the choice of receiving this tuition reimbursement. Is this really a fair and reasonable choice for our children? It also allows private schools to continue to pick and choose who best serves their financial outcomes and bottom lines, leaving our children with significant needs in severely under-resourced public schools. By allowing families that can already provide this option to their children additional tuition reimbursement from the local taxpayers, we are depriving critical resources to the majority of families that have children with, and without special needs, in our public schools system.

Last, under the current law, private schools will not to be held accountable to state academic standards or district oversight. The lack of accountability is deeply disturbing for me not only as a taxpayer in this state, but also as a mother of a child with limited verbal communication. My child is unable to tell me what goes on during the school day, so abuse or neglect could go unnoticed and undocumented, without the necessary oversight. Many cases of abuse, whether physical, emotional or financial, have been documented in countless special education voucher programs across the country, including in the Milwaukee voucher program several weeks ago. If I were to accept this subsidy, I would lose my ability to file a complaint or request for due process, and our taxpayers would lose their ability to recoup those public funds.

This bill leaves our most vulnerable in schools with the least amount of accountability or ability to meet the diverse needs of many children with special needs. Based on the reasons I have shared with you all, I strongly encourage you to oppose SB 525.

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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Members, Senate Committee on Education
FROM: Dan Rossmiller, WASB Government Relations Director
RE: WASB Opposition to Senate Bill 525, relating to Special Needs Scholarships/Vouchers
DATE: February 13, 2014

Good morning Chairman Olsen and members of the committee. My name is Dan Rossmiller. I am the Director of Government Relations for the Wisconsin Association of School Boards (WASB), representing the 424 locally elected school boards in our state. We oppose Senate Bill 525.

While the bill before you represents an improvement over the proposal that was before this committee last session, it remains badly flawed. Senate Bill 525, although well-intended, will deprive special education students and their parents of important due process rights and enforceable legal rights to be provided with special education services, increase costs to the state for providing special education, while at the same time resulting in increased property taxes at the local level in most school districts, and, ironically, could result in fewer resources being available to local school districts to educate both special and regular education students.

The WASB and other public education groups have been meeting with disability rights advocates and parents of students with disabilities to explore ways to improve access to open enrollment for students with special needs. Unlike the approach offered by Senate Bill 525, the approach we are pursuing would provide parents with options to the special education program offered by their district of residence without sacrificing the due process rights of parents and students or special education students' legal entitlement to services outlined in the student's individual education plan (IEP).

While we are sympathetic to the concerns of parents who have children with special needs who are not progressing or thriving to the extent one would wish them to, we are also concerned for the children who would remain in the public schools if this bill were to pass. Private schools would have no obligation to accept students with disabilities under this bill. That decision remains entirely up to the private school. However, because of the funding structure this bill sets up, when private schools *do* decide to accept students with disabilities, it is unlikely that those private schools will accept students with significant disabilities. Because the amount of the scholarship is limited, there is a disincentive to accept students with significant disabilities that can be costly to educate. As a result, public schools would be likely to see a higher concentration of students with significant disabilities.

In order to pay for special needs vouchers Senate Bill 525 specifically reduces the amount of general aids that would be made available to all public school districts. The bill does not increase the amount appropriated for general aids but would continue a disturbing legislative pattern of creating a sum-sufficient allocation that would receive a first draw on the general aid appropriation in order to serve a narrow segment of students who attend schools outside of public school districts.

My association protested the use of such a funding mechanism when independent charter school expansion legislation was before this committee and we will continue to protest the creation or expansion of sum-sufficient draws on the general aids appropriation that reduce the amount of state aid received by local school districts.

Because the bill would make no change to revenue limits or the calculation of state aids and because it would reduce the amount of state general aids distributed to school districts, under revenue limits, if school districts use their available revenue limit authority, this will result in a property tax increase.

Further, under Senate Bill 525 resident school districts could no longer count students who leave their districts under a Special Needs Voucher for aid or revenue limit purposes. Under the school aid formula, all other things being equal, having fewer students equates to having more property wealth behind every student which makes you look richer under the school aid formula resulting in less general equalization aid. This is essentially the same problem declining enrollment districts face. However, under Senate Bill 525, the resident district of the departing student would have to absorb significant costs related to that student, such as annual state testing and all necessary accommodations (if requested by the parent) and all testing and staff costs associated with the three-year Individualized Education Program (IEP) review (if allowed by parent).

