

## Public Dollars Require Cognitive Access

*A simple condition on school-choice funds: schools that take public money must provide zero-cost access accommodations to students with documented disabilities.*

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### THE PROBLEM

States are directing record public funding to private schools — yet most participating schools have no legal obligation to provide even the simplest accommodations to students with documented disabilities. A family can carry public money into a school that may lawfully refuse to read a test aloud. It happens: a student with a documented print disability — good classwork, passing assignments — failed a course solely because no adult would read the test questions aloud. His school had a wheelchair ramp at the door, because building codes required it. The test had no equivalent, because no law required one.

### THE SCALE

- 18 states now run universal private school choice programs; nearly half of U.S. students have access to an ESA, voucher, or tax-credit scholarship. (Education Week, Feb. 2026; Americans for Prosperity, 2026)
- Four states each exceed 100,000 students on ESAs or vouchers; Texas's new universal ESA is funded at \$1 billion for roughly 90,000 students at \$10,000 each. (State Policy Network, 2026; FutureEd, 2025)
- A federal scholarship tax credit (IRC §25F) launches January 1, 2027, with participation set state by state — states that act now define the standard before the money arrives. (Enacted July 4, 2025)
- Families are routinely advised that private placement can affect their child's IDEA service entitlements — students with disabilities carry public dollars but leave their accommodation rights at the schoolhouse door.

### THE ZERO-COST REALITY

**This condition costs participating schools approximately nothing.** Text-to-speech, dictation, and enlarged formats are built free into every operating system, on devices schools already issue and students already carry. The “undue burden” objection was written for 1990, when accommodation meant paid human readers. The burden has evaporated; only the barrier remains.

### THE ASK — MODEL CONDITION (ONE SENTENCE)

*“As a condition of receiving or redeeming funds under [program], a participating school shall provide access accommodations — including read-aloud of directions and test items, extended time, speech-to-text, accessible formats, and assistive technology — to any student with a documented disability, wherever the accommodation does not alter the skill an assessment measures; any denial shall be issued in writing, identifying the skill measured and explaining how the accommodation would alter it.”*

### WHY BOTH SIDES CAN VOTE FOR IT

**For school-choice supporters:** these programs publicly prioritize students with disabilities — Tennessee reserves scholarships for them; Texas adds funds for them. This condition makes that promise real, and protects programs from the accountability critiques that fuel repeal efforts and litigation.

**For skeptics:** it is a basic civil-rights guardrail on public money — the same principle as Section 504, applied where the dollars now flow.

### WHAT THIS DOES NOT DO

It does not regulate curriculum, admissions, religious instruction, or teaching methods. It does not impose IDEA on private schools. It does not touch schools that accept no public funds. It asks one thing: if you take the public's money, measure the student's knowledge — not the student's disability.