

**THE VALUE OF EDUCATION CHOICES: SAVING
THE D.C. OPPORTUNITY SCHOLARSHIP PROGRAM**

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

OF THE

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

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FEBRUARY 16, 2011
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SCHOLARSHIP PROGRAM**

WEDNESDAY, FEBRUARY 16, 2011

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 9:25 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman and Collins.

OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. Good morning. The hearing will come to order. I thank all the witnesses for being here. I want to particularly welcome Mayor Vincent Gray and Chairman Kwame Brown.

This is a cause, and I suppose a debate, that has gone on for a period of years now since this program was adopted in 2003. Senator Collins and I have been strong supporters of it. We have had frustrating times the last few years as we have not succeeded in adding new students to this critically important program, but we are not giving up because we believe in it so deeply.

I am just going to speak a little bit and put my statement in the record.

This program was adopted for a very fundamental reason which was that by all the objective indicators we saw, too many children in the District of Columbia were not receiving their God given, certainly constitutionally protected, right to an equal opportunity of an equal education. Our judgment was, in adopting this program, that we had to focus on the children, and really more particularly on the individual children and how we could maximize their opportunity for an equal education and a ladder up in American society.

In other words, we decided to focus on the child instead of the particular institution that was delivering the education to the child. Obviously most of our children in the District of Columbia and throughout America will always be educated in public schools, I was, and I would not be where I am today if I had not received the education I got in the public schools in Stamford, Connecticut, but the fact is that a lot of children in the District are not receiving—there was, at that time, and unfortunately still, D.C. public schools ranked last on a series of national evaluations, 51 out of 51, and so we created this program, D.C. Opportunity Scholarship

Program (OSP), to give support to low-income children to attend private schools as their ladder up.

We also, just to meet the argument that we were not going to take this money out of available public school funds and created a tripartite program where we gave equal amounts of money to the public schools, additional money, money they would not otherwise have received which is a considerable amount over the years we have been going to give to the charter schools which have done really exceptional work.

The public schools of the District, I think, are improving, but by objective indicators they are not there yet. It was a very compelling, poignant moment last year when then chancellor Michelle Rhee came out for our proposal and she said, "I am devoting all my energy to the public schools, but until I can look every parent of a child in the District in the eye and say you can get the education you want your children to get in the D.C. public schools, I cannot oppose this program in good conscience."

So, unfortunately for a lot of reasons it did not make it. Usually I try to see the arguments on the other side. This one I have trouble with.

I know, Mayor, you and I have a different position and we will have a good, respectful discussion about it. We have, as I said, new faces today—Mayor Gray, Chairman Brown. We have some, I would not call them old faces, but familiar faces: Kevin Chavous, youthful, whatever his age, and extremely dynamic; Virginia Walden Ford represents the parents of D.C. children in these programs; and then Dr. Wolf who has done an independent evaluation.

I will say as we begin this battle again this year that there is one new face, at least in one new place that gives us hope that we are going to succeed this year and that is that John Boehner is the Speaker of the House and he has been a consistent and fervent supporter of this program and, frankly, I think it is personal because he came from a large, low-income family and the education he received—in that case in the Catholic school system—he feels helped him to get at least the footing on the ladder that now has taken him to be Speaker of the House, third in line for the Presidency of the United States.

So, the Speaker does not usually introduce bills. That is a custom over in the House, but he decided to co-sponsor the reauthorization of this tripartite program and that is really good news. This is going to be complicated, but we are starting this year with a reason for hopefulness and I hope we can end it in a way that not only creates opportunity, again through the D.C. Opportunity Scholarship Program, but again puts more money into the charter schools and the public schools of the District of Columbia.

I thank everybody for being here. I know that the mayor and chairman have to go to a memorial service and do not have a lot of time, so I welcome them. We will get to them in a moment.

Senator Collins, thank you for your partnership on this cause as well as so many others. I would welcome your opening statement now.

OPENING STATEMENT OF SENATOR COLLINS

Senator COLLINS. Thank you very much, Mr. Chairman, and let me thank you not only for your eloquent statement this morning, but for continuing this fight. It reflects the deep compassion that you have for each and every child in the District of Columbia and I know that there are so many families in the District who are so grateful for your untiring advocacy on their behalf.

A year has passed since we last discussed, at a hearing in this room, how we could best support the efforts of parents and students in the District to secure a high-quality education. At that time, we heard the inspiring personal success stories of participants in the opportunity scholarship program.

Ronald Holassie is here again today. He is in the audience. He talked about how the D.C. Opportunity Scholarship Program had literally changed his life and I so remember his taking on one of our colleagues who was proposing that the program be terminated and he said these memorable words, which echo today. He pointed out to this Senator that D.C. schools did not get bad overnight and they are not going to get better overnight either. And I thought that summed up so well why we are here and why we are advocating this important program and I know today, both Ronald and his younger brother, Richard, are vivid examples of this program's success.

I had an opportunity to talk to him briefly before the hearing. He is now a senior and is looking at colleges. This is the difference that this program can make, and the testimony last year helped to highlight the real world implications for families in the District of this Administration's unfortunate decision last year to prevent new students from joining this successful program and their words still echo today as we consider the Administration's newest misguided proposal to kill the program altogether. While not unexpected, this decision is both disappointing and shortsighted.

As the Federal Department of Education's own Institute of Education Sciences makes clear, students who participated in this program are more likely to graduate from high school than those who did not. That is a clear indicator of this program's success, so I am very proud to have joined the Chairman in reintroducing legislation to reauthorize the D.C. Opportunity Scholarship Program.

This program has clearly filled a need, a fact that is illustrated by the long lines of parents waiting to enroll their children into the program. Since its inception, more than 8,400 students have applied for scholarships and this morning a new poll is being released that provides further evidence of the support of District residents for this program. Seventy-four percent of D.C. residents want Congress to restore and expand the highly effective D.C. Opportunity Scholarship Program. Seventy-five percent believe that the academic results of the program provide a convincing reason to reauthorize the program. Seventy-seven percent agree that all options should be on the table. And here is something that is even more heartening: 83 percent of the respondents believe that even if the program can only benefit some children, they should have the right to participate.

I think that those are convincing statistics of the broad-based support in the District for this program.

Let me just end by echoing the Chairman's point that when this program was first established 6 years ago, it was because the leaders of the District of Columbia became so frustrated with the institutionalized failure within the public school system, so they worked with Congress and with President George W. Bush's Administration to come up with the three-sector approach that provided additional funding for D.C. public schools, for D.C.'s public charter schools, and new scholarships for low-income families.

It was a three-pronged approach that did not slight the public schools but have helped the public schools to become stronger. So, I hope that we can rectify what I believe to be a real injustice to the children of the District and I look forward to continuing to work with the Chairman.

Since I am going to, unfortunately, have to leave at 10:15, let me just make one final point. If Congress does not reauthorize this program, it is estimated that 93 percent of the students would attend a school in need of improvement, corrective actioning, or restructuring, as designated under the No Child Left Behind Act. In other words, 93 percent of the children would be returned to schools that do not measure up. We simply cannot allow that to happen. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you very much, Senator Collins, for your really eloquent statement.

Mayor Gray, it is an honor to welcome you here for the first time. We have this historic connection through this Committee with the District, although of course we respect your autonomy and try to protect it, but it is an honor to welcome you as the new mayor and to look forward to your testimony now.

TESTIMONY OF HON. VINCENT C. GRAY,¹ MAYOR, DISTRICT OF COLUMBIA

Mayor GRAY. Thank you very much, Senator. Thank you both for having me this morning, Senator Lieberman and Senator Collins and any other Members that may be here this morning.

I am Vincent C. Gray, Mayor of the District of Columbia, and I want to thank you for the opportunity to share my views on public education and educational choice.

How we educate our children is one of the most defining and politically leveraged issues facing the United States today. Education is, and has been, a vehicle of personal enrichment, individual fulfillment, and professional success for many Americans. And for this Nation, it is the key to our continued global competitiveness in an ever changing marketplace.

I share the Committee's interest in the successful education of the children of the District of Columbia, and experience it more profoundly because of my role as Mayor and chief executive. Just so you know, I am a native Washingtonian, a K-12 product of the D.C. public schools, and I attended undergraduate and graduate school at George Washington University.

Today, this Committee will receive testimony from several people on whether the D.C. Opportunity Scholarship Program should be reauthorized.

¹The prepared statement of Mayor Gray appears in the Appendix on page 31.

Let me begin by expressing my views on education and how the District of Columbia's parents and children best can be served. Anyone who knows me knows that I am an unwavering advocate for children and I have been for many years. Simply put, I am a strong and long-time advocate for quality education for children in our city.

When I was elected Chair of the Council of the District of Columbia, one of the many questions that faced me was how I intended to organize the Council's committee structure. I made a decision that the Committee of the Whole, of which I served as Chair, would have oversight responsibility for education. It was my intention to elevate the issue of education to one where every council member would participate in the direction, decisionmaking, and oversight of public education. After almost 4 years of serving as Chair, and holding numerous hearings, my opinions on education are even clearer.

First, I believe we must continue smart education reform, and make it sustainable. Within the past 4 years, the District of Columbia public schools has engaged in important and substantive reforms. These reforms have resulted in increased interest in and enrollment for the D.C. public schools, and must be continued to ensure a high quality education for District children.

Second, I believe we must look at education as a lifelong endeavor. Education begins long before kindergarten and continues long after high school. It is this core belief that led me to aggressively pursue the availability and expansion of pre-kindergarten education programs; to champion the creation of the District of Columbia Community College; and to provide increased funding for the University of the District of Columbia.

Before becoming a Council member in 2005, I served as the Executive Director of Covenant House Washington, a Catholic-based organization that works with homeless, runaway and at-risk youth. I saw many young people who themselves were already parents. One of the programs I established was an early childhood intervention program for children of these youth, and in the same spirit, as Council Chairman, I championed legislation embracing a commitment to universal pre-kindergarten services in our traditional public schools and charter schools.

Third, I believe we must work with our students, parents, public school employees and community as a part of the solution, not scapegoat them for our problems. I am committed to a collaborative approach to education reform. The very people who must buy in if schools are to be thriving communities—parents, teachers, community leaders, and school administrators—must be part of the discussion and active participants in decisionmaking.

Finally, I believe we must restore accountability and sound management to our schools. Until we are on the road to economic recovery solidly, everyone will say "we must all learn to do more with less." While this is true, we must learn how to leverage and manage those resources more efficiently. I am committed to the accountability and sound fiscal management of our education system.

Almost 2 years ago, the Secretary of the U.S. Department of Education, Arne Duncan, announced that no additional D.C. school children would be introduced into the voucher program because of

the uncertainty of funding over the long-term. At that time, more than 1,900 children were enrolled in the program and the decision of whether they would be allowed to continue their education in this way was completely outside of their parents' control.

Even though I have not been a supporter of vouchers as an educational option, I supported the three-sector approach when it appeared that the Opportunity Scholarship Program was at its end. Why? Because, as someone who deeply cares about children, I did not want to see these children abruptly removed from their private school placements. Thus, what I supported was a program in which all the children enrolled would be able to continue until they graduated from the 12th grade but that there would be no new enrollment.

My emphasis was, and continues to be, on building a solid public education system consisting of traditional public schools and charters.

Decisions about educational options in the District of Columbia ought to be made at the State and local level just as these choices are made across this Nation. And we do have choice. In addition to our traditional public education within the D.C. public school system, we have what may be the most robust charter school movement in the Nation.

Prior to 1996, District parents had just one choice in public education for their children—the D.C. public schools. This changed in 1996 when charters became officially a part of the District's educational landscape with the passage of the D.C. School Reform Act. The Act established the District of Columbia Public Charter School Board and authorized the Board of Education to charter schools.

During the first year of the charter school movement, there were 160 students enrolled in public charters. Today, the Public Charter School Board oversees 52 schools, 93 campuses and more than 28,000 students. Public charter schools serve approximately 39 percent of all public school students in Washington, DC. The public charter school movement has experienced explosive growth over the past 15 years. In fact, 2 years ago the city, at the request of the Catholic Archdiocese of Washington, approved seven of its schools to become charter schools and today, they are operating in that capacity funded through the Uniform Per Student Funding Formula operation, and regulated and monitored by the D.C. Public Charter School Board.

Charter schools continue to be the vehicle that allows the majority of District parents to exercise their freedom of choice in public education and since each charter school is autonomous, we have one of the most diverse array of public education options in the country.

The reality of parents choosing charter schools as their preferred method of choice was evidenced at the Annual Recruitment Expo sponsored by the D.C. Public Charter School Board, D.C. Association of Chartered Public Schools, and Friends of Choice in Urban Schools.

This year's expo, held at the Walter E. Washington Convention Center, experienced record setting participation when more than 2,000 people came to meet with charter school leaders and learn more about specific schools. I attended the event and encouraged

charter school administrators to expand their movement further into Pre-K and to add Special Education so additional children could be served.

The success of the District's public charter schools cannot be questioned. The high school graduation rate for D.C. public charter schools is 8 percent higher than the U.S. national average. Moreover, economically disadvantaged students in D.C. middle and high school public charter schools are nearly twice as likely to rank proficient in reading and math as their peers in traditional public schools.

For many years our public schools in the District had a dismal performance. But public education indeed is improving, in substantial part because of the constructive environment created by the existence of traditional and charter public schools. Soon to be released data will confirm that, for the first time in decades, enrollment in public education in our city is growing. This is the path we must continue to pursue.

Education is the great liberator. It was for me many years ago and it has been for so many others. I am committed to building a solid, predictable, high performing birth through age 24 public education system and we are making significant progress, especially with the choices available through our charter movement.

Mr. Chairman, I have more in my written testimony, but in the interest of time I will submit that for the record.

Chairman LIEBERMAN. Thanks very much, Mayor, and without objection we will record your full statement in the record.

Kwame Brown is the Chairman of the D.C. Council and we welcome you and your testimony now.

**TESTIMONY OF HON. KWAME R. BROWN,¹ CHAIRMAN,
COUNCIL OF THE DISTRICT OF COLUMBIA**

Mr. BROWN. Well, thank you, Mr. Chairman, Ranking Member Collins, and other Members of this distinguished Committee. I am Kwame R. Brown, Chairman of the Council of the District of Columbia.

It is my pleasure to speak before you today on the Scholarships for Opportunity and Results Act of 2011 (SORA). It is a pleasure, also, to participate in any forum amongst lawmakers that are genuinely committed to assuring that every child has a quality education.

I would like to take this occasion to thank you, Senator Lieberman, and Senator Collins for your long-standing support for the District, especially your advocacy for voting rights for D.C. residents. Your sense of fairness and willingness to advocate for us all will not be forgotten.

You have my complete and written testimony so I will summarize my main points for you this morning.

I believe there is no single more important issue for the future of our city than ensuring that every child has access to a quality education. Virtually every major issue before our council depends on pushing ahead with educational reform. I support your bill as it carries a three-sector approach by authorizing \$60 million to ben-

¹The prepared statement of Mr. Brown appears in the Appendix on page 37.

efit students in the D.C. public schools, public charter schools, and non-public schools. This bill also makes some needed improvements in the Opportunity Program which should raise the bar for participating schools.

As you know, in the last 5 years our city has implemented some of the most transformational education initiatives that our city has ever seen. I am absolutely confident in the Mayor of the District of Columbia and his commitment to make education not only a priority but also move it in a way that one day we will not be talking about opportunity scholarship programs because the D.C.'s public school system will be at a level where they will not be needed. With mayoral control of the schools, universal Pre-K, and landmark teacher's contracts, we have done a lot of work in the last couple of years in the District of Columbia in education.

And while students are scoring below the national average on the National Assessment of Educational Progress, we still have seen some of the highest growth in the Nation in both reading and math on this test over the last couple of years. D.C. public schools are improving and we have an incredible charter school community, which are demonstrated by the increasing enrollment in both. Our parents have more quality choices now than ever before. I believe that we are on the right path, but we still have a long way to go before a child has access to high-quality education.

Most of the discussion on this bill will focus on the non-public sector. While I recognize and respect the concerns of both sides of this issue, I believe that the Opportunity Scholarship Program can increase the number of quality educational options for low-income families.