Furthermore, if Special Needs Voucher students return to their resident school district due to their needs not being met at the eligible school or being dismissed by the private school, the public school district to which they return will have to absorb any costs associated with retesting, reevaluation, and intensive services needed to restore students to prior functioning levels. Depending on when the student returned, the public school district could be in a situation in which it would be both unable to claim that student for general school aids and prevented from levying property taxes on that student under revenue limits.

An unusual feature in the federal law governing special education, the Individuals with Disabilities Education Act (otherwise known as IDEA) related to what are called "equitable participation" requirements places a burden on the school district in which a private school is located in which children with disabilities are privately placed by their parents. These children may or may not have ever lived within the school district in which the private school is located, yet the federal law imposes a burden on the district in which the private school is located to set aside federal funds and provide special education services to those private school students. As the number of students with disabilities attending a private school (or schools) located within a district increases, as it likely would if this bill were passed, the amount of federal IDEA funds a district has to set aside and spend on services for special education voucher students in the private school rather than on its own resident public school students in need of special education services. Again, these districts may not be districts from which the outgoing special needs voucher students originated.

In short, while this bill would purport to offer a solution to some students and parents, it would create problems for others and for public school districts. For a variety of reasons we oppose Senate Bill 525.

We would, however, welcome efforts to improve the public school open enrollment process for all students, especially those with special needs.

February 13, 2014

My name is Paula Buege and I am the parent of two children who received public special education services for over two and a half decades through the Middleton Cross Plains Area School District.

Through my sons' special education Individual Education Plan, we were able to craft their educational programming to meet their unique needs. We were able to ensure that adequate progress in academics and educational performance was met. *It wasn't always easy.* My youngest son suffered 3 years of near daily seclusion and restraint in elementary school. His story is quite public. So my son and I, along with others, worked hard and got Act 125 regulating the use of seclusion and restraint in public schools signed into law. We changed the system! And we continue to work for public education improvements. I am personally part of the consortium meeting regularly with WI DPI to change open enrollment for Wisconsin public school students and addressing other special education issues.

Our children require the protection that federal *Individuals with Disabilities Education Act* (IDEA) for students with disabilities. When parents disagree with their child's programming there are several legally protected remedies parents can initiate to resolve the problem, including facilitated IEP, mediation, due process complaint and due process hearing to remedy problems parents may experience with their child's educational services. There are also FREE advocates to assist parents with those remedies. Because of our personal public school experience which, again I emphatically share was often challenging, I now work as a professional advocate working with families and schools across the state to ensure students receive a free and appropriate public education. And we make it happen, public schools, parents and advocates working collaboratively.

This newest iteration of special needs voucher bill does not require private voucher schools to educate all students regardless of disability, the way public schools must. Private voucher schools can cherry pick only the students they think will be easier to educate, while our already underfunded public schools will have even fewer resources to fulfill their responsibilities to educate our students with the most complex challenges. Cherry picking also segregates our students, effectively turning back the hands of time to pre-1975, the first iteration of IDEA.

In addition, the bill requires families to receive a denial of an open enrollment request to transfer their student to another public school district before qualifying for a special needs voucher. This does not fix existing issues in the open enrollment program, this provision would result in families seeking an open enrollment denial on purpose, just another hoop to jump through in order to claim a voucher.

To support special needs vouchers means taking money right out of our current public education system to serve students in places that may not have their educational interests in the forefront. If parents want their child to receive a private education, it should not come out of public coffers. I am appalled that our state's government, who continuously demands that we not use public dollars to support our most vulnerable constituents (i.e. Medicaid), would do a 180 and think that using public dollars to support a few families' desires to put their child in private school is at all reasonable.

I am deeply opposed to this latest attempt to pull public money out of public schools and into private schools where students with disabilities surrender their rights at the door, *if the door is even open to them.*

I call upon the Education Committee to reject SB525, and to work instead toward improving open enrollment and restoring special education funding for Wisconsin's public schools. Any proposal that suggests using public funds that will NOT fix the public education system doesn't belong in Wisconsin.

