

February 4, 2021

RE: Oppose Public Funds for Private School Vouchers

Dear Senator:

As the 117th Congress commences, we, the 43 undersigned members of the National Coalition for Public Education (NCPE), write to express our continued support for using public funds for public education and to urge you to oppose legislation that would create or expand private school voucher programs.

Public schools provide education to 90% of our country's students and are a cornerstone of our communities: They bring together students regardless of economic status, disability, religion, race, ethnicity, English fluency, sexual orientation, gender identity, or any other personal characteristic. Private school voucher programs, however, 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.

Voucher programs have proven ineffective in improving students' academic achievement,<sup>1</sup> lack accountability,<sup>2</sup> and fail to provide students with the rights and protections they would receive in public schools.<sup>3</sup> Voucher programs are also insufficient in providing adequate services for students most in need, including students with disabilities, low-income students, and students who are English learners.

Private school voucher programs have a sordid history, rooted in attempts to evade desegregation orders in the wake of *Brown v. Board of Education*,<sup>4</sup> and they still fund discrimination today. Unlike public schools, which are open to all students, private schools accepting vouchers often deny students admission. Private schools also do not provide the same rights and protections for students including those in federal civil rights laws such as in Titles IV and VI of the Civil Rights Act, Title IX of the Education Amendments Act of 1972, the Individuals with Disabilities Education Act, and Title II of the Americans with Disabilities Act.

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<sup>1</sup> E.g., Jonathan N. Mills & Patrick J. Wolf, Univ. of Ark., [The Effects of the Louisiana Scholarship Program on Student Achievement After Four Years](#) (Apr. 2019); Megan Austin et. al., *Russell Sage Found. J. of the Social Sciences*, [Voucher Pathways and Students Achievement in Indiana's Choice Scholarship Program](#) (2019); David Figlio & Krzysztof Karbownik, Fordham Institute, [Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, and Performance Effects](#) (July 2016); U.S. Dep't of Educ., [Evaluation of the DC Opportunity Scholarship Program: Impacts Three Years After Students Applied](#) (May 2019).

<sup>2</sup> E.g., U.S. Gov't Accountability Office, GAO-16-712, [Private School Choice Programs Are Growing and Can Complicate Providing Certain Federally Funded Services to Eligible Students](#) (2016); U.S. Gov't Accountability Office, GAO-13-805, [District of Columbia Opportunity Scholarship Program: Actions Needed to Address Weaknesses in Administration and Oversight](#) (2013).

<sup>3</sup> Julie F. Mead & Suzanne E. Eckes, Nat'l Educ. Policy Ctr., [How School Privatization Opens the Door for Discrimination](#) (Dec. 2018); Bayliss Fiddiman & Jessica Yin, Ctr for Amer. Progress, [The Danger Private School Voucher Programs Pose to Civil Rights](#), (May 13, 2019).

<sup>4</sup> Chris Ford, et al., [The Racist Origins of Private School Vouchers](#), Ctr. for Am. Progress (July 12, 2017).

And students who attend private schools do not have the same free speech and religious freedom protections under the First Amendment, the same due process or other constitutional and statutory rights guaranteed to them as in public schools, or the same clear systems for oversight, reporting violations, or enforcing penalties for noncompliance as children and families attending public schools.

### **Oppose COVID-19 Funding for Private School Vouchers**

As Congress continues to work on providing additional COVID-19 relief funding for our schools and communities, we urge you to ensure federal funding supports public schools, not private schools. We recognize the hardship many students and families are currently facing as a result of the COVID-19 pandemic. However, it is during this challenging time that the federal government should focus on providing more resources to our public schools and public school educators, which serve the vast majority of our nation’s students, particularly students from under resourced communities and students of color, rather than siphoning limited resources to private schools.

Private schools have repeatedly received relief funding through the CARES Act—including billions of dollars in forgivable loans to private schools through the Paycheck Protection Program<sup>5</sup>—and most recently through a set aside as part of the GEER fund in the Consolidated Appropriations Act.<sup>6</sup> We urge you to ensure that these limited funds for private schools to continue operations are not expanded to include additional funding for private school education or new voucher programs.

### **Oppose Funding for the DC Voucher Program**

We also urge you to oppose the continuation of the DC private school voucher program, which Congress has forced upon the District since 2004. Although intended as a pilot program, this federally funded voucher program continues to exist despite repeatedly failing to garner enough congressional support to pass as a standalone bill.<sup>7</sup> In fact, the program was recently reauthorized through FY 2023 through its inclusion as part of an omnibus spending bill.<sup>8</sup>

The DC voucher program is ineffective. Multiple congressionally mandated Department of Education studies of the program have demonstrated that it does not improve the academic achievement of students using vouchers.<sup>9</sup> And, reports conducted by the Government

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<sup>5</sup> Samantha Sokol, et al., Ams. United for Separation of Church & State, [The Paycheck Protection Program Has Provided Billions in Federal Funds to Private and Religious Schools](#), 5 (Jul. 29, 2020). Under PPP, private schools received between \$2.67 billion and \$6.47 billion, with some private schools receiving millions more in federal dollars under the PPP program than the entire public school district in which they are located received under the CARES Act.

<sup>6</sup> Consolidated Appropriations Act, Pub. L. No. 116–260 (2020).

<sup>7</sup> National Coalition for Public Education, [The DC Voucher: History](#) (last visited Jan. 18, 2021).

<sup>8</sup> Further Consolidated Appropriations Act, Pub. L. No. 116-94 (2019).

<sup>9</sup> 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

Accountability Office document that the DC voucher program has repeatedly failed to meet basic and even statutorily required accountability measures.<sup>10</sup> A special investigation conducted by the *Washington Post* also found that many of the private schools in the program are not quality schools.<sup>11</sup>

Congress should not continue to allocate millions of taxpayer dollars to an unsuccessful and poorly managed program.

### **Oppose Other Voucher and Privatization Schemes**

In recent years, Congress has tried and failed to pass legislation to create numerous other private school programs or voucher-like schemes. These attempts include plans to divert critical Impact Aid funding to create private school voucher programs for military-connected students as part of previous NDAA bills and plans to expand the use of 529 college savings accounts to allow coverage of expenses not just for private school tuition, as permitted by an amendment to the Tax Cuts and Jobs Act, but also additional expenses associated with homeschooling and private K-12 education. We continue to oppose any legislation that would send federal funds to private schools.

### **Conclusion**

We urge you to strengthen our country's public schools and oppose private school voucher programs and other mechanisms to funnel public dollars to private schools.

Sincerely,

AASA, The School Superintendents Association  
American Atheists  
American Federation of Teachers  
American Humanist Association  
Americans United for Separation of Church and State  
Association of Educational Service Agencies  
Association of School Business Officials International (ASBO)  
Baptist Joint Committee for Religious Liberty (BJC)  
Center for Inquiry  
Central Conference of American Rabbis  
Clearinghouse on Women's Issues  
Council for Exceptional Children  
Council of Administrators of Special Education  
Council of Great City Schools

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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>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) (2013 GAO Report); 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) (2007 GAO Report).

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

Disciples Center for Public Witness  
Disciples Justice Action Network  
Equal Partners in Faith  
Feminist Majority Foundation  
GLSEN  
In the Public Interest  
Interfaith Alliance  
Learning Disabilities Association of America  
NAACP  
National Association of Elementary School Principals  
National Association of Federally Impacted Schools  
National Association of Secondary School Principals  
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  
School Social Work Association of America  
Secular Coalition for America  
SPLC Action Fund  
Union for Reform Judaism  
Women of Reform Judaism