

May 17, 2018

The Honorable Pete Sessions  
Chair, House Rules Committee  
United States House of Representatives  
Washington, DC 20515

The Honorable James McGovern  
Ranking Member, House Rules Committee  
United States House of Representatives  
Washington, DC 20515

Re: Oppose Amendment #40 to H.R. 5515 to Add a Private School Voucher Program for Military-Connected Children

Dear Chairman Sessions and Ranking Member McGovern:

The 63 undersigned organizations write to oppose the inclusion of any amendment to the National Defense Authorization Act (NDAA) FY2019 that would create a private school voucher program. In particular, we oppose Amendment #40, which was filed by Representative Banks, because it would use Impact Aid to fund Education Savings Accounts (ESAs) for military-connected students.

In effect, ESAs are no different than traditional private school vouchers; they transfer funding that would ordinarily support students attending public schools into an account for students to use on other education expenses, including private school tuition. Like vouchers, ESAs divert desperately needed resources away from the public school system to fund the education of a few, select students in alternative settings. And, a voucher funded by Impact Aid would take away critical funding from school districts serving the majority of military-connected students<sup>1</sup> and funnel those federal dollars to private and unaccountable education providers for families who can already afford a private school education for their child. This would undermine the public school systems that educate the majority of military-connected students.

Furthermore, Amendment #40, like all voucher programs, lacks accountability, would strip students of rights and protections, and could lead to declines in students' educational outcomes.

### **Diverting Impact Aid Would Reduce Critical Funding for School Districts Serving Military-Connected and American Indian Students**

Impact Aid provides funding to school districts that have lost local tax revenue due to the presence of federal tax-exempt land—such as military installations, Native American

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<sup>1</sup>Approximately 80% of children of military families attend public school. Dep't of Def. Education Activity, [All About DoDEA Educational Partnership](#) (last visited Feb. 28, 2018).

reservations, or national parks—and that face increased expenditures due to the enrollment of federally-connected students—such as children of military families and American Indian and Alaska Native students.<sup>2</sup> As of 2016, Impact Aid provided funding to approximately 1,300 school districts enrolling more than 11 million students.<sup>3</sup>

Impact Aid funds the general operating budget of the school district and is necessary for implementing district-and school-wide programs. The funds serve all students in the district, and the school district can concentrate the funding where it is needed the most. For example, school districts use Impact Aid to hire and train teachers and staff, invest in technology, purchase buses and classroom equipment, and provide educational programming, including for students with disabilities. Turning Impact Aid into a per-pupil allocation would not only run contrary to the purpose of Impact Aid, but would also reduce the funding for these critical services that the school districts provide to all students. As a result, the majority of students, who would remain in the public school system, would have fewer resources.

Reducing Impact Aid funding for public schools would also place a great financial burden on the local community, which would be left to fund public schools with an already low level of local tax revenue. This is particularly unfair to these communities, as many federally impacted school districts pay higher than average taxes because of the lack of taxable property or taxpayers in their communities.

Congress would better serve these federally-impacted communities by fully funding Impact Aid instead of diverting federal funding into a private school voucher plan.

### **Private School Vouchers Undermine Public Schools, Which Provide Military-Connected Students with Important Supports and Services**

Military-connected students face unique challenges due to frequent relocations as well as the absence of parents who may be deployed overseas. These challenges are recognized by public school districts through coordinated academic transfer agreements in every state, as well as comprehensive systems of support for students, including professional development for school counselors, to ensure a safe and healthy learning environment. A redirection of additional resources away from public schools through any type of voucher program will only make it more difficult—if not impossible—for public schools to appropriately meet the needs of military-connected students and their families.

Public schools also meet the unique challenges that military-connected students face through the Interstate Compact on Educational Opportunity for Military Children, which is an agreement among states and school districts to address issues relating to enrollment, placement, attendance, eligibility, and graduation.<sup>4</sup> The goal of the compact is to “reduc[e] the difficulty children of

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<sup>2</sup> Dep’t of Educ., [About Impact Aid](#) (last visited Feb. 28, 2018).

<sup>3</sup> National Association of Federally Impacted Schools, [The Basics of Impact Aid](#) (last visited Feb. 28, 2018).

<sup>4</sup> Military Interstate Children’s Compact Commission, [Background](#) (last visited Feb. 28, 2018).

military families . . . have in transferring between school systems because of frequent moves and deployment of their parents.”<sup>5</sup> The compact, adopted by all 50 states and DC, does not extend to non-public schools, and therefore would be forfeited by students whose families choose to participate in a voucher program.