The data suggests that students participating in the program and their entire families are benefiting from this experience. Let me say that I have had an opportunity to talk to several families and single moms who express their support of the program. But, nothing was more compelling than being in Safeway grocery store on Good Hope Road and speaking to a grandmother about the program. I could not look her in the eye and tell her that she should not have the opportunity to at least apply to have a better life for her grandkid.

I admit that I was initially uncomfortable with the idea of vouchers in the District of Columbia because I felt that they were being presented in a way for students and families to leave D.C. public schools. While I support quality choices for families, I could never support the use of vouchers as an exercise or an excuse to avoid improving our public school system.

We must invest in our public schools, and we are doing just that. I support this bill because it authorizes funds for all three sectors, and it will support improvements in D.C. public schools and D.C. public charter schools, which the majority of our students are attending.

As a native Washingtonian and a graduate of D.C. public schools, with two small kids in D.C. public schools—one in the third grade and one in the fifth grade—and a wife who is a teacher by trade, I am all-in with moving education reform forward as quickly as we possibly can.

Now, I would like to take a minute to highlight a couple aspects of your bill that I particularly support. First, it helps address some problems on how the Opportunity Scholarship Program is administered by including tougher requirements for participating schools and an evaluation process, which will help ensure that non-public options for our families are at the highest possible quality.

Second, the bill authorizes up to 2 percent of funds for the program for parental outreach and coaching. It also authorizes an additional 1 percent for supplemental tutoring for student participants, which will help ensure that the transfer to non-public schools is as smooth as possible for families.

There are, however, a couple of aspects that are concerning to me. While I support raising the scholarship cap to \$12,000 for grades 9 through 12, which offers an incentive for high schools to create additional slots, I plan to ask advocates of the program for an analysis of the supply and demand for the program on a grade-by-grade level. I am concerned about whether raising the cap will meet the demand for our middle schools and our high schools. I urge you to consider this analysis as you move the bill forward.

I am also concerned that families who benefit from the program are placed in a position of uncertainty. I urge those who will support this bill—and the funding assuming passage of this bill—to make a commitment to fund it for a full 5 years, which will enable families to plan accordingly.

I urge you to work directly with the Mayor of the District of Columbia as well as D.C. public schools and charter schools, to ensure that this bill allows them to identify the greatest needs for funding, and support what they feel are the most compelling areas of school reform.

Mr. Chairman, I want to thank you again for your sincere commitment to identifying resources to help our city in the area of education reform. Unfortunately, some of your efforts are somewhat undercut by the attempts of some of your colleagues to slash funding from other D.C. priorities. For an example, it just does not make any sense to see plans being sent around that cut funding to Metro since a large number of our students, including those using vouchers, rely on public transportation to get to and from school. Many of your staffers use it, many of the government employees use it, and to see that type of reduction is unacceptable.

I hope that you will work with us to ensure that education funding, either directly or indirectly, does not come out of other programs.

Also, the discussions I am hearing regarding the elimination of the D.C. Tuition Assistance Program (DCTAG) is something that is unacceptable. That program allows students to go to schools outside of the District of Columbia and pay in-state rates. I hope that program will be saved.

Third, section eight of your bill that deals with non-discrimination, I ask that we make sure that participating schools follow our local human rights law as it relates to discrimination.

Last, there is some information that I heard, and I am not sure if it is correct, that says—and I want to make sure that this is clear—that no Federal dollar should go to any private school that does not charge tuition, I do not know if that is correct, but I

thought I would articulate it because I have been hearing that and I would hope that you would take a look at that.

Now, in closing, I want to thank you both for championing D.C. voting rights and express what it means to a lot of the residents of the District of Columbia who deserve to have every opportunity as everyone else in the country.

Senator Collins, I want to specifically thank you for what you have done to triple the money for early reading incentives as well as the law you authorized for those teachers, who are spending money out of their pocket on supplies, allowing them to get up to a \$250 tax deduction. I think that is appropriate and well deserved and hopefully continues.

And last but not least, thank you for your support of Pell Grants. You have been a champion of that.

I look forward to any questions that you may have.

Chairman LIEBERMAN. Thanks very much, Chairman Brown, for your testimony and for the comments about parts of our legislation.

Senator Collins and I will each take a 7-minute round of questions and that should enable us to get you both out in time to get to the memorial service.

Mayor, let us talk about the state of education in the District now, and again, the District has a unique status, we talked about voting rights, it has suffered in some ways from that unique status, but it is, after all, our Nation's capital and we want it to have at least equal treatment, not only in these programs, but in the ones that Chairman Brown has talked about. We would like it to be an example for the rest of the country and the rest of the world, people who visit here.

The fact is that I agree with you, the D.C. public school's student performance on tests has improved, that the charter schools have had a remarkable effect as well, but that still on the Nation's Report Card and the National Assessment of Education Progress Test, the students' scores from D.C. are last. For example on the most recent test, only 11 percent of D.C. 8th grade public school students were considered proficient or advanced in math, and only 13 percent of D.C. 8th grade students were considered proficient or advanced in reading.

So, I am sure you would agree—in fact, you did in your statement, that we made progress but we have a ways to go, and I wanted to ask you, in light of those facts, to respond to the argument that we have made and Chairman Brown has made this morning, that one way to look at the D.C. Opportunity Scholarship Program is as a temporary program during the time period when we are trying to improve the public schools so they really do give every child an equal educational opportunity.

Mayor GRAY. Well, first of all, I guess being ranked last is an interesting phenomenon because we are ranked last among States even though we are not accorded the opportunity to be a State. I am not sure, frankly, Senator, that that is the most fair comparison because we are an entirely urban area and when you start to look at other urban areas like Los Angeles and New York, Boston, Detroit, or other cities, I think you would probably find a different experience. But as you pointed out, the experience that is most important is how our children are doing—

Chairman LIEBERMAN. Right.

Mayor GRAY. [continuing]. And I believe our children are doing better. Have we reached the point where we want to be? Absolutely not. But when you look at the environment that we have created with our D.C. public schools, the environment that we created with our charter schools, it is clear that the competition is creating an opportunity for all boats to rise.

My own view, my own desire, frankly, is to devote as much resources, energy, and commitment as we possibly can to improving public sector education because I think ultimately that is where the answer lies.

I certainly am appreciative of the support of both of you. You have been great friends of the District of Columbia, but this happens to be an instance where I want to devote my full time, my full energy, to being able to improve the public education sector.

We have been under charter schools now probably for about 13 to 14 years and there has been a huge increase in the enrollment because they have been so successful. We are seeing, for the first time in decades, probably four decades, an increase in enrollment in our traditional public schools. I think that is an incredibly hopeful sign and I frankly think having our students in an environment where they can challenge each other, where the excellent students, the capable students, are in an environment where they can bring the others along, will rebound to the benefit of everyone at the end of the day.

We have been into mayoral control now just for 4 years and I think it was the right decision. I heartily supported it as a member of the Council of the District of Columbia, heartily supported that option, and I really want to devote my full time and attention to that, recognizing that, again, we are improving, our enrollment is growing, and it is evident, frankly, just by the sheer numbers of students.

Chairman LIEBERMAN. Let me ask, in that sense, a practical question, because I think we all agree that in the end, the public schools ought to be the answer.

You mentioned in your testimony that you had supported, overall, the concept of the three-part program and, in fact, just thinking about your commitment to public schools and the charter program here, because of the way this D.C. Opportunity Scholarship Program was devised, there has been considerable additional funding that has come to the public and charter schools here in the District. The numbers that I have since the beginning of the program, the D.C. public schools have received \$146.5 million under this three-part program that they would not have received otherwise. The public charter schools have received \$104.5 million that they would not have received otherwise, and the Opportunity Scholarship program has received \$96.7 million.

So, I think if you can imagine a circumstance where funding for the Opportunity Scholarship Program was terminated altogether, including for the students in the program now, I think particularly considering the budget stress we are under, that there is a high probability that the District would lose that additional funding that you have received for the public schools and the charter schools.

And so to a certain extent, my final question to you is, with all those advantages involved for the public schools and the charter schools, what is the harm in having the Opportunity Scholarship Program part of this three-part program? How can it hurt to allow a certain number of students, small number, really, to have the scholarship to go to a private school while we are working with all this extra money to improve the public schools?

Mayor GRAY. Well, again, we are deeply appreciative of the resources that have been provided and they have been even more important to us in this recessionary environment that we have been operating now certainly for the better part of the last 3 years, and without those resources there is no question that we would not have been able to improve our public education efforts to the extent that we have.

I supposed if I was asked for my druthers it would be that we can invest all of those resources in improving our public education sector.

When you look at choice in the District of Columbia, I think we are second to none. When you have 52 public charter schools or 93 campuses, at this stage, when you look at what they offer, very tailored curricula, public policy schools, legal options, arts and performing arts, and other opportunities, we have an enormous array of opportunities that are available to our kids. We are seeing the same experience moving not quite as rapidly, but moving in the traditional public schools as well. So, certainly we would be at a disadvantage if we were to lose those resources, but again if you ask me my druthers, it would be to take all of those resources and invest them in creating the best public education system that we possibly can in the Nation.

Chairman LIEBERMAN. I hear you and as you know in life, we do not always get our druthers, and—

Mayor GRAY. We know that one, do we not?

Chairman LIEBERMAN. We know that. And, if I may slightly amend an old tune, it takes three to tango here in the Congress—which is to say the President, the Senate, and the House—to get anything adopted. I think there is a very strong feeling about the Opportunity Scholarship Program in the House Majority this year and I think we will continue this discussion.

I am just speaking for myself now, but I think that the extra funding that has come to the D.C. public and charter schools under this three-part program will be in serious jeopardy if the Opportunity Scholarship Program is not also part of what is funded.

Mayor GRAY. If I can just quickly underscore—

Chairman LIEBERMAN. Yes, sir.

Mayor GRAY [continuing]. What I said in my testimony to you, Senator Lieberman, and that is, I heartily supported every child who was in the Opportunity Scholarship Program continuing. That was absolutely essential to me. I did not want to see any child taken out of a program in which they were participating and benefiting without the parents having the opportunity to make that choice, and that is why I said, let us continue this program out to the point where all the children in it have a chance to finish it.

Chairman LIEBERMAN. I appreciate that. Thanks, Mayor. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman. Mr. Mayor, your last comment is exactly what I want to ask you about. In your testimony, and just now in response to Senator Lieberman, you supported Secretary Duncan's proposal in which all of the children currently enrolled in the Opportunity Scholarship Program would be able to continue until they graduate from the 12th grade, but there would be no new enrollments.

I have to tell you that I have never understood the Secretary's reasoning in that regard and it suggests to me a political decision and not one that is based on a fair valuation of the program. Think about it, if a child is in kindergarten as of last year, that child would be allowed to stay in the D.C. Scholarship Program for another 12 years. If the program is not living up to its potential as Secretary Duncan must think, because he is not allowing new enrollments, then why would you allow children to continue to stay in the program? This just does not make sense to me. Either the program is a successful program, in which case we ought to be allowing new enrollments, or it is a failed program, in which case we should be taking children out of it, not allowing someone who is in kindergarten to be in it for another 12 years.

So, I truly do not understand the reasoning behind the Secretary's decision. It just does not make sense to me and you have endorsed that decision today. And I do not mean to put you on the spot, but I truly do not understand that reasoning and I wondered if you could give me your perspective.

Mayor GRAY. Well, my view is not based on a political decision, it is based on the opportunity for these parents and these children to continue in a placement that they have felt best served their children. I did not want them uprooted because of a political decision, I wanted them to be able to have a chance to continue in the placement that they were in, but I also wanted to be able to have the optimum opportunity to be able to build a public education system.

So, again, my position on this is not based on a political calculation, it is more based on what choice that those parents would make at that particular moment. I do not know that they would continue if the child is in the kindergarten to first grade that they would not choose at some point to come back to one of our schools in the District of Columbia. As I indicated earlier, seven of those schools that would have been part of the Opportunity Scholarship Program, are now part of our charter movement because the Catholic Archdiocese asked us to take over those schools and operate them.

So, mine was an effort simply to try to be as sensitive as I possibly could to the families and the children involved, but at the same time recognize we are building a strong public education system, and to devote my maximum energy and resources to that.

Senator COLLINS. Well, on the Catholic schools, I will tell you that based on my discussions with the Archdiocese, the reason that those schools have now become charter schools is they basically are bankrupt, and if this program were continued, they would still be operating as Catholic schools. I realize that is a whole other issue, but I have to say I think either this program is a good program that benefits students, which is what I believe, as part of the three-

sector approach, then we should allow it to continue and have it be open to others. If it is not a good program, then why would we allow students to continue for potentially another 12 years in it and I just think that is inconsistent.

Chairman Brown, in my remaining time, let me ask you a question, and I appreciate your kind comments about my work on education issues which I do care deeply about. Could you provide us with some insight into the D.C. Council's thoughts or positions on the three-sector program based on your discussions with your council colleagues? What are the views that you are hearing about whether the three-pronged approach should be continued?

Mr. BROWN. Well, most of the conversations that we have are about making sure that public education in the District of Columbia is successful. All of our energy and time has been spent making sure that we improve the lives of our children who are being sent to D.C. public schools and D.C. public charter schools. I believe that my colleagues whom I have talked to, every single one of them, believe in trying to support this particular mayor who is working hard and has worked with us side-by-side as a colleague on these tough issues.

When it comes to the voucher program, there has been little dialogue because most of our energy is spent making sure that there is no reason to have any voucher program because we are going to have a successful school system.

Senator COLLINS. That is certainly the goal for all of us, but I would go back to the comment that Ronald made at our last hearing a year ago, and that is that D.C. schools did not get bad overnight, they are not going to become good overnight. They are clearly improving and I think the three-sector approach has helped lift the quality of the schools, but as the Chairman's statistics show, we still have a ways to go.

I also want to second what the Chairman said. I believe that unless there is a three-sector approach, the money for D.C. public schools and D.C. public charter schools, will be in jeopardy. I do not see Congress, in this environment—and all of us have public schools in our own States that are really suffering and that need funding—approving anything other than a three-sector approach. So, I hope as deliberations in the council go on that you will both keep in touch with us and, again, I thank you both for being here today.

I know that we all have the same goal. We may have different means of getting there, but our goal is the same. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Collins. Well, said. Mayor Gray, Chairman Brown, thanks for your time. We will continue to discuss this and all the other issues that are important to you and your leadership capacities, and obviously to the people of the District of Columbia. Thanks very much for being with us this morning.

Mayor GRAY. Thank you Senator. Thank you both, again for having us here today and thank you, frankly, for your support of our city on so many fronts.

Mr. BROWN. Thank you. Thanks to both of you.

Chairman LIEBERMAN. We will not change that. Thank you. Have a good day.

We will call the second panel, Kevin Chavous, Chairman of the Board of Directors of the Black Alliance for Educational Options, Virginia Walden Ford, Executive Director of D.C. Parents for School Choice, and Patrick J. Wolf, Professor and 21st Century Chair in School Choice at the Department of Education Reform at the University of Arkansas.

Well, good morning and thank you. I saw Ronald Holassie here. Is he still here? Maybe he went out. I just wanted to recognize the much-quoted student in the D.C. school system.

Thank you, the three of you, for being here. You are familiar faces, but your testimony continues to be important to us and, Mr. Chavous, it is our honor to call on you first.

TESTIMONY OF KEVIN P. CHAVOUS,¹ CHAIRMAN, BOARD OF DIRECTORS, BLACK ALLIANCE FOR EDUCATIONAL OPTIONS

Mr. CHAVOUS. Thank you very much, Mr. Chairman, Senator Collins, and Members of the Committee. I appreciate the opportunity to speak before you today.

Let me add some perspective particularly based on hearing from the Mayor and the Chairman on this whole issue. Fifty-six years ago, the U.S. Supreme Court declared that segregation in our schools was unconstitutional. They said it was wrong. They said it was un-American. And they said that equality for all mattered.

Brown v. the Board of Education sparked the flame of true and honest civil rights in our country, but it was only the beginning of a struggle we as a Nation deal with each and every day.

Today, we are fighting for a different kind of equality, an America where all children, no matter their income, can attend the very best schools. Quite frankly, as you know and I know, that we can no longer accept the pattern of mediocrity in our schools, we can no longer accept failure, we can no longer tolerate excuses from central offices. If we are to achieve equality we seek, we must act and we must act now.

