



**Agudath Israel
of America**
אגודת ישראל באמריקה

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Dear Senator,

“Republicans believe families should be empowered to choose the best education for their children. We support universal school choice in every state in America.”

That quote from the 2024 Republican platform could become a reality for millions of children in the budget reconciliation package, but we need your help.

The House included a \$5 billion per year nearly-universal scholarship tax credit proposal that will help students in all 50 states. It is now up to *you* to make the school choice language in the bill bigger and more beautiful. *You* have the opportunity to fix the House proposal’s shortcomings and deliver on another priority for the American People. We ask that at the very least, the Senate:

- 1. Increase the \$5 B annual cap:** The House provided \$5 billion annually in tax credits. In order to meet the needs of students in public, private and, homeschooled settings and all across your state including rural and suburban areas, the cap should match the \$10 billion proposed in the Educational Choice for Children Act (ECCA) and Universal School Choice Act (USCA).
- 2. Extend the sunset provision:** The House ends the tax credit after only 4 years. The reality is that in order for it to have the intended effect it needs to be extended further. What family would be willing take the risk of enrolling in a new private school knowing that their tuition scholarship may end after the 3rd grade? Will scholarship organizations want to invest in the necessary infrastructure for a tax credit that may disappear as fast as it arrived? Please extend the tax credit to 10 years as envisioned by ECCA and USCA. Simply extending the credit to 10 years, but lowering the cap to \$2 billion will be insufficient to help the intended target of the proposal.
- 3. Add back corporate donors:** Allow corporations to contribute and receive a tax credit. Very few corporations participate in similar state programs, but the ones who do, give larger donations. In order to help children in every part of your state we will need to rely on corporations. Unlike a tax credit where the company receives something tangible like an employee that is retained, with a tax credit for a charitable contribution the donor doesn’t profit from the donation. The only giveaway is the money they gave away to charity to help a child receive a scholarship.
- 4. Remove the misleading IEP special education provision:** The language in the House bill states that *“no amount paid to an elementary or secondary school shall be considered a qualified elementary or secondary education expense for the purposes of this section unless such school demonstrates that it maintains a policy whereby its admissions standards do not take into account whether the student seeking enrollment has a current individualized education plan, nor takes into account that the student requires equitable services for a learning disability, and if a student does have such an individualized education plan, the school abides by the plan’s terms and provides services outlined therein.”*

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- Private schools accept students with a wide range of disabilities and the bill explicitly allows scholarships to be used for special education services. This amendment, which was unanimously rejected by the majority party in a House Ways and Means Committee markup back in September, is not about helping students with special needs.
- Unlike public schools, private schools do not receive additional per pupil funding for educating students with special needs. This amendment is essentially telling a school to take in a child who potentially can add \$50,000 in extra costs to the school in exchange for a \$5,000 scholarship payment and if the school refuses to do so, it puts the hundreds of other scholarship students in jeopardy of losing their ability to attend that school using a tax credit scholarship. This isn't just an unfunded mandate, it is using the potential exorbitant high cost to the school to prevent *all* students from benefiting from this proposal.
- One size doesn't fit all. That's why public schools routinely send students with special needs to other public schools and even private schools...and pay for it. The School for the Deaf specializes in one type of disability and it would be inappropriate and not in the best interest of that child or the other children in the school to force the school to accept students with every type of disability. This amendment forces every private school to accept students with any disability and disregards the appropriateness of that placement. This also contradicts the school autonomy provision in the same bill which ensures that government doesn't control the curricular, hiring, or admissions decisions of a private school.

School choice is spreading across the country. 17 states have enacted universal school choice programs in the last five years. This is a once in a lifetime opportunity for the Senate to bring school choice to every child in every state.

Thank you for your consideration.

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