

September 26, 2023

Representative Kay Granger  
Chair, Committee on Appropriations  
United States House of Representatives  
2308 Rayburn Office Building  
Washington, D.C. 20515

Representative Rosa DeLauro  
Ranking Member, Committee on  
Appropriations  
United States House of Representatives  
2413 Rayburn Office Building  
Washington, D.C. 20515

The Honorable Patty Murray  
Chair, Committee on Appropriations  
United States Senate  
154 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Susan Collins  
Vice Chair, Committee on Appropriations  
United States Senate  
413 Dirksen Senate Office Building  
Washington, D.C. 20510

RE: Do Not Expand or Reauthorize the Failing D.C. School Voucher Program

Dear Chair Granger, Ranking Member DeLauro, Chair Murray, and Vice Chair Collins:

The 37 undersigned members of the National Coalition for Public Education (NCPE) write to voice our opposition to the expansion, continued funding, or reauthorization of the District of Columbia private school voucher program in the FY 2024 Financial Services and General Government (FSGG) Appropriations bill. In particular, we staunchly oppose the egregious expansion of the D.C. voucher program included in the House version of the FSGG bill. The House version would strip federal funds provided to District public schools under the SOAR Act, and funnel that money into the failing D.C. private school voucher program.

The Committee should not fund—let alone expand—a voucher program that is ineffective, unaccountable to taxpayers, and poorly managed. And it should not send millions of dollars to voucher schools that do not provide the same civil rights protections afforded to students in the public schools, including for students with disabilities under the Individuals with Disabilities Education Act (IDEA). Public dollars should fund public schools that serve all students.

#### The House FSGG Provision Defunds D.C. Public Schools

Since 2003, Congress has provided equal amounts of money under the SOAR Act to three education systems in the District of Columbia: D.C. public schools, D.C. public charter schools, and D.C. private schools that participate in the voucher program. This “three-pronged approach” was

critical to gaining support for the program from D.C. Mayor Anthony Williams<sup>1</sup> (although the additional funds still did not sway the majority of the District’s Council Members to support the program)<sup>2</sup> and was an essential component in attracting bipartisan support in Congress.<sup>3</sup>

The FY 2024 House FSGG bill fails to honor the three-pronged funding compromise for D.C. by substantially decreasing funding for D.C. public schools. The FY 2024 provision would cut public school funding to one-sixth of the total SOAR Act funds and increase funding for the voucher program to one-half of the total. This voucher expansion would strip \$8.75 million per year from D.C.’s public schools, which educate about 50,000 students, and instead funnel it to private schools that serve less than 2,000 voucher students. The House’s proposal would also reauthorize the voucher program through the year 2027. To add insult to injury, the House is also currently considering other deep cuts to Title I funding in appropriations bills that would especially impact D.C. public schools.

Expanding and reauthorizing the D.C. voucher—which has been repeatedly proven unsuccessful in increasing student achievement, is not accountable to federal taxpayers, and which uses public funds to discriminate against populations of students—is at best misguided and at worst a targeted attempt to undermine the public education of 50,000 D.C. students.

### The D.C. Voucher Does Not Improve Educational Opportunities for Students

Multiple congressionally mandated U.S. Department of Education studies of the D.C. voucher program have demonstrated the program does not improve the academic achievement of participating students.<sup>4</sup> In fact, two recent studies demonstrate students using vouchers are performing *worse* academically than their peers who are not in the voucher program.<sup>5</sup> Evidence shows that using a D.C. voucher actually results in a learning loss in math that is on par with the educational impacts of Hurricane Katrina.<sup>6</sup>

The most recent Department of Education study also found the voucher program has no effect on parental satisfaction, perceptions of safety, or involvement.<sup>7</sup> In addition, previous studies have indicated many students in the voucher program are less likely than students not participating in the voucher program to have access to key services such as ESL programs, learning supports,

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<sup>1</sup> When Williams changed his position he noted, “Let me be very clear in saying that any federally funded program that provides scholarships for private schools must be balanced with direct assistance to [D.C. public schools] and with additional funding for charter schools.” Craig Timberg & Justin Blum, [Mayor Endorses Vouchers in D.C.](#), *The Wash. Post* (May 2, 2003).

