

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. 18, 2014

From: Shel Gross, Chair

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

To: Members of Assembly Committee on Education

Re: **AB682**

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 AB682.

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