

HB 1335: Bill Breakdown

Education Savings Accounts: Hope for parents of special needs children and at-risk students

Many other states, including Florida and Arizona, have acclaimed programs for students with special needs. Now is the time for Texas to build on that success by passing an Education Savings Account (ESA) program for special needs and at-risk students. The bill would allow the parent or guardian of a special needs or at risk student to receive 90% of what the state spends each year per student (more precisely, the weighted average daily attendance entitlement per student from the Foundation School Program) in the form of an ESA. These funds would be distributed quarterly and accessed through a debit card or online/electronic transfer account. The funds could only be spent on approved education-related expenses. The ESA program would also save taxpayer funds that could enhance other opportunities.

The unique challenges of special needs and at-risk students make the flexibility of an ESA especially appealing to many parents, giving them new hope to attain the best education possible for each child. Accounts could be used for therapists, specialists, braille and other assistive technologies in addition to private school tuition, tutors, college savings and other uses.

A child would be eligible to participate in the ESA program if they are:

1. Eligible to attend public school, and
2. Qualify under one or more of the following circumstances:
 - Has a disability (or 504 status)
 - Has been placed under the care of the Department of Family and Protective Services (DFPS)
 - Has been a victim of bullying
 - Has engaged in truant conduct
 - Has withdrawn from any form of education, or is at risk of dropping out, including a child who is pregnant or is a parent
 - Meets the federal definition for “homeless children and youths”
 - Is a victim of human or sexual trafficking

ESA dollars could be spent on approved educational expenses such as:

- Tuition for:
 - An accredited private school
 - A post-secondary educational institution
 - Online education courses or programs
- Fees for:
 - Educational therapies or services provided by a licensed practitioner
 - Licensed private tutor or teaching services
 - Classes and/or educational services provided by a public school
 - Nationally norm-referenced exams (including SAT and ACT)
- Textbooks or instructional materials
- Curriculum
- Technological devices (up to 10% of allotment)
- *Leftover funds may be rolled over and used for college tuition in a 529 plan*

This bill protects against additional government regulation on the educational program of the child. No school will be forced to alter its creed, practices, admissions policies, curriculum, performance standards, or assessments to receive money under the program. There will be no state control or supervision of a private school, parent, or student not absolutely necessary to implement the program and prevent financial fraud.

To learn more, visit www.TxEdOpportunity.org or email info@txedopportunity.org.