<sup>2</sup> See Justin Blum, [Mayor Pursues Vouchers, Public School Aid](#), *The Wash. Post* (July 24, 2003); U.S. Cong. Research Serv., [District of Columbia Opportunity Scholarship Program \(D.C. OSP\): Overview, Implementation, and Issues](#), CRS Report No. R45581, 2 (Mar. 7, 2019).

<sup>3</sup> The voucher’s congressional champion at the time, then-Sen. Mike DeWine (R-OH), said about the three-pronged program, “That is what I like about it,” and described the deal as “a very balanced approach, new money, not taking any money away from the public schools.” 149 Cong. Rec. SS11954, SS11977 (daily ed. Sept. 25, 2003).

<sup>4</sup> U.S. Dep’t of Educ., [Evaluation of the D.C. Opportunity Scholarship Program: Impacts Three Years After Students Applied](#) (May 2019) (2019 U.S. Dep’t of Educ. Report); U.S. Dep’t of Educ., [Evaluation of the D.C. Opportunity Scholarship Program: Impacts Two Years After Students Applied](#) (June 2018) (2018 U.S. Dep’t of Educ. Report); U.S. Dep’t of Educ., [Evaluation of the D.C. Opportunity Scholarship Program: Impacts After One Year](#) (June 2017) (2017 U.S. Dep’t of Educ. Report); U.S. Dep’t of Ed., [Evaluation of the D.C. Scholarship Program: Final Report](#) (June 2010) (2010 U.S. Dep’t of Educ. Report); U.S. Dep’t of Ed., [Evaluation of the D.C. Scholarship Program: Impact After 3 Years](#) (Apr. 2009) (2009 U.S. Dep’t of Educ. Report); U.S. Dep’t of Ed., [Evaluation of the D.C. Scholarship Program: Impact After 2 Years](#) (June 2008) (2008 U.S. Dep’t of Educ. Report); U.S. Dep’t of Ed., [Evaluation of the D.C. Scholarship Program: Impact After 1 Year](#) (June 2007) (2007 U.S. Dep’t of Educ. Report).

<sup>5</sup> 2018 U.S. Dep’t of Educ. Report at 19; 2017 U.S. Dep’t of Educ. Report at 11.

<sup>6</sup> Nat’l Coalition for Public Educ., [Voucher Impacts on Academic Achievement](#) (2023).

<sup>7</sup> 2019 U.S. Dep’t of Educ. Report at 6-9.

supports and services for students with disabilities, and counselors.<sup>8</sup> Moreover, a study from the Urban Institute found that receiving a voucher does not increase college enrollment rates.<sup>9</sup>

Congress initially created the voucher as a five-year pilot, contingent on students' results in the program evaluations. Having failed to improve the academic achievement and school experience of the students in the voucher program for nearly two decades, the program clearly does not warrant continuation, much less expansion.

### The D.C. Voucher Lacks Sufficient Oversight and Accountability

According to two Government Accountability Office reports, the D.C. voucher program has repeatedly failed to meet basic and even statutorily required accountability measures.<sup>10</sup> A *Washington Post* investigation found that participating private schools lack even basic quality controls: schools sometimes operated out of run-down storefronts or homes without proper amenities such as restrooms and gymnasiums.<sup>11</sup> At one school where 93% of the students had vouchers, students were taught from a "learning model known as 'Suggestopedia,' an obscure Bulgarian philosophy of learning that stresses learning through music, stretching, and meditation."<sup>12</sup> Even a prior administrator of the program admitted that "quality oversight of the program [w]as sort of a dead zone, a blind spot."<sup>13</sup>

These schools are of such low quality that more than 42% of those participating have had to shut down due to a variety of deficiencies, including fraud and financial mismanagement,<sup>14</sup> and failure to achieve accreditation after more than a decade of attempts.<sup>15</sup> Of the 82 schools that have participated in the program since its creation, 35 have closed their doors.<sup>16</sup>

A program with such repeated and serious oversight problems should not continue to be funded by taxpayers.

### The D.C. Voucher Endangers Civil Rights, Undermines Constitutional Protections, and Perpetuates Segregation

Despite receiving public funds, the private schools participating in the D.C. voucher program do not abide by federal civil rights mandates and public accountability standards which all public schools must meet, including those under Title VI, Title IX, the IDEA, Title II of the Americans with Disabilities Act and the Elementary and Secondary Education Act (ESEA). Students who attend

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<sup>8</sup> 2010 U.S. Dep't of Educ. Report at 20; 2009 U.S. Dep't of Educ. Report at xxii, 17; 2008 U.S. Dep't of Educ. Report at xviii, 16.