### **Amendment #40 Lacks Basic Accountability Mechanisms for Federal Dollars**

The ESA program created by Amendment #40 operates like a blank check for parents to use on virtually any expense related to their child’s education including uniforms, laptops, transportation to school, and college savings. Unlike other state ESA programs, which require parents to submit receipts demonstrating that the funds have been used for approved educational purposes, this program operates on an honor system where parents simply attest that they are using the funds for legitimate, reasonable educational purposes. Without any additional oversight, it is likely that these funds could be misused. For example, a parent could pay themselves for tutoring their own child in math.

Amendment #40 also lacks other important accountability mechanisms common in other state ESA programs. For example, it does not require educational service providers to acquire accreditation status, to abide by nondiscrimination provisions, to implement testing requirements, or to report any program information publicly. In fact, as a clear signal about its intent to remain free from even basic accountability measures, the bill explicitly prohibits the federal or state government from exercising any oversight over the program.

Yet, the ESA program that Amendment #40 would establish could be expansive. There is no cap on how many students can participate, and the vast array of allowable educational expenses range from private school tuition to summer camp to college tuition. Taxpayers should not be expected to fund a program that provides little to no accountability for how these federal dollars will be spent.

### **The Voucher Program in Amendment #40 Would Not Benefit Military-Connected Families Who Cannot Already Afford Private School**

The vast majority of military-connected families eligible for the ESA would receive \$2,500 to use for private school tuition and other educational expenses. According to 2014 data from the Nation Center for Education Statistics, the average price of a year of private elementary school is \$7,770, and the average annual cost of private high school is \$13,030.<sup>6</sup> Given that many private schools already provide financial aid to students, it is highly unlikely that \$2,500 will put a private school education in-reach for many military families. It is likely, however, that families could use this \$2500 to place into a 529 account, which will provide no immediate benefit to that student in the current school year. Congress should not divide military families into haves and have-nots by subsidizing the education of children whose families can already afford private

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<sup>5</sup> Dep’t of Defense Instruction 1342.29, [Interstate Compact on Educational Opportunity for Military Children](#) (Jan. 31, 2017).

<sup>6</sup> Dep’t of Educ., Nat’l Ctr. for Educ. Statistics, Schools and Staffing Survey (SASS), [Private School Data File](#), 1999-2000, 2003-04, 2007-08, and 2011-12 (This table was prepared in December 2015.)

schooling, while at the same time redirecting resources away from the children who remain in the public school system and who count on Impact Aid to provide critical supports to their school.

### **Private School Vouchers Are Ineffective and Harmful Education Policy**

Private school voucher and ESA programs are ineffective education policy. It is well-documented that private school voucher programs do not lead to improved academic achievement, and, in many states, can lead to a decline in achievement. Recent studies of the Louisiana,<sup>7</sup> Indiana,<sup>8</sup> Ohio,<sup>9</sup> and the District of Columbia<sup>10</sup> voucher programs have demonstrated that students who used vouchers perform worse academically than their peers. In addition, studies of long-standing voucher programs in Milwaukee<sup>11</sup> and Cleveland<sup>12</sup> found that students who received vouchers showed no improvement in reading or math over those not in the program.

Private schools that receive voucher and ESA students also do not adhere to all federal civil rights laws and public accountability standards that all public schools must meet, including those in Title IX, the Individuals with Disabilities Education Act (IDEA), and ESEA. For example, private schools can and do turn students away on the basis of students' or their parents' faith, sexual orientation, gender identity, disciplinary history, and disability. Private voucher schools also do not adequately serve students with disabilities, often failing to provide them the same quality of services they would receive in public schools, including those mandated under each student's individualized education program (IEP).<sup>13</sup> Moreover, vouchers and ESAs violate religious liberty by primarily funding religious schools. Parents certainly may choose such an education for their children, but no taxpayer should be required to pay for another's religious education.

### **Conclusion**

The very families Amendment #40 purports to serve are the same who have rejected turning Impact Aid into a private school voucher program. The National Military Family Association has already opposed this proposal to divert Impact Aid from schools that educate military-connected

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<sup>7</sup> Morgan Winsor, [Louisiana's Controversial Voucher Program Harms Poor Students, Lowers Grades, New Study Finds](#), Int'l Bus. Times (Jan. 10, 2016).

<sup>8</sup> Mark Dynarski, [On Negative Effects of Vouchers](#), Brookings Inst. (May 26, 2016).

<sup>9</sup> David Figlio & Krzysztof Karbownik, Fordham Institute, [Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, and Performance Effects](#) 32 (July 2016).

<sup>10</sup> U.S. Dep't of Educ., [Evaluation of the D.C. Scholarship Program: Impacts After One Year](#) 11 (Apr. 2017).

