

United States Senate

WASHINGTON, DC 20510

June 21, 2017

The Honorable Betsy DeVos
Secretary
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary DeVos:

We appreciate you taking the time to answer questions at the June 6, 2017 Senate Labor, Health and Human Services, Education, and Related Agencies Appropriations subcommittee hearing on the Department of Education's Fiscal Year 2018 Budget request. During the hearing, you seemed to state for the first time that you believe that the Individuals with Disabilities Act (IDEA) should apply to any school receiving federal funding, including those which would receive funding through the newly proposed private school voucher program. Based on your previous comments regarding the rights of students who experience disabilities, we are writing to ask you to further clarify your position on this issue that deeply impacts roughly 13 percent of all students and their families.

When asked in the hearing if you would require all schools participating in your proposed voucher program to comply with the Individuals with Disabilities Education Act (IDEA), you said "absolutely." In a follow-up question, when you were explicitly asked again if you would require that schools receiving federal funding through private school voucher programs comply with the IDEA, you said "any institution receiving federal funding is required to follow federal law." To confirm, you were asked one more time whether you intend for IDEA to apply to your proposed new voucher program, and you affirmed that that was your intention.

Based on these responses, it appeared your position is that any new federal voucher program will ensure that all schools, public and private, provide the full protections afforded by IDEA. To be clear, we oppose and will fight your plan to privatize public schools and create a new federal voucher program — but we were surprised and cautiously optimistic to hear your comments suggesting that you believe any new program should require schools accepting taxpayer funds to follow federal disabilities laws and protections.

In order to clarify your position, please respond to the following questions by July 6, 2017.

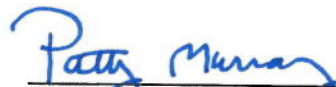
- Do you believe that federal laws regarding students with disabilities, including IDEA's due process protections, should apply to schools receiving federal funding for private school vouchers?
- Will you ensure all future U.S. Department of Education proposals for Congress to authorize voucher programs will require that schools receiving funds under the program follow all of the requirements of IDEA?

Thank you in advance for your responses and attention to these important issues for parents and students across the country.

Sincerely,



Margaret Wood Hassan
United States Senator



Patty Murray
United States Senator