That is why I support school choice, parental choice. That is why I believe in the D.C. Opportunity Scholarship Program.

Mr. Chairman, it is not a battle of ideology, it is a continuation of the fight for civil rights in our country.

The D.C. Opportunity Scholarship Program sends a clear message to families, to children, and to our community: If you are poor, if you are stuck in a school that is failing, that is unsafe, and that no amount of money can fix right away, we are not going to make an experiment of you, we are going to help you, now, and we are going to do it, not 5 years from now, but today. And we are going to give you a chance at success. The essence of the program, Mr. Chairman, is in its name: Opportunity.

Some can call the D.C. Opportunity Scholarship Program a scholarship program. You can call it a voucher program. I call it a life-line.

And so does Tiffany Dunston. Tiffany, like Ronald, was an OSP student who ended up being valedictorian at Archbishop Carroll

¹The prepared statement of Mr. Chavous appears in the Appendix on page 42.

High School here in the District. Tiffany now attends Syracuse University. Candidly, Tiffany says she would not have made it but for the Opportunity Scholarship that she received. But poignantly her biggest hope is that more children are given the opportunity she was given.

Mr. Chairman, the D.C. Opportunity Scholarship Program has provided scholarships allowing the lowest-income D.C. children to attend better schools, private schools that are mere blocks away from the public schools that long ago stopped serving their needs. The program is open to everyone. There is no discrimination, no academic test for entrance, no cherry-picking. And while it is not easy for many of those children to make the transition the results have been stunning. Graduation rates are 91 percent for those who used their scholarships. Improved reading scores have taken place for those students. And parental satisfaction is overwhelming.

The U.S. Department of Education has said that the program is one of the most effective programs they have ever studied. By any measure, by any test, by any rational standard, this hearing should be about how we can expand this program not just in Washington, D.C. but as a model for all other parts of the nation. Instead, by a cruel twist of political fate, and for whatever reason, be it petty allegiances or scores to settle, the creative and aggressive opponents of this program are weaving a false narrative about how the program was started and how it has worked.

They say, for instance, Mr. Chairman, that it was forced or foisted upon the residents of the District of Columbia. They say it was imposed on us by the Republicans and that the people of the District did not want it.

Well, that is an interesting story, but it is simply not true, Mr. Chairman. I know, I was there.

I served on the D.C. Council for 12 years. I was chairman of the education committee. I am a lifelong Democrat. And in the past, while I was on the council in the early years, I did oppose education programs that were proposed for the District of Columbia by some Congressional Republicans. I thought they were draconian. I thought they were unnecessary.

But, Mr. Chairman, the D.C. Opportunity Scholarship Program was not forced on us, quite the opposite, I like to think that the parents of this city forced the program on Congress. Hundreds, probably thousands, of parents, many in this room and especially the lady to my left, Virginia Walden Ford—many of these parents fought for this program. They came to Capitol Hill every day. They wanted help immediately. They were tireless, dedicated, fearless, and determined in their efforts to give their children better lives.

To say that this program was imposed on the District of Columbia is to rewrite history, and, in one broad brush white-out the hard work of these parents. And frankly, Mr. Chairman, it is offensive.

For my part, I personally worked with Mayor Anthony Williams, Education Secretary Rod Paige, School Board President Peggy Cooper Cafritz, and the President of the United States to help make this program a reality. It was a collaboration. And just as you and Senator Collins alluded to in your discussions with the Mayor and Chairman Brown, we insisted on a three-sector approach—funding

for the scholarship program, for charter schools, and for public schools. We worked very hard to develop a program that fit the unique educational needs of the District where not one dime, Mr. Chairman, as you mentioned, was diverted from public schools.

I say this not to codify my role in the process but to tell you the truth, this was no imposition. This program was a collaborative solution and we knew there may be a political cost and for some of us, there was, but we all knew that there is never a price that is too high to pay for doing what is right for children.

If you doubt that this program has support and has succeeded, look at the application numbers to which Senator Collins alluded. They do not lie.

Nearly 9,000 parents applied for their children to participate in the program, even when there were only 3,300 slots over the 5-year life of the program. Nearly 8,000 residents signed a petition supporting reauthorization of the program. And just recently, over the last month, Mr. Chairman, the Black Alliance for Educational Options has signed up 500 parents who said that they would apply for the program if new slots were made available.

Look at what the District residents say. As Senator Collins indicated, this scientific public opinion poll shows that three-quarters of District residents want this program restored, reauthorized, and expanded.

Maybe the people know something that some of our leaders do not. They want this program and they know it works.

Mr. Chairman, people who oppose the program will do anything to prevent its reauthorization and the truth is indeed no barrier. They will cast aspersions on the families, tell tall tales about the schools, question the motives of supporters, and rewrite history with righteous indignation. But for me, none of this matters.

In conclusion, Mr. Chairman, it does not matter because I carry with me the memory of the family that came into my office one day many years ago, a mother and a father coming to see their councilmen and they were in tears. They told me their son would die if he did not have a chance to go to a better school. It was just that serious for them, a matter of life and death. They had no money; they were losing hope, and they told me to fight for their son.

Do not talk, Mr. Councilman, fight.

And there was no way that day or any day going forward that I could tell that family or any other to wait until our public schools were completely fixed. The truth is, public schools here are getting better, they are improving, and I support our public schools and our teachers. But as long as there are still families like the one that visited my office, we have no choice but to provide all options to our children, immediate options so that no child is forced to suffer or falter or fail.

To borrow a line from Malcolm X, we must educate our children "by any means necessary." Public schools, charter schools, virtual schools, magnate schools, home schooling and, yes, Mr. Chairman, Opportunity Scholarships. We need nothing short of a revolution in education and I urge you and Members of this Committee to be on the right side of that history, the side of opportunity, the side of hope, the side of the families and their dreams for their children.

At the end of the day it is not about protecting the system which we all would like to see do better, it is about giving our children an equal opportunity. I urge this Committee to reauthorize this program. I thank you personally, Mr. Chairman, for your steadfast support, and let us renew hope for a better future for our District and our Nation.

Chairman LIEBERMAN. Thank you. That was an excellent statement. I appreciate every part of it. I am struck also by what you said, that this is not an ideological battle, it is a battle for civil rights and there is a new group that has formed called the "No Labels Movement."

It is about not having people focus on their party labels, but it is also true in this particular case, it is a bit odd, even, because I think by conventional terms, you would say that this program is a liberal program in terms of being a human service equal opportunity program, and yet somehow the conventional labels get turned around. And I think if we see it as what it is, which is a civil rights program, then maybe we can create some common ground to get this done again, and I am confident we are going to get it done.

Virginia Walden Ford has been a great leader in this effort, Executive Director of the D.C. Parents for School Choice. Thank you for returning again and for all you do every day to keep this program alive.

**TESTIMONY OF VIRGINIA WALDEN FORD,¹ EXECUTIVE
DIRECTOR, D.C. PARENTS FOR SCHOOL CHOICE**

Ms. FORD. Thank you, Senator Lieberman. You have been our champion over the years and we appreciate you and Ranking Member Collins, and other Members giving us a chance to come and speak on behalf of the transformational D.C. Opportunity Scholarship Program.

Not long ago, I was talking to my 27-year-old son about our life, about our family's lives. For a brief moment, I looked at him and I saw the 13-year-old boy who by the time he entered his freshman year of high school was several grade levels behind and getting in trouble, in class and out. He felt like no one but me cared if he learned, and he felt as if he was not safe in that environment. He was really struggling.

As a single mother of three, I felt powerless to help him. I remembered, in that moment, how out of the blue, an answer to a prayer or a miracle, a neighbor offered us a scholarship for my son, William, to attend any school I chose. It was just unbelievable, and we chose a school that would keep him safe, nurture his talents, and prepare him for life.

When I came back to the present, I saw before me this wonderful young man who has just made me proud and will continue to make me proud, who has served in the Armed Forces, served in Iraq, and is just an incredible kid, and I know that scholarship made the difference.

But in receiving the scholarship for my son, I remember asking, "Why me?" I mean, I was happy, but why not other families around

¹The prepared statement of Ms. Ford appears in the Appendix on page 45.

me, especially those that lived in my community where I was watching their children not fare so well.

So, I embarked on a remarkable personal journey that has allowed me to meet so many parent, thousands of them over the years, who only want what I wanted: A chance for their children.

I have met parents who live in every corner of this city. It did not matter what ward they called home; they were crying out for options. They were willing to fight peaceably to improve the educational futures of their children. They did not ask for much, just that their political leaders would allow them to access the amazing private schools right in their own neighborhoods instead of forcing their children to attend neighborhood public schools that were not improving, were not safe, and were not healthy environments.

Together we came and talked with you and your colleagues. We told you how our children could not wait for 5 more years for our public schools to fix themselves. We told you that our children needed immediate options. We told you that even though many of us struggled to make ends meet, it did not mean our hopes for our children were not just as high as the hopes you have for yours. And you listened. The D.C. Opportunity Scholarship Program became law.

The D.C. Opportunity Scholarship Program provided that immediate option, that ray of hope, to 3,300 children. These are children who are very poor. These are kids that, in many places, would have been written off, consigned to lives of mediocrity or worse. Thanks to you and your colleagues, they were not.

The D.C. Opportunity Scholarship Program gave them a chance to go to schools that made them scholars. It made them important in the eyes of the world. It gave them the inspiration to succeed. It has been, like the scholarship I received for my son, a miracle.

Chairman Lieberman, and too the other Members of the Committee and Ranking Member Collins, I know very well that this program is not just about peace of mind. It is about the improvement and expansion of the young minds we have been called to serve and when you stack this program up to the other educational initiatives that have been tried in our city over the past two decades, the D.C. Opportunity Scholarship Program is a resounding academic success.

Parents love it. Parents like Patricia Williams, Joe Kelly, or Sheila Jackson, who are all here with their children today. Patricia, Joe, and Sheila feel safe knowing their children are going to school where they have been treated well, where they are encouraged to be creative, and where they are pushed to excel.

Now, some people say we cannot restore and extend this program because not enough low-income children would receive scholarships. That is about the worst argument I have ever heard. I am reminded of the example of Harriet Tubman, and I just love this story, the African-American abolitionist and famous conductor of the Underground Railroad. While she worked to abolish slavery, Tubman made 19 trips into the south and transported 300 slaves into freedom.

Harriet Tubman knew that she could not personally rescue all of the slaves in America, but she knew that she could save some, and what an amazing difference she made in each of their lives. She

certainly did not just give up and I would ask everyone in this room today: Would you go back in history and tell Harriet Tubman that her efforts, her struggle, her worth, should be scrapped, ended, cancelled, or eliminated? The course of history has shown us that it was worth it to the cause of equality in our Nation and that fight continues today.

The sad part is that the D.C. Opportunity Scholarship Program is, for now, closed down to new parents and families, even the siblings of current participants, who desperately want to access it. I cannot tell you the number of calls I have received from parents who are distraught that the government is shuttering, what they believe, shuttering the program. It is just devastating. It is tragic. And it deprives so many children of the opportunity to see their greatest dreams come true.

The parents who call me all ask me one thing: Why can one of their older children be allowed to attend a great school, while their younger one is forced into a failing one? Why did the program end this year, just when they were about to apply?

I do not have an answer to these parents. I am here because I hope, I pray, that you do.

Mr. Chairman, you have the power to answer these parents, you and your colleagues, you and the other Members of the Committee and Senator Collins and others. You will not only answer their questions, you will answer their prayers. You will empower their families. You will change their children's lives. This program is just that powerful and I have seen it, and you can restore it. We must restore this.

Mary McLeod Bethune said: "We have a powerful potential in our youth, and we must have the courage to change old ideas and practices so that we may direct their power toward good ends."

Let us move forward today and do just that with a full reauthorization of the D.C. Opportunity Scholarship Program.

And, again, thank you for your support over the years.

Chairman LIEBERMAN. Thank you. That was not only an excellent statement, it was an inspiring statement. If I could get every one of my colleagues to face the two of you—

Ms. FORD. We will do it.

Chairman LIEBERMAN [continuing]. And hear what you said today, I do not think we would have any problem passing this.

I really appreciate it. I was struck also by something you said about your personal experience, that you had a neighbor who came through and provided a scholarship for your son. What if instead of the D.C. Opportunity Scholarship Program being funded by tax dollars, some wealthy individual came forward, created a foundation, and then created this opportunity scholarship program? I think everybody would embrace it. So, what is the difference that we are putting public money into this?

Public money is the main source of funding for education, obviously, overwhelmingly in our country and it just does not make sense, so that the good fortune that you happened to have for your son is something we are trying to expand as you have for other children and give them an equal opportunity.

The other thing you said, and Mr. Chavous said also, is that besides all the principle that is at work here, that we are on the right

side, we feel so strongly. If the program was not working, it would be a harder case for us to make even though I support the idea of choice and competition, but Dr. Wolf has done independent work that, to me, says the program is working and in that sense it would be really unjust not to continue it and to continue to add children to it.

So, Dr. Wolf, we welcome you back again and look forward now to hearing about your latest research into this program.

**TESTIMONY OF PATRICK J. WOLF, PH.D.,¹ PROFESSOR AND
21ST CENTURY CHAIR IN SCHOOL CHOICE, DEPARTMENT OF
EDUCATION REFORM, UNIVERSITY OF ARKANSAS**

Mr. WOLF. Mr. Chairman, I am pleased to be with you today to discuss what we know about the D.C. Opportunity Scholarship Program. I served as the principal investigator of an outstanding team of researchers who conducted a congressionally-mandated independent study of the OSP supported by the U.S. Department of Education's Institute of Education Sciences.

I am also a professor at the University of Arkansas with more than a decade of experience evaluating school choice programs across the country.

Although the facts that I present to you today are taken directly from our recently completed impact evaluation, the ideas and opinions I express are my own professional judgments and do not necessarily represent any official positions of the evaluation team, the University of Arkansas or the U.S. Department of Education.

Senator Lieberman, because this statute required that the evaluation use the most rigorous research method possible, we relied on lotteries of eligible OSP applicants to create two statistically equivalent groups who were followed over time and whose outcomes were compared.

Our method is called a Randomized Control Trial or Experiment and is widely viewed as the gold standard for evaluating programs.

We were able to follow the smaller first cohort of participants in the experiment over 5 years and the much larger second cohort for 4 years. We therefore characterized the program impacts in our final report as the results in the final year or the results after 4 or more years.

Our analysis also indicated the confidence we should have in our ability to rule out statistical noise as the reason for any observed differences between the scholarship treatment group and the control group.

When we could rule out random factors as a cause of differences with high confidence, we characterized the impact of the program as statistically significant. The level of confidence surrounding such judgments ranges from zero to 99.9 percent, though we simplified the analysis by using the specific cut point of 95 percent confidence to judge whether impacts were statistically significant.

Researchers use a variety of cut points for determining statistical significance, most commonly 90 or 95 percent.

¹The prepared statement of Mr. Wolf appears in the Appendix on page 48.

In the interest of transparency, I will describe the specific confidence level that we can associate with each OSP impact and leave it to members to judge if those levels are convincing.

Our evaluation focused on two distinct measures of program impact. The impact of a scholarship offer, called "Intent to Treat" (ITT), is the simple difference between the treatment group average and control group average for a given outcome. Since about 22 percent of the students offered Opportunity Scholarships never used them to transfer to a private school, we also adjust the ITT impact to account for "never users" yielding the experimental impact of actually using a scholarship, called the "Impact on the Treated" (IOT).

The most important outcome we examined in our evaluation was the program's impact on student educational attainment as measured by the rate of high school graduation. President Obama and Secretary Duncan have cited getting more students through high school as the highest priority of education policy because graduating is closely associated with a variety of positive personal and social outcomes including higher lifetime earnings and lower rates of unemployment and crime.

Based on parent reports, the students in our study graduate from high school at significantly higher rates as a result of the OSP. As portrayed in Exhibit 1, the treatment group students graduated at a rate of 82 percent, that is 12 percentage points higher than the control group rate of 70 percent.¹

The actual use of an Opportunity Scholarship increased the probability of graduating from 70 percent to 91 percent, a positive impact of 21 percentage points. We are more than 99 percent confident that access to school choice through the Opportunity Scholarship Program was the reason why OSP students graduated at these much higher rates.