Sincerely,


Paula Buege

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Middleton, WI 53562

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608-576-1676



Donovan Richards, left, with Governor Walker as Act 125 is signed into law

Donovan is student with disabilities and special education needs; he has Bipolar disorder and is on the autism spectrum. Donovan was enrolled in Middleton Cross Plains Area School District with an IEP. For his junior and senior years of high school his mother advocated for alternative placement through his IEP. Donovan's IEP team agreed to the private placement. Donovan attended an alternative AmeriCorp placement through his IEP, at district expense, for the remainder of his high school education. He graduated with his Middleton High School Diploma in 2012.

Donovan retained all of his IDEA (Individuals with Disabilities Education Act) legal protections and rights while attending the alternative AmeriCorp placement because the placement was through his IEP. The school district paid the tuition for that placement while the school district retained their responsibility to ensure that Donovan received a free and appropriate education. Donovan and his mother, Paula Buege, advocated for Act 125 regulating the use of seclusion and restraint in public schools and stood with Governor Walker when Act 125 was signed into law in March 2012.

**Through Donovan's IEP, he had CHOICE
and he did not give up his rights and legal protections.**



February 13, 2014

My name is Nancy Gapinski and I am a resident of Glendale and the parent of two children: Ben who is in 1st grade and Zoe who is in 5-Year-Old-Kindergarten at Parkway Elementary School in the Glendale-River Hills School District. Ben has an Autism Spectrum Disorder and ADHD and has an IEP. I am very pleased with the educational experiences Ben and Zoe are having at Parkway. Ben's needs are well-met with the support of his regular education and special education teachers, occupational therapist, speech therapist, paraprofessional, and through participation in adaptive physical education. With these supports in place, he is able to learn alongside his friends in the 1st grade classroom with only short periods outside of the classroom for specialized instruction or for sensory breaks when lights and sounds overwhelm him.

I came here today to share my concerns about and to urge you to vote "no" to special needs vouchers. I am concerned that students with disabilities and their parents lose their rights and protections under the Individuals with Disabilities Education Act when they take vouchers to private schools. I worry that the private schools would not be required to have special education teachers or therapists on staff to serve children who need those services. I fear that the private schools will select those children who have the least-complex needs leaving the children with more complex needs to be served with less funding in the already underfunded public schools. I believe that addressing issues surrounding Open Enrollment would be a much better way to provide choice to families without draining funds from public schools.

It may seem to some that it is easy for me to say "no" to special needs vouchers because I don't have any personal problems with the public school my children attend. However, I have friends, who are also parents of kids with disabilities, who are having a very different experience than I am. I don't take for granted that the inclusive experience my son has now will automatically be here for him in the future. He is only in 1st grade and there are many years ahead in which I may have to exercise my rights under the IDEA to be sure that he gets the specialized services he needs. The important point here is that I have rights to exercise. The vouchers offer parents no such protections.

Over the last two decades, the state's share of special education funding has dropped from 44% to 26%. I don't understand as a parent and taxpayer how the State of Wisconsin can afford to support two special education systems when it has not been able to adequately fund one. I respectfully urge you to SAY NO TO SPECIAL NEEDS VOUCHERS. Thank you.



Nancy Gapinski
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Glendale, WI 53209
414-540-6539
Nancy.Gapinski@gmail.com

Testimony on SB525, Special Needs Vouchers, before the Senate Education Committee 13 February 2014



Lydia & Miriam Oakleaf, 2013

My name is Joanne Juhnke, and I chair the steering committee of the statewide all-volunteer grassroots group Stop Special Needs Vouchers. Together with my husband Mike Oakleaf, I parent two wonderful daughters. Nine-year-old Miriam has a long complex IEP, twelve-year-old Lydia does not.

You have been hearing from many parents both in favor and opposed to the special needs voucher proposal. I would like to explore some of the areas in which I believe we all agree.

We all care deeply about our children, and other people's children as well.

We all want our children to succeed, in their education and in their lives. When something stands in the way of that, we do not remain silent. The fact that we're here means that we're involved and invested.

None of us like to be called names, whether it's "protestor" or "pawn" or any of the other disparagements that get thrown around when the rhetoric gets heated.

None of us, whether parents or not, like it when people make incorrect assumptions about us.

