



February 18, 2025

Dear Chairman Crapo, Ranking Member Wyden, Chairman Cassidy and Ranking Member Sanders,

The Consortium for Constituents with Disabilities (CCD) Education Task Force is writing to oppose the *Educational Choice for Children Act of 2025 (ECCA)* including its inclusion in the pending budget reconciliation package. The ECCA intends to amend the Internal Revenue Code of 1986 to allow up to \$10 billion in tax dollars annually be diverted directly to private and religious schools and away from local school districts. This legislation would also enable and promote discrimination against students with disabilities whose educational access and opportunity rights under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) are not included and upheld.

CCD opposes the bill -and its inclusion in any budget package- due to the longstanding position that any Federal funds directed toward or in support of education must adhere to the IDEA, Section 504, the Americans with Disabilities Act, and other civil rights laws. Specifically, Federal taxpayer dollars should not be used for any private school choice or voucher/voucher-like programs unless Federal education, civil rights, and disability laws apply to the use of the funds. Also, we do not support the use of any federal education funds (e.g., ESEA Title programs, IDEA Parts B,C,D) for private school choice or voucher/voucher-like programs.

Our concerns relate primarily to the shifting of taxpayer dollars through a tax credit to fund scholarships (aka vouchers) to any non-public school primarily because the recipient schools are not required to adhere to federal education and civil rights laws -and are also known to reject admission to students with disabilities who may require specialized instruction, education services and supports, or accommodations to access an education- and, the recipient schools are not required to ensure students meet state-set standards in reading, math, science, and graduation as expected for all other schools under the Elementary and Secondary Education Act (ESEA).

Specifically, under IDEA, schools are required to provide a free appropriate public education in the least restrictive environment to all children with disabilities. As such, children are provided with an Individualized Family Service Plan (IFSP-ages 0-3) or an Individualized Education Program (IEP-ages 4-21) where educational services, interventions, supports and accommodations are provided. Parents are active partners in developing the IFSP/IEP and have access to procedural safeguards (known as “due process”) to challenge school decisions regarding their child’s education. Given that all students should be able to attend a high-quality school or early childcare program that meets their needs while maintaining all rights under the IDEA, 504 and other federal laws, we oppose the ECCA and do not support its inclusion in the reconciliation bill.

CCD actively partners with Congress on education laws and policies in support of students with disabilities and stands ready to assist you in developing a bill that includes and protects all children and their families. If you have any questions, please reach out to the co-chairs below.

Sincerely,

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cc: Members of the Senate Finance Committee
Members of the Senate HELP Committee
Members of the Senate Appropriations Committee

The CCD Education Task Force monitors federal legislation and regulations that address the educational needs of children and youth with disabilities and their families, including regulatory efforts under federal laws such as the Individuals with Disabilities Education Act (IDEA), Every Student Succeeds Act (ESSA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). We advocate for high expectations for children with disabilities under these and other laws.

www.c-c-d.org