<sup>11</sup> *E.g.*, Patrick J. Wolf, School Choice Demonstration Project, Univ. of Ark., [The Comprehensive Longitudinal Evaluation of the Milwaukee Parental Choice Program: Summary of Final Reports](#) (Apr. 2010). (Overall, there are no significant achievement gains of voucher students compared to public school students. "When similar MPCP and MPS students are matched and tracked over four years, the achievement growth of MPCP students compared to MPS students is higher in reading but similar in math. The MPCP achievement advantage in reading is only conclusive in 2010-11, the year a high-stakes testing policy was added to the MPCP.")

<sup>12</sup> *E.g.*, Jonathan Plucker et al., Ctr. for Evaluation & Educ. Policy, Univ. of Ind., [Evaluation of the Cleveland Scholarship and Tutoring Program. Technical Report 1998-2004](#) 166 (Feb. 2006).

<sup>13</sup> For example, a 2010 study of the Washington, DC voucher program found that 21.6% of parents who rejected a voucher that was offered to their child did so because the school lacked the special services that their child needed and, 12.3% of the parents who accepted a voucher for their child but then left the program cited a lack of special needs services at the school they had chosen. U.S. Dep't of Educ., [Evaluation of the D.C. Opportunity Scholarship Program: Final Report](#), 24-26 (June 2010).

students<sup>14</sup> and the Military Officers Association of America has expressed similar concerns.<sup>15</sup> The Military Coalition, a consortium of uniformed services and veterans organizations representing more than 5.5 million current and former service members and their families also opposes any proposal to turn Impact Aid into a voucher.<sup>16</sup> In addition, a number of military serving organizations have affirmatively expressed support for the Impact Aid program.<sup>17</sup>

The men and women who serve our country should not have to reach outside our public education system, which is intended to serve every child in America, to provide their children with a quality education. They deserve better than this private school voucher scheme. We urge you to also oppose Amendment #40 to H.R. 5515 and instead to support the public schools that serve all students and that are specifically-equipped to serve our military-connected students.

Sincerely,

AASA: The School Superintendents Association  
African American Ministers In Action  
American Association of University Women (AAUW)  
American Atheists  
AFL-CIO  
American Civil Liberties Union  
American Federation of School Administrators (AFSA), AFL-CIO  
American Federation of State, County, and Municipal Employees (AFSCME)  
American Federation of Teachers, AFL-CIO  
American Humanist Association  
Americans for Religious Liberty  
Americans United for Separation of Church and State  
Anti-Defamation League  
The Arc of the United States  
Association of Educational Service Agencies  
Association of Latino Administrators and Superintendents  
Association of School Business Officials International  
Association of University Centers on Disabilities (AUCD)  
Baptist Joint Committee for Religious Liberty  
Center for American Progress  
Center for Inquiry  
Central Conference of American Rabbis  
Clearinghouse On Women's Issues

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<sup>14</sup> MJ Boice, [This School Voucher Plan Is Not the Answer for Military Families](#), National Military Family Association (Mar. 1, 2018);  
<sup>15</sup> Brooke Goldberg, [Will Proposed Education Savings Accounts Help or Hurt Military Kids?](#), Military Officers Association of America (last visited Mar. 7, 2018).  
<sup>16</sup> [Letter from The Military Coalition Opposing H.R. 5199](#) (Apr. 5, 2018).  
<sup>17</sup> [Joint Statement on Impact Aid: Military Service Organizations Support Impact Aid](#) (Dec. 13, 2017).

Council for Exceptional Children  
Council of Administrators of Special Education  
Council of the Great City Schools  
Disciples Center for Public Witness  
Disciples Justice Action Network  
Eating Disorders Coalition  
Education Law Center  
Equal Partners in Faith  
Federal Lands Impacted Schools Association  
Freedom From Religion Foundation  
GLSEN  
Interfaith Alliance  
Learning Disabilities Association of America  
Men of Reform Judaism  
Military Impacted Schools Association  
National Alliance of Black School Educators  
NAACP  
National Association of Elementary School Principals  
National Association of Federally Impacted Schools  
National Association of School Psychologists  
National Association of Secondary School Principals  
National Black Justice Coalition  
National Center for Learning Disabilities  
National Center for Lesbian Rights  
National Council of Jewish Women  
National Disability Rights Network  
National Education Association  
National Indian Impacted Schools Association  
National Organization for Women  
National PTA  
National Rural Education Advocacy Coalition  
National Rural Education Association  
National School Boards Association  
Network for Public Education  
People For the American Way  
School Social Work Association of America  
Secular Coalition for America  
Southern Poverty Law Center  
Union for Reform Judaism  
Women of Reform Judaism