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Contact: Joanne Juhnke, (608) 320-6165, joannej@drwi.org

Disability Rights Wisconsin Statement on Senate Education Votes

Madison, WI – Yesterday the legislature declined to take up the opportunity to use a portion of Wisconsin’s \$3.8 billion budget surplus to provide desperately-needed funding for students with disabilities. Meanwhile, the State Senate passed a slate of education-related bills including AB970 and AB966, which would have particularly detrimental effects for students with disabilities.

By gaveling in and out of special session on Tuesday, the legislature has squandered a rare opportunity to address some measure of Wisconsin’s deep underfunding of students with disabilities. Families have been told for years that our state cannot afford to do right by students with disabilities. Now that billions of state-surplus dollars are available, and we can clearly afford an additional investment, the legislature has chosen to leave that much-needed funding to sit unspent until at least 2023.

Students with disabilities have the right to a free, appropriate public education, as affirmed by the federal Individuals with Disabilities Education Act (IDEA). However, those public education rights do not apply in private schools, whether a student attends private-pay or with a voucher. AB970, which would create a wholesale expansion of Wisconsin’s voucher programs, funnels scarce funding resources away from the public schools where those rights apply. We know from Wisconsin’s long experience that voucher expansion concentrates the students with the most significant needs into the public schools, which are the only schools required to educate students of all abilities. Private schools use vouchers to enroll students with less-intensive needs, taking much-needed public school funding along. For the sake of students with disabilities, Wisconsin must support and properly fund public schools rather than expanding voucher programs. AB970 deserves a veto.

AB966 would have negative impacts on students with disabilities as well, through its proposal to split the Milwaukee public schools into multiple districts. Since 19.6% of MPS students have disabilities while only 14.2% of students have disabilities statewide (to a large extent due to voucher effects), splitting the district has a disproportionate effect on students with disabilities. Students who find themselves outside their new home-district lines after the districts are drawn would face being forced either to change schools and disrupt relationships, or to enter the maze of open-enrollment across district lines. The bill also reduces citywide placement opportunities for students with disabilities. AB966 should receive a veto as well.

Wisconsin’s students with disabilities deserve better.

Disability Rights Wisconsin is the federally mandated Protection and Advocacy system for the State of Wisconsin, charged with protecting the rights of individuals with disabilities and keeping individuals free from abuse and neglect.