The positive impact of the OSP on high school graduation was also clear for the high priority students in the study who applied to the program from schools designated as "in need of improvement" (SINI). These were the students that Senator Collins mentioned as a high priority of the program and she mentioned the fact that if the program were eliminated the students would have to return to, for the most part, these schools designated "in need of improvement."

The offer of an Opportunity Scholarship increased the graduation rate for SINI students from 66 percent to 79 percent. Actually using a scholarship boosted their likelihood of high school graduation by 20 percentage points, from 66 percent to 86 percent. This positive impact of the OSP was statistically significant with more than 98 percent confidence.

Conclusive experimental results permit us to make reliable forecasts.

Cecelia Rouse, a member of President's Council of Economic Advisors, has determined that each additional high school graduate saves the Nation an average of \$260,000 as a result of higher taxable earnings and lower demands for social services. That means

¹ Exhibit 1 appears in the Appendix on page 53.

that the 449 additional high school graduates due to the operation of the OSP will save our Nation approximately \$116 million.

These experimental results also mean that approximately 111 students in the experimental control group will fail to graduate from high school simply because they were denied access to the Opportunity Scholarship Program.

The evidence that students achieved at higher levels due to the OSP is less conclusive than the evidence that they graduated at higher rates. Our analysis of test score data across all years of the study merely suggest that OSP students likely benefited academically from the program in reading but probably not in math.

The statistical probability that the OSP had a positive impact on student reading scores was 91 percent after 2 years, 99 percent after 3 years, and 94 percent after 4 or more years as depicted in Exhibit 2.¹

Although the students offered opportunity scholarships on average scored higher than the control group in math as well, those differences were so small each year that we cannot rule out statistical noise, with any reasonable level of confidence, as their cause.

Parents were more satisfied with their child's school as a result of the OSP. The proportion of parents who assigned a high grade of A or B to their child's school was 8 percentage points higher if they were in the treatment group, and 10 percentage points higher based on scholarship use. This impact was statistically significant with more than 99 percent confidence. Parents also viewed their children as safer in school if they participated in the program, an impact that was statistically significant with 98 percent confidence.

Students in grades 4 through 12, when asked similar questions, were no more likely to be satisfied with their school or described it as safe if they were in the OSP.

How impressive are the academic impacts of the OSP? When compared to 13 other experimental studies sponsored by the Department of Education's National Center for Educational Evaluation, the educational attainment and achievement impacts from the OSP rank as the second most impressive to date, as shown in Exhibit 3.²

Only the impacts from problem-based economics instruction have been larger than those from the OSP. Nine of the 14 studies found no statistically significant results at all, or a disappointing mix of positive and negative impacts.

Mr. Chairman, actual people often speak more eloquently than do scientists. I close by quoting the words of an OSP parent who attended a focus group and spoke of her son who used a scholarship to attend a private high school. "When my son dressed in that uniform with that green blazer, the white shirt, tie, gray trousers and he looked like a gentleman and a scholar and he had his hair cut and his glasses and he was just grinning from ear to ear that he was going to be a part of that [private school culture] and he went to school that day and he was excited about going to school."

Mr. Chairman, there are more details in my written testimony and also in this scintillating 208 page report. Thank you.

¹ Exhibit 2 appears in the Appendix on page 54.

² Exhibit 3 appears in the Appendix on page 58.

Chairman LIEBERMAN. Thanks, Dr. Wolf, that was great. And I was going to say before you ended the way you did that numbers are dry but as you well know and as you show by your work, you are talking about real people, real children, so when we talk about the graduation rates, the impact, it is really quite remarkable.

Do you want to elaborate anymore on this graduate rate data, especially for our highest priority students?

Mr. WOLF. Well, graduation is the whole game.

Chairman LIEBERMAN. Right.

Mr. WOLF. I mean, education attainment is what we long for, for our students. And we have long been disappointed with the graduation rates from high school nationally and particularly in inner cities.

So, to find a program like the OSP, which clearly improves the prospects of high school graduation rather dramatically, is a real find and so I think the other exciting thing is we are starting to see this in other school choice programs as well.

There was a very careful study of charter schools in Florida that also found that charter schools of choice lead to higher graduation rates and we are about to release a report in Milwaukee about the effect of their voucher program on graduation rates. I cannot announce the results yet, but you will be interested to see that next month.

Chairman LIEBERMAN. It sounds like we will not be disappointed. You do not have to answer that. [Laughter.]

The record will note that you smiled. [Laughter.]

Incidentally, I was really impressed, I had never heard those numbers before about the attempt to quantify the different economic impact of a high school graduate on our society and the cost result if somebody does not graduate from high school. Let me just make this point, which I know you are familiar with, this is another element of the cost impact: The Congressional Research Service (CRS) did a study last year on this D.C. Opportunity Scholarship Program¹ and talked with the Mayor and the Chairman about the tripartite, the support that D.C. got for the public schools and charter schools.

But Rebecca Skinner who did that study concluded that if we stopped this program altogether and at that point she talked about 1,721 voucher recipients transferred back into the city's public schools, it would cost the city approximately \$15 million more to provide education for those students in the public schools, so it would not only be, as was testified to earlier, Senator Collins and others, that 93 percent of the students would go back to schools that are designated as failing in one way or another under the No Child Left Behind Act, but it would add a \$15 million price tag for the taxpayers of the District.

Dr. Wolf, you reported that there was initially a statistically significant increase in reading achievement, but ultimately the improvements, while not statistically significant at the 95 percent confidence level, were significant at the 90 percent confidence level. Given your overall research experience, do you believe that the results we are seeing from the OSP study are in fact significant?

¹The CRS report appears in the Appendix on page 60.

Mr. WOLF. Mr. Chairman, I do. I mean, ideally you want to see the result in the range of 95 percent significance or more, then you can say it is conclusive, it is undeniable, there is only a 5 percent chance that this is a false finding.

But what we also saw, of course, was a pattern of achievement gains over time and given the pattern of gains over time and the fact that the final year results were 94 percent—we could be 94 percent confident. That says to me the preponderance of evidence certainly points toward very real reading gains for the participants in the program.

Chairman LIEBERMAN. Yes, I appreciate that answer and I agree. I know this is a field unto itself and I understand setting the standard at 95 percent, but 94 percent certainly makes me confident. I hope it would make my colleagues, as we invest in this program, confident that there are statistically significant bottom lines, to put it in the lay language, the kids in this program are doing better at reading as a result of being in the program.

I do not want to get too deeply into this, but just for the record, because I know some people may misuse the notion that it is not significant, I wanted to ask you to address a technical term, I wanted to ask you to address how a decrease in the test group size could impact the accuracy of the data collected and whether the increases we are seeing make a difference for students in the OSP program.

Mr. WOLF. Mr. Chairman, that is an excellent point. A major development happened between the third and fourth year test score analyses. Over 200 students graduated out of the testable grades.

Chairman LIEBERMAN. Right.

Mr. WOLF. So, the final sample of students we tested was much smaller than the sample we tested in the third year and I know it included a lot of the Cohort 1 students who graduated out, and they had been showing the highest reading gains throughout the evaluation.

Statistical significance is driven by the size of the difference and the number of subjects to the study who are providing evidence about that, and so we lost about 10 percent of our sample—

Chairman LIEBERMAN. Right.

Mr. WOLF [continuing]. Going from Year 3 to Year 4, that alone could be one reason why the statistical significance slipped.

Chairman LIEBERMAN. OK, I appreciate it. Mr. Chavous and Ms. Ford, you spoke so well, I do not have a single question to ask you, not even a leading question. I give you the opportunity to say anything more you would like before we adjourn the hearing.

Mr. CHAVOUS. I just thank you for your support, Mr. Chairman, and I think you could tell from the testimony of the Mayor and the Council, that there is growing support, and Senator Collins asked Chairman Brown about where the Council colleagues are and I am confident in saying that a majority of the Council supports new kids coming into the program. I think that would be made more evident over time.

So, again, we just appreciate your steadfast commitment.

Chairman LIEBERMAN. It is my honor. Ms. Ford.

Ms. FORD. I would just like to say on behalf of the parents that I represent, I hope, that we want to thank you and all of your col-

leagues that have been so much our champions over the years. I mean, I do not know if you realize, you are our heroes because you have steadfastly stood beside us and our kids and we really appreciate that, and we will be here for you moving forward.

Chairman LIEBERMAN. Thanks. You really touch my heart by saying that but this really is our responsibility and you are the ones who care enough about your children to really go out of your way, and again, on a morning like this, to be here to make the point. And you mentioned prayers before, and sometimes prayers are answered in unusual ways, but who would have guessed that the results of last November's elections would bring us here this morning feeling a lot better about our prospects to reauthorize this program? The legislation we put in, the Speaker and I introduced it the day after we reconvened. I mean, I cannot state how deeply he feels this. He wanted to get it right in, and as far as I know, it may be the only piece of legislation he will put his name to this year. So, we have reason for our hopes to be higher.

We all know, it is not over until it is over, but this is so right and you have made the case again, and Dr. Wolf, your studies really bring us from the point of principle, and sort of dreams, to the point of statistical social science that says this is not only right, but it is working.

Anyway, I cannot thank you enough. Go forward from here with some hope. We are just not going to miss any opportunity. This is a 5-year reauthorization and I think we have a real shot at it this year, and also we need not only to continue to support the students in the program, but to fund new places as well.

So, we will keep the record open for 15 days for any questions, additional questions or statements. I have a statement from Senator Durbin that he wanted to put in the record of the hearing.¹

With that, I thank you all.

The hearing is adjourned.

[Whereupon, at 10:53 a.m., the Committee was adjourned.]

¹The prepared statement of Senator Durbin appears in the Appendix on page 99.

APPENDIX



United States Senate
Committee on Homeland Security and Governmental Affairs
Chairman Joseph I. Lieberman, ID-Conn.

Opening Statement of Chairman Joseph Lieberman
"The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program"
Homeland Security and Governmental Affairs Committee
February 16, 2011

Good morning and welcome to our hearing on the D.C. Opportunity Scholarship program (OSP) and the 3-sector approach to improving educational opportunity for disadvantaged children in our Nation's capitol. Today we will hear from the newly-elected Mayor of the District of Columbia, Vincent Gray, as well as the new Chairman of the D.C. City Council, Kwame Brown. Congratulations to you both on your new responsibilities, and thank you for taking the time to be here today. I look forward to working with you on issues affecting the District of Columbia.

We will also hear from former Councilman Kevin Chavous, who years ago, as a D.C. City Councilman chairing the Education Committee, teamed up with then-Mayor Tony Williams to make the D.C. OSP a reality. We will also hear from the principal investigator on the congressionally-mandated evaluation of the program, Dr. Patrick Wolf, and from parent representative, Virginia Walden Ford.

In 2003, Congress, working closely with City officials, created the D.C. Opportunity Scholarship program because of the problems plaguing the D.C. public school system. At the time, D.C. public school students ranked last on national test comparisons in reading and math. The D.C. Opportunity scholarship program was part of a three-sector approach that invests in and reforms the traditional public schools and charter schools over the long term, but provides immediate choices for some students to attend private schools.

Improving the D.C. school system so that every child has the chance at a good education was not going to happen overnight – as OSP student Ronald Holassie told us two years ago – and we are still not there. While we work on improving all of the D.C. schools, many students are going to get lost in schools that are failing them. That is why Congress created the D.C. Opportunity Scholarship Program.

I support the education reform efforts begun under the previous D.C. Administration, and I am very pleased that both Mayor Gray and Chairman Brown have a strong commitment to education and intend to continue many of those reforms. As a long time supporter of charter schools, I am gratified that D.C. has an excellent and thriving charter school program. But that isn't enough. Despite the fact that progress has been made as a result of reform efforts, D.C. public school students still come out last on the so-called Nation's Report Card – the National Assessment of Educational Progress test – in both reading and math.

So while some progress has been made, the same reasoning that convinced Congress to create the OSP in 2003 still holds – we must give children a choice to get a good education when their schools are failing them. The Opportunity Scholarship Program is working. Rigorous evaluations have shown that the OSP program is helping disadvantaged students now. There is no down side.

Critics of these school choice programs claim that they take away money from public schools. This has never been the case with the D.C. Opportunity Scholarship Program. The three-sector initiative has resulted in new funds going to the District on top of the City's regular education allocations.

A GAO report published this past November looked at the funds going to the District of Columbia for school improvement under the three sector approach. It reports that between 2004 and 2009, Congress

340 Dirksen Senate Office Building, Washington, D.C. 20510
Tel: (202) 224-2627 Web: <http://hsgac.senate.gov>

appropriated about \$190 million directly to the DC public school system to improve D.C. public and charter schools. In 2010, Congress appropriated an additional \$62.2 million for D.C. public and charter schools under this initiative – more than D.C. public schools received from Title I, the major federal education program delivering grants to states. So this 3-sector initiative has been a significant source of funds for D.C. public and charter schools.

In addition to the overwhelming enthusiasm of students and parents in the program, several surveys reveal widespread public support for the program. In fact, a new poll that I believe is being released today indicates that 74 percent of D.C. respondents believe the OSP program should continue. Well over a majority of those polled clearly approve of the D.C. OSP and of the use of vouchers.

We know that each year in the District of Columbia, parents of thousands of students look for alternatives to their local public schools, and cannot get access to those alternatives either because they failed to secure a spot in a charter school, or they failed to secure a spot in another public school under the District's out-of-boundary process. We know parents want more choices than they have. Those who can afford to send their children to private schools do so. They do so as good parents who care deeply about their children's future. This is a program that gives that same choice and opportunity to lower income parents who want the best for their children too. For me, this is an issue of fundamental fairness.

In America it should not be a privilege for our children to get a first rate education. It should be a right. Yet without a quality education, there is no equal opportunity. Low income children in the District should be given choices now, because they cannot wait for their schools to turn around. Without programs like OSP, the American dream may be lost to them forever.

Statement of
Senator Susan M. Collins

**"The Value of Education Choices: Saving the D.C. Opportunity
Scholarship Program"**

February 16, 2011

A year has passed since we last discussed how we can best support the efforts of parents and students in the District of Columbia to secure a high quality education. At that time we heard the inspiring personal success stories of participants in the District of Columbia Opportunity Scholarship Program. Their testimony helped to highlight the real world implications of the Administration's unfortunate decision last year to prevent new students from joining the successful scholarship program. And, their words echo today, as we consider the Administration's newest proposal to kill the program altogether.

While not unexpected, this decision is both disappointing and short-sighted. As the Department of Education's own Institute of Education Sciences makes clear, students that participated in this program are more likely to graduate from high school than those that did not, a clear indicator of program success.

I am proud to have joined Chairman Lieberman in reintroducing the Scholarships for Opportunity and Results Act, the SOAR Act of 2011. This legislation would reauthorize the D.C. Opportunity Scholarship Program, which has provided additional educational options for some of our nation's most at-risk children.

This program has clearly filled a need, a fact that is illustrated by the long lines of parents waiting to enroll their children in the program. Since its inception, more than 8,400 students have applied for scholarships.

The need for the program was first brought to light more than six years ago, when leaders in the District of Columbia became frustrated with institutionalized failure within the public school system, and designed a unique "three-sector" strategy providing new funding for public schools, public charter schools, and new scholarships for low-income children.

Working closely with the District, Congress and President Bush's administration implemented the D.C. School Choice Incentive Act in 2004, giving birth to the D.C. Opportunity Scholarship Program. The

program is the first to provide federally funded scholarships to students and has enabled low-income students from the District of Columbia public school system to attend the independent-private or parochial school of their choice. For many of these students, this was their first opportunity to secure a high-quality education.

In 2009, we heard from one of these students, Ronald Holassie, then a sophomore at Archbishop Carroll and Deputy Youth Mayor for Legislative Affairs, who gave compelling testimony about the impact this program has had on his life.

Today, both Ronald and his younger brother, Richard, are vivid examples of this program's success. Even more enlightening was something Ronald said near the end of our hearing, "DC schools didn't get bad over night, and they aren't going to get better overnight either."

The personal success stories we have heard from parents and students participating in the program, as well as the testimony we will hear from our two panels today, emphasize the importance of ensuring that all students in the District are receiving the highest quality education. We must act to reauthorize the DC Opportunity Scholarship Program. If Congress does not reauthorize this program, it is estimated that more than 93 percent of the students would attend a School in Need of Improvement, Corrective Action or Restructuring as designated under No Child Left Behind. We should not allow that to happen.