In that vein, I'd like to address an incorrect assumption that has been expressed about the parents of Stop Special Needs Vouchers. While we've told many stories about why we believe in public education in Wisconsin, our families have not, in fact, all had uniformly positive experiences within the public schools. Even just among the steering committee, some of us have been denied open enrollment. Some of us have had terrible experiences with seclusion and restraint. Some have contended on our own, some have called in the advocates and even the lawyers, some of us have used those experiences to become advocates for others. We believe in public education for students with disabilities, but we also understand that things do not always go right in the public schools, because many of us have lived it on a deep level.

The families of Stop Special Needs Vouchers want everyone, our own children and beyond, to have access to the free appropriate public education in the least restrictive environment that is the promise of the IDEA.

Where we disagree intensely with those who support special needs vouchers is on what to do about it.

Not complying with IDEA is clearly a problem. But I cannot believe it is better to respond to a school's failure to abide by the IDEA – by sending our students and tax dollars to private schools that we're not even going to expect to abide by the IDEA.

Open enrollment discrimination against students with disabilities is clearly a problem. But I cannot believe it is better to respond to the ten-percentage-point discrepancy in open enrollment denial rates between students with disabilities and students without – by turning open enrollment denial into a hoop to jump through on the way to a voucher at a school that we're not even going expect to abide by the IDEA.

This is why I and other parents from Stop Special Needs Vouchers went to State Superintendent Tony Evers last fall, to open a conversation on open enrollment and how to address the fact that students with disabilities get denied at that higher rate. That meeting led to a broader gathering, and then another, and those discussions have already managed to make some initial gains for transparency around undue financial burden that are underway to being implemented. Starting this cycle, any undue financial burden denial will be accompanied by the dollar figures so the family can see: is my district denying open enrollment over a few dollars difference, or is the receiving district claiming that it will cost \$20,000 more to educate my child than it costs my own district?

We haven't solved it all yet, but we've made a start and we're going to keep working.

It is in this context that I find myself asking:

What might we be able to accomplish if all the time, and energy, and lobbying, and campaign money that is being spent both in promoting special needs vouchers and in defending against them, could be spent instead toward solving the issues within Wisconsin's public schools, where we do in fact require all students to be accepted and educated regardless of disability?

I'd far rather be here testifying in favor of a full fix to open enrollment or a proposal to restore some of the chronic underfunding for special education or a bill that would offer whatever it takes to get schools that aren't doing right by our kids to shape up.

Until then, Stop Special Needs Vouchers is going to have to continue with efforts divided between defending and creating. I ask you as members of the Senate Education Committee to oppose this deeply flawed special needs vouchers bill. Meanwhile, I will gladly give our contact information to anyone who wants to talk about what we might be able to accomplish together.

Thank you for your time and attention.

Joanne Juhnke
430 Oak Crest Avenue
Madison, WI 53705
608-236-0223

TESTIMONY IN OPPOSITION TO SB525

Donna Pahuski, February 13, 2014

Dear Distinguished Members of the Senate Education Committee:

My name is Donna Pahuski and I am sorry that I cannot be present to testify today.

I live in Cambridge, WI, and my children are young adults – 22 and 25 years old. Both were educated in Wisconsin public schools. My daughter Mary (22) was diagnosed with autism at 3 years old and she is the reason that I have very strong feelings against Special Needs Vouchers.

I am supplying this testimony not only as the parent of a child with autism, I am also the sister of a 58- year old woman with the same disability, although my sister has other learning challenges as well.

With my daughter and my sister, I love and support two people with essentially the same set of challenges, the main difference between them being that my daughter was born 42 years later and IDEA was in full effect during the course of her K-12 education. My sister, Sandy, received no special education at all as IDEA did not come into effect until 1975, the year that she graduated from an Illinois high school.

What was life like for a family with a disabled child, pre-IDEA? I cannot tell you the number of times that I laid in bed as a child and listened to my mom cry about Sandy. Sandy's delays in childhood milestones such as language, self-help skills and her repetitive behaviors were sometimes too much for my mom, a mother of 5. When our mother would ask Sandy's teachers for help, they would say, "Sandy's brain is immature" but there was never anything they could offer by way of special education, disability expertise, therapies or even basic accommodations to level the playing field for Sandy so that she could progress. The result was that Sandy took her education as far as she could take it; she eventually graduated after retaking numerous classes and she lived with our parents until they died a few years ago. A strength that Sandy had was in sticking to routine and so she was able to do unskilled labor in small parts factory jobs until they moved away, one by one. She then moved on to working for a cleaning company who exploited and mistreated her until she got the courage to tell family what was going on. Sandy is now dependent on human services, family and SSDI and she will be for the rest of her days.

