

# Vouchers Do Not Adequately Serve Students with Disabilities

Private voucher schools do not adequately serve students with disabilities, nor do they provide them the same quality and quantity of services available to students in public schools, including those mandated under each student's individualized education program (IEP).

The Individuals with Disabilities Education Act (IDEA) ensures that students with disabilities are provided with Free Appropriate Public Education (FAPE) that is tailored to their individual needs. Students who leave the public schools with a voucher forfeit many of the protections provided to students under IDEA because they are considered parentally placed in private schools. Students accepting vouchers would not necessarily receive all the services listed on the IEP that they currently receive in their public school. Also, when members of the IEP team, which includes parents, cannot agree on the services that a child should receive, the parents have the right to raise their concerns with a hearing officer and ultimately to take the school district to court if necessary. Students who are parentally placed in a private school through a voucher do not have these due process protections.

Private voucher schools often deny admission to students with disabilities or to students based on other factors like disciplinary history, which disproportionately affects students with disabilities. As a result, students with disabilities are systematically excluded from voucher programs.<sup>1</sup> For instance, most private schools in the Milwaukee voucher program “lack the full complement of educational programs that students with disabilities are entitled to if they receive their education in the public sector,”<sup>2</sup> and as a result, students with disabilities have been discouraged or excluded from participating.<sup>3</sup> And, the final US Department of Education report on the Washington, DC voucher program<sup>4</sup> showed that a main reason why students didn't use a voucher offered to them was that they were unable to find a participating school with services for their learning or physical disability or other special needs. Indeed, 21.6% of parents who rejected a voucher that was offered to their child did so because the school lacked the special needs services that their child needed, and 12.3% of the parents who accepted a voucher for their child but then left the program cited a lack of special needs services at the school they had chosen.

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<sup>1</sup> Selene Almazan & Denise Stille Marshall, Council of Parent Attorneys & Advocates, [School Vouchers and Students with Disabilities: Examining Impact in the Name of Choice](#) (June 2016).

<sup>2</sup> Patrick J. Wolf, et al., School Choice Demonstration Project, Univ. of Ark., [Special Education and the Milwaukee Parental Choice Program](#) (Feb. 2012).

<sup>3</sup> [Letter to Tony Evers, State Superintendent, Wisc. Dep't of Pub. Instruction, from U.S. Dep't of Justice, Civil Rights Div., Educ. Opportunities Section](#), Apr. 9, 2013 (intervention by the Department of Justice to require Wisconsin to implement policies and practices to eliminate discrimination against students with disabilities in its administration of the Milwaukee voucher program).

<sup>4</sup> U.S. Dep't of Educ., [Evaluation of the DC Opportunity Scholarship Program: Final Report](#) (June 2010).



The **National Coalition for Public Education** comprises more than 50 education, civic, civil rights, and religious organizations devoted to the support of public schools. Founded in 1978, NCPE opposes the funnelling of public money to private and religious schools through such mechanisms as tuition tax credits and vouchers.