I thank the Chairman for his leadership and compassion for the District's children.



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR**

Testimony of Mayor Vincent C. Gray

**“The Value of Education Choices:
Saving the D.C. Opportunity Scholarship Program”**

**Before the
Committee on Homeland Security and Governmental Affairs
on
Wednesday, February 16, 2011**

Introduction

Good morning Senator Lieberman, ranking member Senator Collins, and members of the Senate Committee on Homeland Security and Governmental Affairs. I am Vincent C. Gray, Mayor of the District of Columbia. Thank you for the opportunity to share my views on public education and educational choice.

How we educate our children is one of the most defining and politically leveraged issues facing the United States today. Education is, and has been, a vehicle of personal enrichment, individual fulfillment, and professional success for many Americans. And for this nation, it is the key to our continued global competitiveness in an ever changing marketplace. I share the Committee’s interest in the successful education of the children of the District of Columbia, and experience it more profoundly because of my role as Mayor and chief executive. Just so you know, I am a native Washingtonian and a K-12 product of the D.C. Public Schools. And I attended undergraduate and graduate school at George Washington University.

Today, this committee will receive testimony from several people on whether the D.C. Opportunity Scholarship Program should be reauthorized.

Personal Commitment to Public Education

Let me begin by expressing my views on education and how the District of Columbia's parents and children can best be served. Anyone who knows me knows that I am an unwavering advocate for children. And I have been for many years. Simply put, I am a strong and long-time advocate for quality education for children in our city.

When I was elected Chair of the Council of the District of Columbia (Council), one of the many questions that faced me was how I intended to organize the Council's committee structure. I made a decision that the Committee of the Whole, of which I served as Chair, would have oversight responsibility for education. It was my intention to elevate the issue of education to one where all council members would participate in the direction, decision-making, and oversight of public education. After almost four years of serving as Chair, and holding numerous hearings, my opinions on education are clear.

First, I believe we must continue smart education reform, and make it sustainable. Within the past four years, the District of Columbia Public Schools has engaged in important and substantive reforms. These reforms have resulted in increased interest in and enrollment for the D.C. Public Schools, and must be continued to ensure a high quality education for District children.

Second, I believe we must look at education as a lifelong endeavor. Education begins long before kindergarten and continues long after high school. It is this core belief that led me to aggressively pursue the availability and expansion of Pre-K education programs; to champion the creation of the District of Columbia Community College; and to provide increased funding for the University of the District of Columbia.

Before becoming a Council member in 2005, I served as the Executive Director of Covenant House Washington, a Catholic-based organization that works with homeless, runaway and at-risk youth. I saw many young people who themselves were already parents. One of the programs I established was an early childhood intervention program for children of these youth. And in the

same spirit, as Council Chairman, I championed legislation embracing a commitment to universal Pre-Kindergarten services in our traditional public schools and charter schools.

Third, I believe we must work with our students, parents, public school employees and community as a part of the solution, not scapegoat them for our problems. I am committed to a collaborative approach to education reform. The very people who must buy in if schools are to be thriving communities -- parents, teachers, community leaders, and school administrators -- must be part of the discussion and active participants in decision-making.

Finally, I believe we must restore accountability and sound management to our schools. Until we are on the road to economic recovery solidly, everyone will say "we all must learn to do more with less." While this is true, we must learn how to leverage and manage those resources more efficiently. I am committed to the accountability and sound fiscal management of our education system. These are the four educational pillars of my administration and they serve as guideposts for my cabinet.

Sustainability of Funding for Opportunity Scholarship

Almost two years ago, the Secretary of the U.S. Department of Education, Arne Duncan announced that no additional D.C. school children would be introduced into the voucher program because of the uncertainty of funding over the long-term. At that time, more than 1900 children were enrolled in the program and the decision of whether they would be allowed to continue their education in this way was completely outside of their parents' control.

Even though I have not been a supporter of vouchers as an educational option, I supported the three sector approach when it appeared that the Opportunity Scholarship Program was at its end. Why? Because, as someone who deeply cares about children, I didn't want to see these children abruptly removed from their private school placements. Thus, what I supported was a program in which all the children enrolled would be able to continue until they graduated from the 12th grade but that there would be no *new* enrollment. My emphasis was, and continues to be, on building a solid public education system consisting of traditional public schools and charters.

True Educational Choice in the District of Columbia

Decisions about educational options in the District of Columbia ought to be made at the state and local level just as those choices are made across this nation. And we do have choice. In addition to our traditional public education within the D.C. Public School System, we have what may be the most robust charter school movement in the nation.

Prior to 1996, District parents had just one choice in public education for their children -- the District of Columbia Public Schools. This changed in 1996 when charter schools officially became a part of the District's educational landscape with the passage of the DC School Reform Act (ACT). The Act established the D.C. Public Charter School Board and authorized the D.C. Board of Education to charter schools.

During the first year of the charter school movement, there were one hundred and sixty students enrolled in public charter schools. Today, the Public Charter School Board oversees fifty-two schools, ninety-three campuses and more than twenty-eight thousand students. Public charter schools serve approximately thirty-nine percent of all public school students in Washington, D.C.

The public charter school movement has experienced explosive growth over the past fifteen years. In fact, two years ago the city, at the request of the Catholic Archdiocese of Washington, approved seven of its schools to become charter schools. And today, they are operating in that capacity funded through the uniform per student funding formula, and regulated and monitored by the D.C. Public Charter School Board. Charter schools continue to be the vehicle that allows the majority of District parents to exercise their freedom of choice in public education. And since each charter school is autonomous, we have one of the most diverse array of public education options in the country.

The reality of parents choosing charter schools as their preferred method of choice was evidenced at the Annual Recruitment Expo (Expo) sponsored by the D.C. Public Charter School Board, D.C. Association of Chartered Public Schools, and Friends of Choice in Urban Schools.

This year's Expo, held at the Walter E. Washington Convention Center, experienced record setting participation when more than two thousand people came to meet with charter school leaders and learn more about specific schools. I attended the event and encouraged charter school administrators to expand their movement further into Pre-K and to add Special Education so additional District children could be served.

The success of the District's public charter schools cannot be questioned. The high school graduation rate for D.C. public charter schools is eight percent higher than the U.S. national average. Moreover, economically disadvantaged students in D.C. middle and high school public charter schools are nearly twice as likely to rank proficient in reading and math as their peers in traditional public schools.

For many years our public schools in the District had a dismal performance. But public education is improving, in substantial part because of the constructive environment created by the existence of traditional and charter public schools. Soon to be released data will confirm that, for the first time in decades, enrollment in public education in our city is growing. This is the path we must continue to pursue.

Education is the great liberator. It was for me many years ago and it has been for so many others. I am committed to building a solid, predictable, high performing birth-24 public education system. And we are making significant progress, especially with the choices available through our charter movement.

In closing:

- The District currently offers choice to its parents and children through an improving traditional public education program and robust charter movement that serves more than 28,000 students or 39% of those enrolled in public education.
- As data will show, public education enrollment is increasing in the District for the first time in decades.
- I, and others in the District, have supported children and youth currently enrolled in the Opportunity Scholarship Program being able to continue through graduation if they wish.

- Given the options that exist; the improving quality of education in the city; existing commitments that all children currently in the Opportunity Scholarship Program will be able to continue until graduation; and recognizing the principle that education decisions should be left to the state and local governments, there is a compelling argument to invest energy and otherwise-directed funds in creating an enduring public education system that serves all our children.

Thank you Chairman Lieberman for the opportunity to testify on the District's educational choices.

Testimony of Kwame R. Brown, Chairman of the Council of the District of Columbia

Submitted for the Public Hearing on the District of Columbia Opportunity Scholarship
Program

Before the Senate Committee on Homeland Security and Governmental Affairs

Wednesday, February 16, 2011

Dirksen Senate Office Building, Room SD-342

Mr. Chairman, Ranking Member Collins, and other members of this distinguished committee, I am Kwame R. Brown, Chairman of the Council of the District of Columbia. It is my pleasure to speak before you today on the "Scholarships for Opportunity and Results Act of 2011" or "SOAR." I am happy to participate in any forum among lawmakers who are genuinely committed to improving educational opportunities for the young people and families of my hometown.

As was the case under my distinguished predecessor, our new Mayor, Vincent Gray, I have kept education in the Council's Committee of the Whole, which I chair, because I believe there is no single thing more important for the future of our city than ensuring that every child has access to a high quality education. In fact, virtually every major issue before the Council will be impossible or more difficult to address if we don't push ahead with education reform.

I would like to take this occasion to thank Senator Lieberman and Senator Collins for your longstanding support for the District, especially your advocacy for voting rights. Your sense of fairness and willingness to advocate for us will not be forgotten.

Your bill is a step in the right direction, as it authorizes \$60 million to create better educational outcomes for our young people. It carries on the "three-sector" approach by benefitting students in the District of Columbia Public Schools, public charter schools, and nonpublic schools. By formally authorizing the funding streams for DCPS and charter schools, it grants them more permanency and protection in these tight financial times. The

bill also makes some needed improvements in the Opportunity Scholarship Program (OSP) with additional quality filters for participating schools and refinements in the amounts and types of support available through the program.

Education Reform in the District of Columbia

In the past five years, our city has implemented some of the most transformational education initiatives that our city has ever seen, including mayoral control which streamlines decision-making and rigorous standards for all grades and in all subjects. We have led the nation in providing universal pre-k for our youngest learners and in approving a landmark teachers' contract which includes student performance as an important measure of teacher success. Our innovative work on behalf of our students has attracted significant attention and support, including a Race to the Top award from the U.S. Department of Education.

Although our students are scoring below the national average on the National Assessment of Educational Progress (NAEP) the District of Columbia has seen some of the highest growth in the nation in both reading and math on this test over the past few years. With increasing quality in DC Public Schools and a vibrant charter school community, our parents have more quality choices now than they ever have before. We are on an upward path toward success; yet, we still have a long way to go before every child has access to a high quality education.

Parental Choice and Student Opportunity

Most of the discussion on this bill focuses on the nonpublic sector – the OSP. Indeed, one can merely mention the words “school voucher” to ignite debate among people deeply committed to children in my city. While I recognize and respect the concerns of both sides, the issue for me in this debate comes down to one question: Can the OSP increase the number of quality educational options for low-income families in the District? I believe that the answer is yes.

The data suggests that students participating in the program are benefitting from the experience – academically and otherwise. I’ve heard directly from families that they feel

empowered and uplifted by expanded school choice, more confident about their children's future, and that they have learned to be more engaged parents and better educational advocates for their children.

I will admit that I was initially uncomfortable with the idea of vouchers in the District because I felt that they were being presented primarily as a way for students and families to leave DCPS. While I support quality choices for families, I could never support the use of vouchers as an excuse to avoid improving our public schools. We *must* invest in our public schools, and we are doing just that, as demonstrated by the promising reforms underway in DCPS and our robust charter school community. Because this bill authorizes funds for all three sectors – DCPS, public charter schools, and scholarships to families for nonpublic schools – it can be part of our efforts to improve educational choices for all families.

While some families have used the OSP to access nonpublic schools, we have also seen the enrollment of DCPS stabilize and move upwards for the first time in decades, as well as continuously increasing enrollment in public charter schools. This indicates greater confidence in our public schools. We have truly become a city of choice, as demonstrated by the fact that in the 2009-2010 school year, almost 60 percent of our students attended schools beyond their neighborhood boundaries, including nearly 40 percent in public charter schools.¹ This bill will continue to allow families to access nonpublic schools, but it will also improve the quality of those nonpublic options, and support improvements in the DCPS and public charter schools which the majority of our students are attending.

As a parent myself, I know that the most fundamental instinct of parents is to seek what is best for their children. I cannot look a working mother in the eye and tell her that she deserves less choice, not more. Our low-income families deserve as much choice as possible, including diverse offerings in DCPS, a full menu of charter schools, and opportunities to attend nonpublic schools.

¹ Friends of Choice in Urban Schools

Promising Aspects of SOAR

Previous efforts to reauthorize the Opportunity Scholarship Program exposed some problems in how the program was administered. Some of the stories that I have heard are troubling, but your bill does much to address these problems through tougher requirements for participating schools.

We must ensure that the nonpublic options for our families are of the highest possible quality. Requiring program administrators to complete site inspections and verify that schools have valid certificates of occupancy and accreditation is an important step toward this goal. The annual evaluation required by the bill, which examines academic achievement of students – including test performance and graduation rates – will ensure that our students are benefitting from the OSP.

I also support the mandate that teachers have bachelor's degrees in core subjects and the mandate for compelling schools to prove their financial and academic viability. These components of the bill will help us avoid situations where schools can only be sustained by funding through the OSP.

We must also ensure that the transfer to nonpublic schools is as smooth as possible for the families participating in the program. You are to be commended for authorizing up to two percent of funds for the OSP for parental outreach and coaching and an additional one percent for supplemental tutoring for student participants.

I further support the nondiscrimination clause in the bill that forbids participating schools from discriminating by race, color, national origin, religion, or sex with an exception for single sex schools and school activities. Obviously, I would expect schools to abide by local statutes regarding equal opportunity, as well.

Issues to Consider

I support raising the scholarship cap to \$12,000 for grades 9-12 (along with an inflation adjustor), as it offers a critical incentive for high schools to create additional slots. But I am concerned about whether this will meet the demand of potential OSP participants for

middle and high school. I plan to ask advocates of the OSP for an analysis of supply and demand for the program on a grade-by-grade level, and I urge you to consider this analysis as you move forward with this bill.

My other concern is that the families who benefit from the OSP are placed in a position of uncertainty regarding their children's education each year, as they watch leaders debate whether to continue this program and how to fund it. I have been deeply moved by the plight of families who are trying to make the best educational decisions for their children, yet fear that at any moment the OSP will end, and they could be forced to find alternative schools for their children.

The five-year authorization contained in your bill is a step toward addressing this uncertainty. Nevertheless, I realize that federal funding is, of course, an annual process that comes with no guarantees. I urge those who will appropriate the funding for the OSP – assuming passage of this bill – to make a commitment to fund it for the full five years. This will enable families to plan accordingly and will allow your Committee to carefully review evaluation data and otherwise review whether the OSP continues to meet its objectives of improving educational outcomes for low-income families in my city.

I urge you to work directly with officials from DCPS and the charter school community to ensure that this bill allows them to identify the greatest needs for funding, and supports what they believe are the most compelling areas of school reform. The Congress should defer to them on what is funded through this bill.

Mr. Chairman, I would like to thank you again for your sincere commitment to identifying resources to help our city in the area of education reform. Regrettably, your efforts are somewhat undercut by attempts of some of your colleagues to slash funding for other DC priorities. For example, it is illogical to cut Metro funding, since large numbers of our students, including those using vouchers, rely on public transportation to get to and from school. Our students need reliable mass transit. Please work with us to ensure that education funding, either directly or indirectly, doesn't come out of other programs. Thank you for this opportunity to testify. I am happy to answer any questions you may have.

**TESTIMONY OF KEVIN P. CHAVOUS
BEFORE THE US SENATE HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS COMMITTEE**

FEBRUARY 16, 2011

Mr. Chairman, Senator Collins, Members of the Committee, thank you for the opportunity to speak before you today.

Fifty six years ago, the United States Supreme Court declared that segregation in our schools was unconstitutional. They said it was wrong. They said it was un-American.

Brown versus the Board of Education sparked the flame of true and honest civil rights in our nation. But it was only the beginning of a struggle we as a nation deal with each and every day.

The fight for equality in our schools continues anew today in this very hearing room.

Today, we're fighting for a different kind of equality—an America where all children, no matter their income, can attend the very best schools. Quite frankly, we're fighting not to let our children into schools—but to let them out- of bad schools.

You know, and I know, that we can no longer accept the pattern of mediocrity in our schools, we can no longer accept failure, we can no longer tolerate excuses from central offices. If we are to achieve equality, we must act and act now.

This is why I support school choice. This is why I believe in the D.C. Opportunity Scholarship Program. It is not a battle of ideology, it is a continuation of the fight for civil rights in our nation.

