



P.O. Box 7222, Madison, Wisconsin 53707

January 29 2017

The Honorable Lamar Alexander
Chairman

The Honorable Patty Murray
Ranking Member

US Senate Committee on Health, Education, Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray:

The Survival Coalition of Wisconsin Disability Organizations is writing to raise concerns over the testimony of Mrs. Betsy DeVos during her Senate confirmation hearing regarding education of students with disabilities. Her overall lack of understanding regarding the Individuals with Disabilities Education Act (IDEA) and efforts to discuss accountability raised significant red flags. As the nation transitions into new leadership, our coalition anticipates changes to education will be in the forefront. Protecting the rights of students with disabilities in education and holding all schools accountable for educating children with disabilities will be a priority for the Survival Coalition of Wisconsin.

Across Wisconsin over 120,000 students receive special education services under IDEA and are provided Free and Appropriate Public Education protected by our Federal and State law. This law allows children with disabilities to access their neighborhood schools alongside their peers and receive the same high quality general education programming with the necessary supports and services.

Wisconsin also has one of the longest standing school voucher systems in the country and recently added a special needs voucher program for students with disabilities. Both these systems afford no protections under IDEA even though they receive substantial levels of state funding. Wisconsin children accessing the voucher systems have experienced discrimination and push out back to the public schools when supports are not there to educate them. It is imperative that students with disabilities have the full support of the U.S. Department of Education to protect their right to FAPE.

Mrs. De Vos' recent testimony raised several concerns for our coalition regarding the rights of students with disabilities in Wisconsin and across the nation. These answers were of significant concern:

- She refused to agree that all schools; public, charter and choice receiving public dollars should be held equally accountable.
- She lacked understanding that IDEA was a federal law and required by states to follow to protect the rights of students with disabilities.

- She was questioned regarding IDEA full funding and she suggested the money should follow the student instead of going to the states.
- She refused to answer when asked if students should keep their IDEA rights in a school voucher system.

The Survival Coalition of Wisconsin Disability organizations respectfully requests that Mrs. DeVos provide complete answers to the following questions before the committee votes to support her confirmation.

- Will you support the role of the U.S. Department of Education to enforce the Individuals with Disabilities Education Act (IDEA)?
- Should states and schools that receive federal funds through IDEA be required to meet all the requirements laid out in the federal statute?
- Should the federal government provide funding to states to provide students with disabilities and their families' private school vouchers without the protections of the IDEA?
- Should IDEA funds follow the student?
- Should all schools that receive taxpayer funding and federal funds be held accountable for students with disabilities as required by ESSA and its implementing regulations?
- Do you support that students with disabilities who attend private schools should retain due process rights as defined by IDEA?
- Do you support voucher systems models which requires the signing away of IDEA rights?

Given the lack of information Mrs. DeVos has provided to the committee to date, our organization believes she is not equipped to be the leader of the U.S. Department of Education that protects the right of all students, including those with disabilities.

Sincerely,

Survival Co-Chairs
Maureen Ryan
Beth Swedeon,
Kristin M. Kerschensteiner

Cc: HELP Committee Senators

Survival Coalition is comprised of more than 30 statewide disability organizations that advocate and support policies and practices that lead to the full inclusion, participation, and contribution of people living with disability.

Real Lives, Real Work, Real Smart, Wisconsin
Investing in People with Disabilities