I would now like to fast forward to the mid 1990's when my tiny daughter began her public education in the Marshall School District. Under IDEA, Mary was entitled to educational services and supports to help her progress in the general curriculum. Mary's needs were significant when she began getting school-based services. There were services from fully-trained and licensed: speech and language therapists, a special education teacher with training in autism and an occupational therapist who helped her overcome her debilitating sensory needs. These caring professionals even taught my husband and myself how to deal with Mary's needs so that she was getting skills practice, not just in school, but everywhere she went with us, her family.

And so Mary progressed... and progressed... and progressed. Today, Mary is a senior in college studying biomedical science and she will be attending graduate school next year. As a result of the support that she got through her special education, Mary eventually felt confident enough to try a semester abroad in Ecuador. Today, Mary is a fully independent young woman who is not likely to rely on anyone for anything.

I ask you to please examine these two outcomes of people I love who have been impacted by disability. While there are children in Wisconsin public schools who have not yet received the appropriate special education that they need, at least through IDEA there is a mechanism to "get there." This bill does not create an equivalent mechanism or legal requirement for special needs voucher schools. Families who take the vouchers to unscrupulous private schools would be little better off than my distressed mother who had no recourse when

my sister was unable to make progress and falling further behind her peers -- except that, since we do have IDEA in the public schools, voucher students can always return, even if the money does not follow until the end of the semester.

I beg you to oppose SB525 and, instead, direct your efforts to strengthening public education in Wisconsin.

Sincerely,

Donna Pahuski

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Good afternoon, my name is Pam Delap from Oshkosh. I am here today with my husband Paul to share our concerns about the proposed special needs vouchers. We have 3 children, our youngest Ben still in the Oshkosh School District, 7th grade. Our oldest 2 daughters started out in private schools and then moved over into the public schools and now have graduated. I am sharing a picture of Ben as he can't be here in person, but he has everything to lose if these vouchers pass so I believe he should have a visual presence here today.

We would certainly not look to accept a voucher as we have already experienced the discrimination of being rejected from enrolling him in a private school based on his label of Autism, not his strengths including his science oriented mind, not even his challenges, but on his label. However students that have labels that reflect very few needs, those students have a better chance of being accepted with a voucher. This is shameful that here in Wisconsin we would allow this type of discrimination to occur by a school or any other entity.

The more disturbing fact about these vouchers is that Wisconsin tax payers have funded public schools as a foundation for the future of our communities. Families in these communities advocated for laws to be passed to protect their most vulnerable students, including insuring appropriate education by certified teaching staff and appropriate supports and services through the IEP process. Many families, including my own up until a few years ago, don't even realize that a private school is not required to follow or even create an IEP. They are not required to hire a certified teacher, or offer the life changing supports such like Ben has received in the public school based on his need, the social skills training critical for success in Ben's future. The federal and state laws were created to keep communication open between schools and families but most importantly protect our students with disabilities in their educational careers. Why would we even offer families a chance to risk putting children in a situation without these protections????

Ben and every other student with and without disabilities in our public schools are facing grave consequences if these vouchers pass. I am a financial advisor and my job is to study economic conditions locally and globally and apply that knowledge in the advice I give to my clients in long term planning. If these vouchers pass along with the already passed school choice vouchers, educational cuts not restored, a growing population of students with disabilities, the current and future debt crisis, I see a perfect storm, disastrous for our kids and for our public school system. The tax payers simply can not afford to support two school systems. Economists around the country are forecasting that 15-20 years from now will be some of the worst economic times most of us in this room will ever live through; if they are correct, it will require some very dynamic and well educated individuals to lead us out of a crumbling economy. Wisconsin must not risk dangerous experiments on our current solid educational foundation. We are asking you to kill this bill because it is morally and fiscally the right thing to do for the future of education in Wisconsin.

We appreciate the time you are spending to hear our concerns and consider the short and long term consequences a bill like this will have on the residents of Wisconsin.