The D.C. Opportunity Scholarship Program sends a clear message to families, to children, and to our community. If you're poor and you're stuck in a school that is failing, that is unsafe, and that no amount of money can fix right away, we're not going to make an experiment of you—we're going to help you. And we're going to do it, not five years from now, but today. We're going to give you a chance at success. The essence of the program is in its name: opportunity.

You can call the D.C. Opportunity Scholarship Program a scholarship program. You can call it a voucher program. I call it a lifeline.

But so does Tiffany Dunston. Tiffany was an OSP student who ended up being the valedictorian at Archbishop Carroll High School here in the District. Tiffany now attends Syracuse University. Tiffany candidly says she wouldn't have made it but for the OSP. Her biggest hope is that more children are given the same opportunity she was given.

The DC OSP has provided scholarships allowing the lowest-income D.C. children to attend better schools—private schools that are mere blocks away from the public schools that long ago

stopped serving their needs. The program is open to everyone. There is no discrimination, no academic test for entrance, no cherry-picking.

It's not easy for the children in the program to make the transition from public school to private school. Many struggle. But in that struggle, they're learning. They're being challenged. They're being nurtured.

And the results are stunning. Graduation rates are 91 percent for those who used their scholarships. Improved reading scores for students. Parental satisfaction is overwhelming. The US Department of Education said that the program was one of the most effective programs they've ever studied. By any measure, by any test, by any rational standard, this hearing should be about how we can expand this program not just in Washington, D.C. but into other parts of our nation. Instead, by a cruel twist of political fate, we're here trying to save the very program that should be a model for our nation.

For whatever reason—be it petty allegiances or scores to settle—the creative and aggressive opponents of this program are weaving a false narrative about how the program was started and how it's worked.

They say it was forced on the District of Columbia. They say it was imposed on us by Republicans. They say those of us in Washington, D.C. didn't want this voucher program.

That's an interesting story, but it's simply not true. I know. I was there.

I served on the D.C. City Council for 12 years. I was the chairman of the education committee. I'm a lifelong Democrat. And in the past, I did oppose education programs that were proposed for the District of Columbia by Congressional Republicans. I thought they were draconian. I thought they were unnecessary.

But the D.C. Opportunity Scholarship Program was not forced on us. Quite the opposite. I'd like to think that the parents of this city forced the program on Congress.

Hundreds—probably thousands—of parents fought for this program. They came to Capitol Hill each day for years to demand this program. They were tireless, dedicated, fearless, and determined in their efforts to give their children better lives. To say that this program was imposed on the District of Columbia is to rewrite history, and, in one broad brush white-out the hard work of these parents. Quite frankly, it's offensive.

For my part, I personally worked with Mayor Anthony Williams, Education Secretary Rod Paige, School Board President Peggy Cooper Cafritz, and the President of the United States to help make this program a reality. It was a collaboration. We insisted on a three sector approach—funding for the scholarship program, for charter schools, and for public schools. We worked very, very hard to develop a program that fit the unique educational needs of the District—where not one dime was diverted from public schools.

I say this not to codify my role in the process, but to tell you the truth: this was no imposition—this program was a collaborative solution. We knew there may be a political cost—and for some of us there was—but we all knew that there is never a price that's too high to pay for doing the right thing for children.

If you doubt that this program has support and has succeeded—look at the application numbers. They don't lie. Nearly 9,000 parents applied for their children to participate in the program even when there were only 3,300 slots over the five year life of the program. Nearly 8,000 residents signed a petition to supporting reauthorization of this program.

And look at what District residents say now. Just last week, a scientific public opinion survey showed that three quarters of District residents want this program restored, reauthorized, and expanded. The people of the District of Columbia know that this program works.

People who oppose this program will do anything to prevent its reauthorization. The truth is no barrier. They'll cast aspersions on the families, tell tall tales about the schools, question the motives of supporters, rewrite history with righteous indignation.

But for me, none of this matters. Because I carry with me the memory of the family that came into my office one day, many years ago. A mother and a father, coming to see a councilman, in tears. They told me their son would die if he didn't have the chance to go to a better school. It was just that serious for them. They had no money. They were losing hope. They told me to fight for their son. Not to talk: to fight.

And there was no way that day—or any day forward—that I could tell that family, or any other, to wait until our public schools fixed themselves.

The truth is: public schools here are getting better. They're improving. And I support our public schools and our teachers. But as long as there are still families like the one that visited my office—families where a future for their children is not something to be planned but something they hope just comes to be—we have no choice but to provide ALL OPTIONS to our children. Immediate options so that no child is forced to suffer or falter or fail.

To borrow a line from Malcolm X, we must educate our children by any means necessary. Public schools. Charter schools. Virtual schools. Magnet Schools. Homeschooling. And yes, Mr. Chairman, Senator Collins, and Members – Opportunity Scholarships through the D.C. Opportunity Scholarship Program.

We need nothing short of a revolution in education. I urge you to be on the right side of that history. The side of opportunity, the side of hope, the side of families and their dreams for their children. At the end of the day, it's not about protecting the system, it's about equal opportunity for the kids. I urge this committee to reauthorize this program and renew the hope for a better future for our District and our nation.

Thank you.

TESTIMONY OF VIRGINIA WALDEN FORD
BEFORE THE US SENATE HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS COMMITTEE

FEBRUARY 16, 2011

Chairman Lieberman, Senator Collins, and Members of the Committee: thank you for the opportunity to speak to you today about the transformational D.C. Opportunity Scholarship Program.

Not long ago, as I listened to my now 27 year old son, talk about his life, our family's life....for a brief moment, I saw the thirteen year old boy who by the time he entered his freshman year of high school was several grade levels behind and getting in trouble...in class and out. He felt like no one cared if he learned, and he didn't feel safe. He was struggling to fit in.

As a single mother of three, I felt powerless to help him. I remembered, in that moment, how out of the blue, or through a miracle, we suddenly had an opportunity, through a private scholarship from a concerned neighbor, to choose a school that was in my son's best interest. It was a school that would keep him safe, nurture his talents, and prepare him for life.

When I quickly came back to the present, I saw in my son, a strong young man who has and will continue to make me proud. That scholarship made the difference.

In receiving the scholarship for my son, I remember asking, "why me? Why not other families, too?"

And so I embarked on a remarkable personal journey that allowed me to meet so many parents—thousands of them over the years—who only wanted what I wanted: a better chance for their children.

I met parents who live in every corner of our city. It didn't matter what ward they called home; they were crying out for options. They were willing to fight peaceably to improve the educational futures of their children. They didn't ask for much—just that their political leaders would allow them to access the amazing private schools right in their own neighborhoods instead of forcing their children to attend neighborhood public schools that weren't improving, weren't safe, and weren't healthy environments.

Together we came and talked with many of you. We told you how our children could not wait for "five more years" for our public schools to fix themselves. We told you that our children needed *immediate* options. We told you that even though many of us struggled to make ends meet, it didn't mean our hopes for our children weren't just as high as the hopes you have for yours. And you listened. The D.C. Opportunity Scholarship Program became law.

The D.C. Opportunity Scholarship Program provided that immediate option—that ray of hope—to 3,300 children. These are children who are very poor. These are kids that, in many places,

would have been “written off,” consigned to lives of mediocrity or worse. Thanks to you, they weren’t.

The D.C. Opportunity Scholarship Program gave them the opportunity to go to schools that made them scholars. It made them important in the eyes of the world. It gave them the inspiration to succeed. It’s been—like the scholarship I received for my son—a miracle.

Chairman Lieberman, Senator Collins, and Members of the Committee, I know very well that this program isn’t just about peace of mind. It’s about the improvement and expansion of the young minds we’ve been called to serve. And when you stack this program up to the other education initiatives that have been tried in our city over the past two decades, the D.C. Opportunity Scholarship Program is a resounding academic success.

Even the most rigorous studies have demonstrated that children are making noticeable improvements in reading—a cornerstone subject—each year. This is an amazing result given where these children started.

An even more dramatic measure of success is graduation rates. This program has a 91 percent graduation rate for participants who used their scholarships, which is 21 points higher than those who were not offered a scholarship. This means that children in this program have a 21 percent better shot at success in college and in life than children who do not use Opportunity Scholarships. This isn’t an experiment—this is an extraordinary success.

And so it’s no wonder that parental satisfaction in the program exceeds 90 percent, a number that is also unprecedented. This is a *publicly funded education program* that parents love! Parents like Patricia William and Joe Kelley, who are here today. Patricia and Joe feel safe knowing their children are going to a school where they’re treated well, where they’re encouraged to be creative, and where they’re pushed to excel.

Students have new hope. They’re learning. Graduation rates are up. Parents are happy. That’s the story of the D.C. Opportunity Scholarship Program.

Now, some people will say we can’t restore and extend this program—because not enough low-income children would receive scholarships. That is about the worst argument I’ve ever heard.

I am reminded of the example of Harriet Tubman—the African-American abolitionist and famous “conductor” of the Underground Railroad. While she worked to abolish slavery, Tubman made 19 trips into the south and transported 300 slaves into freedom.

Harriet Tubman knew that she couldn’t personally rescue all of the slaves in America. But she knew that she could save some, and what an amazing difference it made in each of their lives. She certainly didn’t just give up. And I’d ask everyone in this room today: would you go back into history and tell Harriet Tubman that her efforts, her struggle, her worth—should be scrapped, ended, cancelled, or eliminated. The course of history has shown us that it WAS worth it to the cause of equality in our nation. And that fight continues today.

The sad part, though, is that the D.C. Opportunity Scholarship Program is, for now, closed down to new parents and families, even the siblings of current participants, who desperately want to access it. I cannot tell you the number of calls I've gotten from parents who are distraught that the government is shuttering this program. It's devastating. It's tragic. And it deprives so many children of the opportunity to see their greatest dreams come true.

The parents who call...they all ask me one thing: WHY? Why can one of their children be allowed to attend a great school, while their younger child is forced into a failing one? Why did the program end this year, just when they were about to apply?

I do not have an answer to these parents. I am here because I hope, I pray, that you do. Mr. Chairman, Senator Collins, Members of the Committee, you have the power to answer these parents. You will not only answer their questions, you will answer their prayers. You will empower their families. You will change their children's lives. This program is just that powerful. And you can restore it.

Mary McLeod Bethune said: "We have a powerful potential in our youth, and we must have the courage to change old ideas and practices so that we may direct their power toward good ends".

Let us move forward today and do just that with a full reauthorization of the D.C. Opportunity Scholarship Program. Thank you.

DR. PATRICK J. WOLF

WRITTEN TESTIMONY FOR THE HEARING "THE VALUE OF EDUCATION
CHOICES: SAVING THE D.C. OPPORTUNITY SCHOLARSHIP PROGRAM"

SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL
OPERATIONS

FEBRUARY 16, 2011

Mr. Chairman, Ranking Member Collins, Distinguished Senators,

I am pleased to be with you today to discuss what we know about the D.C. Opportunity Scholarship Program (OSP). I served as the principal investigator of an outstanding team of researchers who conducted a congressionally-mandated independent study of the OSP supported by the U.S. Department of Education's Institute of Education Sciences. I am also a professor of education policy at the University of Arkansas with more than a decade of experience evaluating school choice programs in D.C., Milwaukee, New York, and Dayton, Ohio. Although the facts that I present to you today are taken directly from our recently completed impact evaluation of the OSP, the ideas and opinions that I express are the professional judgments of me alone and do not necessarily represent any official positions of the evaluation team, the University of Arkansas, the Institute of Education Sciences or the U.S. Department of Education.

Study Background

Our evaluation of the OSP used the most rigorous research method available for determining the impact of this school choice program. Parents who seek schooling options for their children are likely to be highly motivated to promote their children's educational success. That high level of parental motivation that leads parents to participate in school choice programs probably also contributes to greater student achievement over time, leading to what we call "self-selection bias" in the research world.

To ensure that parent motivation does not bias studies of school choice programs, researchers over the past decade have focused on evaluating them using experimental research designs called Randomized Control Trials (RCTs) whenever possible. With an RCT design, a group of students that all qualify for a voucher or scholarship program and whose parents are equally motivated to exercise school choice are subject to a scholarship lottery. The students who win the lottery become the experimental "treatment" group. The students who lose the lottery become the experimental control group. Since only a school voucher and mere chance distinguish the treatment students from their control counterparts, any subsequent difference in student outcomes for the treatment students can be attributed with great reliability to the voucher intervention. That is, the outcomes from the control group represent what would have happened to the treatment group absent the program, and the treatment impact is therefore the treatment outcomes minus the control outcomes. Because of the rigor of experimental designs they are often dubbed the "gold standard" for policy evaluations and are widely used to evaluate the efficacy of medical drugs and procedures prior to such treatments being made available to the public.

Student and School Participation

Two cohorts of students were followed for purposes of this evaluation. All of the students were attending public schools or rising Kindergartners at the time of application. Cohort 1 consisted of 492 students entering grades 6-12 in 2004. Cohort 2 consisted of 1,816 students entering grades K-12 in 2005. The characteristics and outcomes of these two groups, combined into an impact sample of 2,308 students, were the focus of our impact evaluation. A total of 1,387 students in the impact sample won the scholarship lottery and were thereby assigned to the treatment group, while the remaining 921 students who did not win the lottery were assigned to the control group. Over the five years of program operation from 2004 to 2009, other students received scholarships without having to go through a lottery. These students were not included in the rigorous impact evaluation because no appropriate comparison group was available for them.

Evidence from the study confirms that the OSP serves a highly disadvantaged group of DC students. Descriptive information from the first two annual reports about program participation indicates that over 90 percent of students are African American and nine percent are Hispanic. Their family incomes averaged less than \$20,000 in the baseline year in which they applied for the program. Overall, participating students were performing well below national norms in reading and math when they applied to the OSP. Forty-four percent of students in both cohorts were attending a public school designated as “in need of improvement” (SINI) between 2003 and 2005.

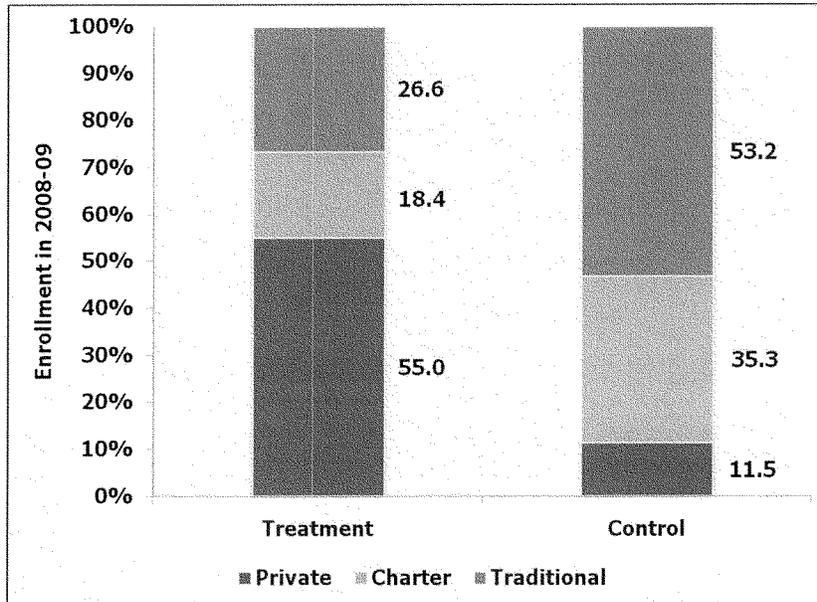
The Opportunity Scholarship Program is designed to facilitate the enrollment of low-income District students in private schools of their parents’ choosing. It does not and cannot guarantee enrollment in a private school, but the \$7,500 voucher should make such enrollments relatively common among the students who won the scholarship lottery. The eligible students who lost the scholarship lottery and therefore were assigned to the control group still might attend a private school but they would have to do so by drawing upon resources outside of the OSP. At the same time, students in both the scholarship treatment group and the control group have access to a large number of public charter schools in the District.