<sup>9</sup> Matthew Chingos, Urban Inst., [The Effect of the D.C. School Voucher Program on College Enrollment](#) (Feb. 2018).

<sup>10</sup> U.S. Gov't Accountability Office, [District of Columbia Opportunity Scholarship Program: Actions Needed to Address Weaknesses in Administration and Oversight](#), Publication No. GAO-13-805 (Nov. 2013); U.S. Gov't Accountability Office, [District of Columbia Opportunity Scholarship Program: Additional Policies and Procedures Would Improve Internal Controls and Program Operations](#), Pub. No. 08-9 at 26 (Nov. 2007).

<sup>11</sup> Lyndsey Layton, [D.C. School Voucher Program Lacks Oversight, GAO Says](#), *The Wash. Post* (Nov. 15, 2013).

<sup>12</sup> *Id.* (Discussing Academy for Ideal Education).

<sup>13</sup> Lyndsey Layton, [Quality Controls Lacking for D.C. Schools Accepting Federal Vouchers](#), *The Wash. Post*, (Nov. 17, 2012).

<sup>14</sup> For example, Kirov Academy, a ballet school that accepted vouchers, hired a person to be its treasurer even though she had recently spent two years in prison for embezzling money. She stole \$1.5 million from the school over the course of nine months. The school was forced to close due to the ensuing financial difficulties. See Rebecca J. Ritzel, [A Ballet School Rehired an Embezzler. Then \\$1.5 Million Vanished](#), *The N.Y. Times*, (Mar. 16, 2020).

<sup>15</sup> Two voucher schools described in the *Post's* investigation, The Academy for Ideal Education and Academia de la Recta Porta, closed after failing to receive accreditation despite participating in the D.C. voucher program for almost 15 years. See Layton, [Quality Controls Lacking](#).

<sup>16</sup> Lauren Lumpkin, [House GOP Would Divert Funds for D.C. Public Schools to Voucher Program](#), *The Wash. Post* (Aug. 6, 2023).

private schools with vouchers are stripped of their First Amendment, due process, and other constitutional and statutory rights provided to students in public schools. It is even more important that voucher schools protect students' civil rights, considering most students in the D.C. voucher program attend private schools that are deeply racially segregated. More than 70% of D.C. voucher students are concentrated in private schools with student populations that are over 90% Black and Hispanic.<sup>17</sup> Schools that do not provide students with basic civil rights protections should not be funded with taxpayer dollars.

As the House and Senate have done in the past, Congress should, at a minimum, add language to the SOAR Act to require participating voucher schools to provide the same nondiscrimination protections that students receive in D.C. public schools.

### Conclusion

For these reasons and more, NCPE opposes the expansion, reauthorization, or continuation of the D.C. voucher program in the FY 2024 FSGG Appropriations bill.

Thank you for your consideration of our views.

Sincerely,

AASA, The School Superintendents Association  
American Atheists  
American Federation of School Administrators  
American Federation of State, County and Municipal Employees (AFSCME)  
American Federation of Teachers  
American Humanist Association  
Americans United for Separation of Church and State  
ADL (Anti-Defamation League)  
Association of School Business Officials International (ASBO)  
Baptist Joint Committee for Religious Liberty (BJC)  
Center for Inquiry and the Richard Dawkins Foundation for Reason & Science  
Central Conference of American Rabbis  
Clearinghouse on Women's Issues  
Council for Exceptional Children  
Council of Administrators of Special Education  
Council of the Great City Schools  
Feminist Majority Foundation  
GLSEN  
In the Public Interest  
Interfaith Alliance  
NAACP  
National Association of Elementary School Principals  
National Association of Federally Impacted Schools  
National Association of Secondary School Principals

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<sup>17</sup> Mary Levy, [Washington, D.C. Voucher Program: Civil Rights Implications](#), Working Paper for the UCLA Civil Rights Program, 23 (Mar. 5, 2018).

National Center for Learning Disabilities  
National Council of Jewish Women  
National Disability Rights Network (NDRN)  
National Education Association  
National Organization for Women  
National PTA  
Network for Public Education  
People For the American Way  
Public Funds Public Schools  
School Social Work Association of America  
Secular Coalition for America  
Union for Reform Judaism  
Women of Reform Judaism