

October 25, 2023

Representative Jason Smith
Chair, Committee on Ways & Means
United States House of Representatives
1011 Longworth House Office Building
Washington, D.C. 20515

Representative Richard Neal
Ranking Member, Committee on Ways &
Means
United States House of Representatives
372 Cannon House Office Building
Washington, D.C. 20515

RE: Hearing on “Educational Freedom and Opportunity for American Families, Students, and Workers”

Dear Chair Smith and Ranking Member Neal:

The 42 undersigned members of the National Coalition for Public Education (NCPE) submit this letter for the record of the October 25, 2023 hearing titled, “Educational Freedom and Opportunity for American Families, Students, and Workers.” We write to express our strong opposition to private school voucher programs, including those structured as tuition tax credits. Public money should fund public schools.

Although promoted as “educational freedom,” private school vouchers do not provide real freedom of choice to students and parents. The “choice” in voucher programs actually lies with the private schools, which may turn students away for a variety of reasons often including disability, sexual orientation and gender identity, religion, academic achievement, and economic status.

In contrast, public schools are open to all. They educate nearly 90% of our country’s students and are a cornerstone of our communities. Private school voucher programs undermine our nation’s public schools by diverting desperately needed resources away from the public school system to fund the education of a few, select students in private, often religious, schools.

Although tuition tax credit schemes may have a different name and structure, they are simply another private school voucher: they divert taxpayer funds away from public education and into private schools. For example, the Educational Choice for Children Act (H.R. 531) provides individuals and corporations a dollar-for-dollar tax credit for donating money to a “scholarship granting organization” that pays the tuition for students who attend private schools. This operates less like a tax incentive and more like a direct transfer of taxpayer funds away from public education and into private schools. The government should not redirect up to \$10 billion dollars per year of taxpayer dollars to pay for ineffective, discriminatory, and unaccountable vouchers.

Private school vouchers fail to improve students' academic achievement. Indeed, they often cause students to perform worse than their peers who aren't in the voucher program: large-scale studies of the Louisiana, Indiana, Ohio, and Washington, DC, programs show that voucher students experienced significant declines in their academic performance.¹ The impact of accepting a voucher on academic achievement in these programs is on par with or worse than the learning loss caused by Hurricane Katrina and the COVID-19 pandemic.²

Private school voucher programs have a sordid history. Rooted in attempts to evade desegregation orders in the wake of *Brown v. Board of Education*,³ they still fund discrimination today. Despite receiving public funds, voucher schools do not abide by the same civil rights requirements as public schools, including those in Title VI and Title IX of the Civil Rights Act, the Individuals with Disabilities Education Act (IDEA), Title II of the Americans with Disabilities Act, and the Every Student Succeeds Act (ESSA). Students who attend private schools with vouchers are also stripped of protections for their civil rights and liberties, including First Amendment, due process, and other constitutional and statutory rights.

Students with disabilities are especially underserved by vouchers. Voucher schools do not provide the same quantity and quality of services available to students with disabilities in public schools, including those mandated under each student's individualized education program (IEP). Voucher schools often deny students with disabilities admission or subject them to inappropriate or excessive suspensions or expulsions. This discrimination should not be supported by taxpayer funds.

In addition, voucher programs often lack even the most basic accountability standards and oversight requirements to ensure that taxpayer money is not being wasted. They frequently do not require participating schools to meet any baseline standard for teacher qualification, student testing, financial accountability, or even safe facilities. There is a long list of instances where this lack of oversight has resulted in waste, fraud, and abuse.

For all of the above reasons, we urge you to reject any private school voucher proposals discussed at this hearing or in the future, including H.R. 531. Vouchers are bad public policy. Congress would better serve our children by using our limited taxpayer funds to ensure every child has access to strong public schools. Thank you for your consideration of our views.

Sincerely,

¹R. Joseph Waddington & Mark Berends, [Impact of the Indiana Choice Scholarship Program: Achievement Effects for Students in Upper Elementary & Middle School](#), 37 *J. of Policy Analysis & Mgmt.* 4, 738-808 (Aug. 2018); Atila Abdulkadiroğlu, Parag A. Pathak & Christopher R. Walters, [Free to Choose: Can School Choice Reduce Student Achievement?](#), 10 *Am. Econ. Journal: Applied Econ.* 1, 175-206 (Jan. 2018); David Figlio & Krzysztof Karbownik, [Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, & Performance Effects](#), *Fordham Inst.* (July 2016); U.S. Dep't of Educ., [Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied](#) (June 2018).

² [Voucher Impacts on Student Outcomes As Harmful As Natural Disasters \(Measured in Standard Deviation\)](#), National Coalition for Public Education (2023).

³ See Jon Hale, *The Choice We Face: How Segregation, Race, & Power Have Shaped America's Most Controversial Education Reform Movement*, Beacon Press (2021); Steve Suitts, *Overturing Brown: The Segregationist Legacy of the Modern School Choice Movement*, NewSouth Books (2020).

AASA, The School Superintendents Association
American Atheists
American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers
American Humanist Association
Americans United for Separation of Church and State
The Arc of the United States
Association of Educational Service Agencies
Association of School Business Officials International (ASBO)
Baptist Joint Committee for Religious Liberty (BJC)
Center for Inquiry (CFI)
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
Freedom From Religion Foundation
GLSEN
In the Public Interest
Interfaith Alliance
National Association of Elementary School Principals
National Association of Federally Impacted Schools
National Association of Secondary School Principals (NASSP)
National Association of School Psychologists
National Center for Learning Disabilities
National Council of Jewish Women
National Disability Rights Network (NDRN)
National Education Association
National PTA
National Rural Education Advocacy Collaborative
National Rural Education Association
National School Boards Association
Network for Public Education
People For the American Way
Public Funds Public Schools
The Secular Coalition for America
School Social Work Association of America
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SPLC Action Fund
Union for Reform Judaism
Women of Reform Judaism