The implications of these realities is that, for this evaluation of the OSP, assignment to the treatment group did not necessarily mean private schooling and assignment to the control group did not necessarily mean education in a traditional public school. Members of both the treatment and control groups attended all three types of schools – private, public charter, and traditional public – after 4 or more years of the voucher experiment, though the proportions that attended each type differed significantly based on whether or not they won the scholarship lottery (figure 1). About 55 percent of the students who won the voucher lottery and provided outcome data in the final year of data collection were attending private schools. Less than 12 percent of the students who lost the voucher lottery were enrolled in private schools that same year. Over 18 percent of the treatment students chose to attend a public charter school four or more years after receiving a scholarship offer, compared to over 35 percent of the control group who opted for that public school choice option. Almost 27 percent of the treatment group students were enrolled in traditional public schools in the final year of data collection, compared with over 53 percent of control group students in such schools.

I see these data as underscoring that these families wanted educational options for their children. Over 73 percent of them placed their child in a private or public school of choice four or more years after winning the scholarship lottery and nearly 47 percent of them did likewise

even if they lost the lottery. This was a group of families with a strong motivation to exercise parental school choice.

Figure 1. Types of Schools Attended by the Treatment and Control Groups in 2008-09



Source: Wolf et al., *Evaluation of the DC Opportunity Scholarship Program: Final Report* (NCEE 2010-4018), Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education, 2010, Table 2-4, p. 27.

The enrollment pattern of students in the evaluation also highlights the fact that the comparison of the treatment and control groups in the final year of the analysis does not amount to a comparison between “all choice” and “no choice.” Instead, it is a comparison of outcomes between a group exercising lots of private school choice and some public school choice with a group exercising a small amount of private school choice and a substantial amount of public school choice. Any differences between the outcomes of the treatment and control groups therefore indicate the incremental impact of adding private school choice through the OSP to the existing schooling options for low-income DC families.

If one’s purpose is to evaluate the effects of a specific public policy, such as the OSP, then the comparison of the average outcomes of the treatment and control groups, regardless of what proportion attended which types of school, is most appropriate. A school voucher program cannot force scholarship recipients to use a voucher, nor can it preclude control group students

from attending private schools at their own expense. A voucher program only can offer students scholarships that they subsequently may or may not use. Nevertheless, the mere offer of a scholarship, in and of itself, clearly has no impact on the educational outcomes of students. A scholarship could only change the future of a student if it were actually used.

Fortunately, two statistical techniques are available that draw upon the unbiased results of the pure experimental analysis of treatment and control group differences. In the opinion of many researchers, including myself, these methodological approaches produce reliable estimates of the average effect of using a voucher compared to not being offered one and the average effect of attending private school with or without a voucher compared to not attending private school. The technique that produces the estimate of the effect of using a voucher is called a Bloom adjustment. Since lottery winners who never used a scholarship could not have been affected by it, the average impact of the voucher program on student outcomes that was generated by the entire sample of treatment students – users and non-users alike – is simply re-scaled by dividing it by the percentage of the treatment group that actually availed themselves of the treatment. For example, if 80 percent of the treatment students used their scholarships at any time since the voucher lottery and the treatment group as a whole averaged test score outcomes that were 4 points higher than the control group, the Bloom-adjusted estimated effect of using a scholarship on test scores would be $4/.8$ or 5 points.

The method for estimating the effect of attending versus not attending private schools, called Instrumental Variable (IV) analysis, produces estimates that tend to be larger than Bloom-adjusted estimates because they adjust for both non-use of the scholarship by the treatment group and private school attendance by members of the control group. As such, an IV analysis of the effect of private schooling is not an evaluation of a school voucher program *per se* but, instead, is an evaluation of the effect of the condition (private school enrollment) that a voucher program seeks to facilitate. Because such analyses place heavy demands on the underlying data, smaller differences that are found to be statistically significant at the purely experimental stage can end up as larger differences that are not statistically significant when estimated through IV analysis. The estimation of the impact of private schooling using the IV technique also requires specific information about whether or not students in the study attended private schools, information that is not always available for all students. As a result, in my remarks, I will focus on the purely experimental impacts of the OSP, called the "intent to treat" (ITT) estimate, and the effect of actually using a scholarship, called the "impact on the treated" (IOT) estimate. Whenever one sees "ITT" in the graphs that follow, that designates the impact of being offered an Opportunity Scholarship, whereas "IOT" signifies the impact of the program from using a scholarship. The effects of attending private schools for the students in our study are available in the appendices of our reports for anyone who is interested in those figures.

In our reports, we identify the differences between the treatment and control groups and then describe whether or not those differences are "statistically significant." A difference is judged to be statistically significant if, with a high level of confidence, we can rule out random statistical noise as its cause, leaving the program intervention as the only possible explanation for the difference. The level of confidence that any experimental difference is a true impact of the program being evaluated ranges from 0 to 99.9 percent. Although evaluators usually report the actual confidence level associated with each difference, we often simplify our analyses of program impacts by using a specific cut-off point to judge whether impacts are statistically significant. We thus transform the question of statistical significance from a matter of "more or

less" to a matter of "either-or." The most common cut-off points are 90 percent and 95 percent confidence.

We used the 95 percent confidence level as the minimum threshold for an impact to be judged statistically significant in our evaluation, a standard that I characterized in my previous Senate testimony as setting a high bar for statistical significance. Any difference with less than a five percent chance of being mere statistical noise was identified as a statistically significant program impact. Any difference with more than a five percent chance of being mere statistical noise was identified simply as no impact. It was 95 percent confidence or bust. In scientific terms, holding fast to the 95 percent confidence level as the standard for judging statistical significance means that you are four times more likely to miss a true program impact than you are to embrace a false one. Because the use of strict confidence level cut-points is somewhat controversial in the scientific literature, and different evaluators use different cut-points, in the interest of full information I will describe to the committee the specific confidence level that we can associate with each OSP impact finding and leave it to members to judge if, for example, 91 percent confidence is sufficient to think that the program really made a difference regarding that outcome or if the 9 percent chance that random noise produced the finding is enough to doubt the result. Reasonable people can and do differ regarding such interpretations.

OSP Impacts on Educational Attainment

The most important outcome we examined in our evaluation of the OSP was the program's impact on student educational attainment, as measured by the rate of high school graduation. High school graduation is critical because many careful studies have concluded that graduating from high school, as opposed to dropping out, is closely associated with a variety of positive personal and social outcomes. For example, a study by the Educational Testing Service (ETS) determined that graduating from high school increases lifetime earnings by \$8,500 per year and decreases the risk of unemployment by one-third. A study of high school drop-outs and graduates in California by Clive Belfield and Henry Levin concluded that each graduate reduces the cost of crime by \$112,000. Conditions are notably better for individuals and society when they graduate from high school.

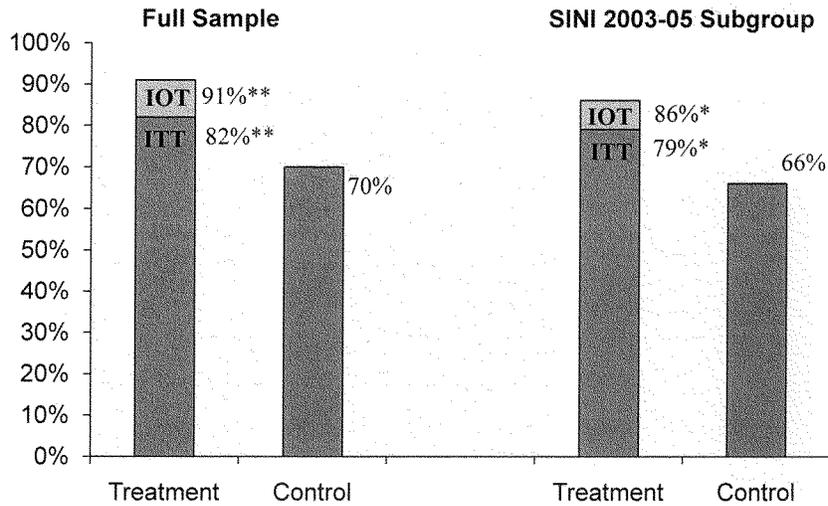
Based on parent reports, the students in our study graduated from high school at significantly higher rates as a result of the OSP. The treatment group students graduated from high school at a rate of 82 percent which was 12 percentage points higher than the control group rate of 70 percent. Adjusting for students who never used their scholarship, the impact of using an Opportunity Scholarship was to increase the probability of graduating from 70 percent to 91 percent -- a positive impact of 21 percentage points (figure 2). We can be more than 99 percent confident that access to school choice through the Opportunity Scholarship Program, and not mere statistical noise, was the reason why OSP students graduated at these higher rates.

The positive impact of the OSP on high school graduation was also clear for the high-priority SINI students in the study. Access to the OSP increased the graduation rate for SINI students from 66 percent to 79 percent. The impact of using an Opportunity Scholarship on the likelihood of high school graduation was to increase it by 20 percentage points, from 66 percent to 86 percent. This positive impact of the OSP on the high school graduation rate of SINI students was statistically significant with more than 98 percent confidence.

Conclusive experimental results, such as these important findings regarding the positive impact of the OSP on reported high school graduation rates, permit us to make reliable forecasts. For example, Cecelia Rouse, a member of President Obama's Council of Economic Advisors,

has determined that each additional high school graduate saves the nation an average of \$260,000 as a result of higher taxable earnings and lower demands for social services. That means that the 449 additional high school graduates due to the operation of the OSP will save our nation approximately \$116,625,600 over the long run. These experimental results also mean that approximately 111 students in the experimental control group will fail to graduate from high school simply because they were denied access to the Opportunity Scholarship Program.

Figure 2. Impact of the OSP on High School Graduation Rates, Overall & SINI Subgroup



*Statistically significant at the 95 percent confidence level.
 **Statistically significant at the 99 percent confidence level.
 SOURCE: Wolf et al., *Evaluation of the DC Opportunity Scholarship Program: Final Report*, U.S. Department of Education, National Center for Education Evaluation and Regional Assistance, NCEE 2010-4018, Table 3-5.
 NOTE: ITT means the impact of the voucher offer; IOT means the impact of scholarship use.

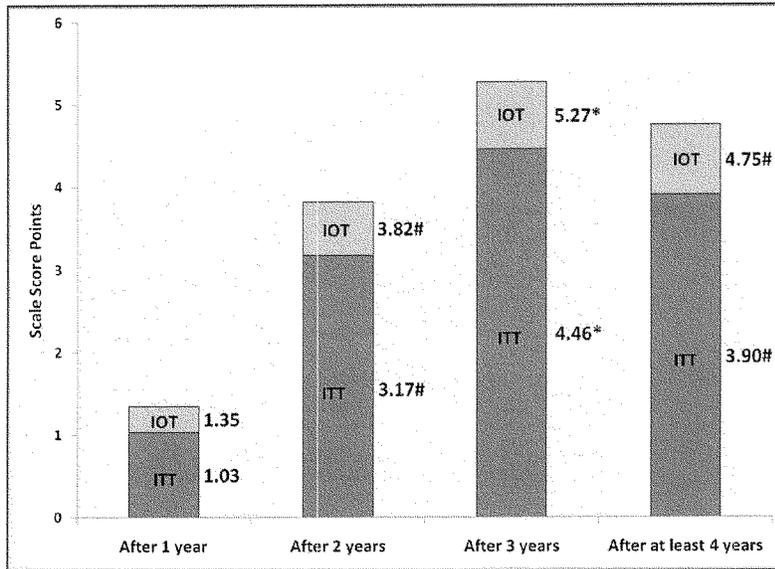
The Opportunity Scholarship Program and Student Achievement

Our analysis of test score data across all four years of the study suggested that, overall, OSP students likely benefited academically from the program in reading but not in math. The statistical probability that the OSP had a positive impact on student reading scores was 44 percent after one year, 91 percent after two years, 99 percent after three years, and 94 percent after four or more years (figure 3). If one uses the 95 percent confidence level as the minimum threshold for an impact to be judged "statistically significant", as we did in our study, then only the positive reading impacts in year 3 could be conclusively attributed to the program. If, instead, one used 90 percent confidence as the standard, then the positive reading impacts of the OSP were statistically significant in every evaluation year except the initial year of program implementation. Another way to think about the statistical significance of the reading impacts in

the final year of the evaluation is that, if you claimed that the OSP had no positive impact on student reading achievement, using the final year results as the basis of your claim, there is a 94 percent chance that you would be wrong.

Although the students offered Opportunity Scholarships on average consistently scored higher than the control group in math, those differences were so small each year that we cannot ruled out statistical noise, with any reasonable level of confidence, as their cause.

Figure 3. Impact of the OSP on Reading Achievement Overall, by Years After Application



#Statistically significant at the 90 percent confidence level.

*Statistically significant at the 95 percent confidence level.

SOURCE: Wolf et al., "School Vouchers in the Nation's Capital: Summary of Experimental Impacts," in *School Choice and School Improvement: Research in State, District and Community Contexts*, Mark Berends, Marisa Cannata and Ellen Goldring (eds.), Cambridge, MA: Harvard Education Press, forthcoming in 2011.

NOTE: Differences between each year's cumulative impact estimates have not been tested to determine their statistical significance. ITT means the impact of the voucher offer; IOT means the impact of scholarship use.

Why are we less confident that the OSP students gained in reading in the final year of the analysis compared to year 3? Statistical significance is largely a function of the size of impacts and the size of samples. Larger differences supported by evidence from more study participants are more likely to be significant at high confidence levels than are smaller differences supported by evidence from fewer participants. In year three, we observed an average reading achievement difference of 4.5 scale score points between the treatment and control group and a gain of 5.3 scale score points from using an Opportunity Scholarship. A total of 96 percent of the students in the study were still in 12th grade or below, which means we were able to administer achievement tests to them. A sizable reading achievement difference informed by a large sample

of testable students produced a high 99 percent confidence level regarding the statistical significance of the year 3 reading impacts of the OSP. Between year 3 and the final year of data collection, a large cohort of 211 students graduated out of the testable grade range. Only 87 percent of the initial impact sample of students remained in testable grades for the final achievement analysis. In that final year, the difference between the average reading scores of the remaining treatment and control group students was 3.9 -- a decrease of 13 percent from the year 3 difference of 4.5. A somewhat smaller reading achievement difference informed by a smaller sample of testable students produced a more modest 94 percent confidence level regarding the statistical significance of the final year reading impacts of the OSP. One could argue that the year 3 reading impacts are the better gauge of the program's achievement impacts, since it was based on more evidence than the final year impacts. One could also argue that the final year impacts are the better barometer of the OSP's test score impacts because it gave a smaller sample of students more time to be influenced by the program. Either claim is reasonable.

Because either the third or final year achievement impacts could be viewed as the most conclusive evidence of the effect of the OSP on reading, I characterize the educational significance of both sets of impacts here. One constructive way to view achievement gains is in terms of additional months of instruction. The overall reading gains from the OSP observed after three years, which we know with 99 percent confidence were caused by the program, represent the equivalent of about 3.1 additional months of schooling for the entire treatment group and an additional 3.7 months of schooling due to the use of a scholarship (Table 1). The reading gains from the OSP observed in the final year of the study, which we know with 94 percent confidence were caused by the program, represent the equivalent of about 2.8 additional months of schooling for the entire treatment group and an additional 3.4 months of schooling due to the use of a scholarship. The year 3 results suggest that students who used an Opportunity Scholarship gained about 1.2 months of additional learning per year; whereas, the final year results that they gained about 0.9 months of additional learning per year.

Table 1. Estimated Impacts in Months of Schooling of the Scholarship Offer and Use of a Scholarship for Reading Impacts in Year 3 and the Final Year of the Evaluation

Student Achievement: Reading	Months of Schooling	
	Impact of the Scholarship Offer	Impact of Scholarship Use
Overall year 3	3.1	3.7
Overall final year	2.8	3.4

SOURCE: Wolf et al., *Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years*, U.S. Department of Education, National Center for Education Evaluation and Regional Assistance, NCEE 2009-4050, Table 3-4; Wolf et al., *Evaluation of the DC Opportunity Scholarship Program: Experimental Impacts After at Least Four Years*, paper presented at the National Bureau of Economic Research Education Program Meeting, Nov. 1-12, 2010, Table 9.

The Pattern of Achievement Impacts by Key Subgroups

Beyond the evidence suggesting that the OSP increased overall reading scores, the program demonstrated a positive impact on the reading achievement of five subgroups of participating students across multiple years of the evaluation, with at least 90 percent and often with 95 percent confidence that these were true program impacts. However, because the subgroup analyses involve significance tests on multiple groupings of students, any one of which, at the 95 percent confidence level, has about a 5 percent chance of being a false discovery, we should treat

these subgroup results with less certainty than the overall reading achievement results discussed above.

When examined as separate subgroups, five types of students experienced significant reading impacts at various points in our evaluation of the OSP. Students who were not attending schools in need of improvement prior to entering the program demonstrated reading gains from the program at the subgroup level in year 2 (96 percent confidence), year 3 (99 percent confidence), and the final year (98 percent confidence). Students in the higher two-thirds of the performance distribution, whose average reading test score was at the 37th National Percentile Rank at baseline, improved their reading test scores due to the OSP in year 2 (98 percent confidence), year 3 (98 percent confidence), and in the final year (96 percent confidence). Female students demonstrated positive reading impacts from the program in year 3 (96 percent confidence) and in the final year of the evaluation (95 percent confidence). Students entering grades K-8 at baseline, where slots were plentiful in a wide variety of participating private schools, gained in reading achievement due to the program in year 2 (92 percent confidence) and year 3 (99 percent confidence). During the final year of the analysis, the students who were entering grades K-8 at baseline represented almost the entire sample still in testable grades and therefore could not be a part of the final subgroup analysis. Finally, Cohort 1 students demonstrated positive reading impacts at the subgroup level in year 2 (96 percent confidence) and year 3 (96 percent confidence). By the final year of the evaluation, so many members of the first cohort had graduated from high school that we could not analyze their test score impacts as a distinct subgroup.

Reading impacts for the other five subgroups examined individually – applicants from schools in need of improvement (i.e. SINI), students in the lower one-third of the performance distribution at baseline, males, students entering high school grades at baseline, and students in Cohort 2 – were not statistically significant in any of the years of the analysis. This does not mean that those subgroups of students did not benefit from the program, as research results never prove a negative, but it does mean that reading gains were not clearly evident at the subgroup level for those types of students. The fact that significant reading impacts were not observed for the subgroup of SINI students is noteworthy, since Congress designated SINI students as the highest service priority for the program. Math impacts were not statistically significant for any of the 10 subgroups examined after two, three or four or more years.

In sum, the evidence is conclusive that OSP students performed better on reading tests after three years as a result of the program. There is additional supportive evidence that the program had a positive effect on reading achievement in year 2 and the final year of the evaluation, as well. Five of 10 distinct subgroups of students demonstrated statistically significant reading gains from the program in multiple years of the evaluation. Most of those subgroup impacts were statistically significant with greater than 95 percent confidence and even after adjusting for the multiple comparisons involved in such subgroup analyses. Any claim that the OSP had no significant impact on student reading achievement would fly in the face of a wealth of scientific evidence to the contrary.

Overall Impacts on Parent and Student Satisfaction

Whenever school choice researchers have asked about satisfaction with schools, parents who were given the chance to select their child's school have reported much higher levels of satisfaction. Students themselves, for any number of possible reasons, have rarely described themselves as more satisfied with the new schools chosen by their parents. The satisfaction

results from the final year of the OSP evaluation fit this pattern of previous studies. The proportion of parents who assigned a high grade of A or B to their child's school was 8 percentage points higher if they were in the treatment group, 10 percentage points higher based on scholarship use. The impact of the OSP on increasing parent satisfaction with their child's school was statistically significant with more than 99 percent confidence. Parents also rated the safety of their children in school as higher if they had been awarded or used an Opportunity Scholarship, a positive program impact that was statistically significant with 98 percent confidence in the final year of the study. Students in grades 4-12, when asked similar questions, were no more likely to be satisfied with their school or describe it as safe if they were in the treatment compared to the control group.

Interpreting the Findings

What does this pattern of results suggest about the effectiveness of the OSP? Any answer to that question is bound to be somewhat subjective, so I think the best way to judge the program's impact is to compare the academic outcomes from the OSP with those from randomized control trials of other education programs.

The National Center for Educational Evaluation (NCEE) at the Institute of Education Sciences has released the results of 13 other studies that, like this one, employ the methodological rigor of random assignment to distinct treatment and control groups. The DC OSP evaluation is one of only four of these 14 NCEE studies to report overall positive impacts, statistically significant with at least 95 percent confidence, on academic outcomes such as achievement or attainment (table 2). The other three federal education programs which have been confirmed to deliver overall achievement impacts are Problem Based Economic Instruction, K-PAVE Vocabulary Development, and Enhanced Reading Opportunities. The relative size of the OSP impact on boosting high school graduation rates, more than one-quarter standard deviation (SD) is the second largest statistically significant positive impact yet identified in an NCEE experimental analysis. Only the Problem Based Economic Instruction evaluation has reported larger positive impacts on student academic outcomes than those demonstrated in the evaluation of the Opportunity Scholarship Program.

Nine other education programs have not demonstrated statistically significant academic impacts overall. The interventions that have not demonstrated statistically significant effects on student academic outcomes in NCEE experimental evaluations includes charter schooling, student mentoring, Reading First, classroom literacy interventions in Even Start, alternative teacher certification, initial teacher training, literacy intervention for adult English Language Learners, , Odyssey Math, and simplifying the wording of math questions. One other program, After-School Programs and Enhanced Academic Instruction, demonstrated a mix of positive, non-significant, and negative impacts on achievement. The larger point is that many federal education programs targeted at disadvantaged students have been the subjects of rigorous evaluations. Most of these programs have failed to demonstrate the ability to move disadvantaged students to significantly higher levels of academic outcomes such as achievement and high school graduation. In my opinion, by demonstrating statistically significant experimental impacts on boosting high school graduation rates and generating a wealth of evidence suggesting that students also benefited in reading achievement, the DC OSP has accomplished what few educational interventions can claim: It markedly improved important education outcomes for low-income inner-city students.

Table 2. NCEE Intervention Studies in Order of Significance of Academic Impacts, Through February 2011

	NCEE Single Intervention Study	Overall Significant Impact (95% Confidence)	Partial or Subgroup Sig. Impact
1	Effects of Problem Based Economics on High School Economics Instruction	Positive (Economics content knowledge; Economics problem-solving skills and application to real-world economic dilemmas) Impacts = .27-.32 SD	N/A
2	DC Opportunity Scholarship Program	Positive (Graduation, Reading Year 3) No effect (Math, Reading Year 4) Graduation Impact = .26 SD Year 3 Reading Impact = .13 SD	Some positive subgroups (Reading), some no effect
3	K-PAVE Program to Accelerate Vocabulary Development in Kindergarten	Positive (Vocab development: one month; Academic knowledge: one month; Vocab and comprehension support); No effect (Listening comprehension); Impacts = .14 SD	N/A (insufficient power to calculate impacts)
4	Enhanced Reading Opportunities	Positive (1 year) Reading Impact = .08 SD	Some positive subgroups, some no effect
5	Evaluation of Charter School Impacts	No effect	Some positive subgroups (Math); some negative subgroups (Math)
6	DOE Student Mentoring Program	No effect	Some positive subgroups, some no effect
7	Reading First	No effect (3 years)	Improvements in student decoding skills
8	Classroom Literacy Interventions and Outcomes in Even Start	No effect (literacy measures)	Improvements in parenting skills and children's social skills
9	Teacher Certification Routes	No effect	Some negative effect, most no effect
10	Comprehensive Elementary Teacher Induction	No effect	N/A
11	Reading Intervention for Low-Literate Adult ESL Learners	No effect	No effect
12	Effects of Compass Learning Odyssey Math on the Math Achievement of Selected Grade 4 Students in the Mid-Atlantic Region	No effect	No effect
13	Linguistic Modification of Math Test Item Sets	No effect	Some positive subgroups (depending on the scoring approach used), some no effect
14	After-School Programs and Enhanced Academic Instruction	Positive (Math after 1 year); No effect (Reading after 1 year, Math after 2 years); Negative (Reading after 2 years)	No effect
	Totals:	2 positive, 2 some pos., 9 no effect, 1 mix of pos./neg.	

NOTE: Items in top box show at least some overall significant positive effects with at least 95 percent confidence and no significant negative effects. SD means standard deviation units.

SOURCE: Calculated from review of the most recent evaluation reports where interventions were compared to a control group (see <http://ies.ed.gov/ncee/pubs/>). Evaluations that merely compared interventions to each other are excluded.

Conclusion

For the past seven years, the District of Columbia Opportunity Scholarship Program has provided income-disadvantaged students with government-financed scholarships or vouchers to facilitate their enrollment in participating private schools selected by their parents. Having collected and analyzed data from up to five years of student and parent experiences with the OSP, we have learned much about the program. The DC Opportunity Scholarship Program has proven itself to be a highly effective drop-out prevention program. The SINI students, who were the highest service priority of the program, graduated from high school at a rate that was 20 percentage points higher due to the use of an Opportunity Scholarship. We know, with more than 90 percent confidence, that the program has increased student reading performance. No program impacts have been observed in math achievement. When the data are parsed into smaller subgroups, half of those individual subgroups of students have demonstrated reading gains as a result of the program across multiple years of the evaluation. Parents, but not students, say that they are more satisfied with their schools if offered an Opportunity Scholarship and they view those schools as safer. No negative effects of the program were uncovered in any years of the rigorous government-sponsored evaluation.

Actual people often speak more eloquently than do statistics and scientists. I close by quoting the words of an OSP parent who attended one of the focus groups we conducted to augment the government evaluation of the program. Here is what the Opportunity Scholarship Program meant to her and her son who used a scholarship to attend a private high school in the District:

When my son dressed in that uniform with that green blazer, the white shirt, tie, gray trousers and he looked like a gentleman and a scholar and he had his hair cut and his glasses and he was just grinning from ear to ear that he was going to be a part of that [private school culture] and he went to school that day and he was excited about going to school.

Senators, the research evidence and testimonials of parents confirm that the District of Columbia is a better place because of the Opportunity Scholarship Program.



District of Columbia Opportunity Scholarship Program: Implementation Status and Policy Issues

Rebecca R. Skinner
Specialist in Education Policy

Erin D. Caffrey
Analyst in Education Policy

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Summary

The Consolidated Appropriations Act for FY2004 (P.L. 108-199), which combined six appropriations bills—including the FY2004 District of Columbia Appropriations Act—authorized and appropriated funding for the Opportunity Scholarship program, a federally funded school voucher program, for the District of Columbia. It also provided funding for the District of Columbia Public Schools (DCPS) for the improvement of public education and the State Education Office for public charter schools. The provision of federal funds for DCPS, public charter schools, and vouchers is commonly referred to as the “three-prong approach” to supporting elementary and secondary education in the District of Columbia.

More specifically, the Opportunity Scholarship program was enacted under the DC School Choice Incentive Act of 2003, which was included in P.L. 108-199. The Opportunity Scholarship program provides scholarships (also known as vouchers) to students in the District of Columbia to attend participating private elementary and secondary schools, including religiously affiliated private schools. Appropriations for the program were authorized through FY2008. While the program is no longer authorized, the 111th Congress has provided appropriations for the program in FY2009 under the Omnibus Appropriations Act, 2009 (P.L. 111-8) and in FY2010 under the Omnibus Appropriations Act, 2010 (P.L. 111-117).

P.L. 111-8 specified that the use of any funds *in any act* for Opportunity Scholarships after the 2009-2010 school year shall be available only upon reauthorization of the program and the adoption of legislation by the District of Columbia approving such reauthorization. P.L. 111-117 eliminated this restriction on funding and provided continued appropriations for the Opportunity Scholarship program, as well as school improvement funding for DCPS and public charter schools in the District of Columbia. It provided \$42.2 million to DCPS, \$20 million for public charter schools, and \$13.2 million for Opportunity Scholarships. The latter, however, could be used to provide private school vouchers *only to students who received scholarships in the 2009-2010 school year*.

This report will be updated as warranted by legislative action.

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Overview

The Consolidated Appropriations Act for FY2004 (P.L. 108-199), which combined six appropriations bills—including the FY2004 District of Columbia Appropriations Act—authorized and appropriated funding for the Opportunity Scholarship program, a federally funded school voucher program, for the District of Columbia. More specifically, the Opportunity Scholarship program was enacted under the DC School Choice Incentive Act of 2003, which was included in P.L. 108-199. The Opportunity Scholarship program provides scholarships (also known as vouchers) to students in the District of Columbia to attend participating private elementary and secondary schools, including religiously affiliated private schools. Appropriations for the program were authorized through FY2008. While the program is no longer authorized, the 111th Congress has provided appropriations for the program in FY2009 under the Omnibus Appropriations Act, 2009 (P.L. 111-8) and in FY2010 under the Omnibus Appropriations Act, 2010 (P.L. 111-117).

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This report begins with a general overview of issues related to school choice and the provision of vouchers for elementary and secondary education students to attend private schools. This is followed by a discussion of the debate that surrounded the initial passage of the DC School Choice Incentive Act. The next section of the report examines the act, including eligibility requirements for students to receive a voucher and for private schools to participate. The next section of the report examines current research on the program's effectiveness with respect to student academic achievement and parental and student satisfaction with the program. This is followed by a summary of appropriations made available for the Opportunity Scholarship program and other school improvement initiatives in the District of Columbia. The report concludes with a discussion of actions taken with respect to the program during the FY2009 and FY2010 appropriations cycles and issues related to the continuation of the Opportunity Scholarship program.

School Choice and Vouchers for Elementary and Secondary Education

Many of the disputes involving public education and school choice stem from a fundamental question of whether education is a public or private good. While education has historically been considered a public good, it has characteristics of both a public and a private good. That is, the benefits of education are both private, accruing to individuals, and public in that they promote a

stable and democratic society.¹ However, the distinction between education as a private good and a public good may be blurred as others benefit from the work produced by an individual, and an individual benefits from living in a stable and democratic society. As researchers have argued, "schooling takes place at the intersection of two sets of rights, those of the family and those of the society."² Parents have the right to raise their children in the manner they deem most suitable, including making decisions about their education, while a democratic society uses education "as a means to reproduce its most essential political, economic, and social institutions through a common schooling experience."³

Over the past several Congresses, many school choice proposals have been introduced and debated, but most have failed to be enacted. The most controversial issues regarding publicly funded school choice have been the provision of direct or indirect support to enable students to attend private schools, especially religiously affiliated private schools. The District of Columbia Opportunity Scholarship program is an example of a federal program that supports the enrollment of students in private elementary and secondary schools.⁴ Concerns about programs that provide public funds for students to enroll in private schools have centered on whether public funds should be used to provide support to private (especially religiously affiliated) schools and whether the existence of public funding for private school choice options effectively improves educational outcomes for participating students. The Supreme Court has ruled in *Aleman v. Simmons-Harris* that the Constitution permits public funding of school vouchers for attendance at religiously affiliated schools in instances where parents have the opportunity of selecting from a range of options that includes public and private secular schools. Nonetheless, objections are still raised regarding the use of public funds to pay tuition at religiously affiliated schools.⁵ Less controversial are school choice programs in which funding remains under public control, such as public charter schools and the implementation of school choice provisions under Title I-A of the Elementary and Secondary Education Act (ESEA).⁶

Those who support school choice proposals that include the choice of attending private schools have argued that in view of the apparent resistance to change in many public schools, the most effective way in which the federal government can help to improve academic performance, especially for students from low-income families, is to enhance students' opportunities to select from a broader range of schools, including private sectarian and non-sectarian schools. Choice proponents argue that assisting at least some students from low-income families to leave their current, often low-performing public schools, provides immediate benefits to those students. In addition, choice proponents argue that it also provides these students with a degree of educational

¹ Milton Friedman, "The Role of Government in Education," in *Economics and the Public Interest*, ed. R.A. Solo (Rutgers University, 1955).

² Henry M. Levin, "The Public-Private Nexus in Education," National Center for the Study of Privatization in Education, Teachers College, Columbia University, NY, March 2000, p. 4.

³ See footnote 2.

⁴ Another example of a federal program that supports the enrollment of students in private schools is the Coverdell Education Savings Account program. For more information, see CRS Report RL32155, *Tax-Favored Higher Education Savings Benefits and Their Relationship to Traditional Federal Student Aid*, by Linda Levine, or CRS Report RL31439, *Federal Tax Benefits for Families' K-12 Education Expenses in the Context of School Choice*, by Linda Levine and David P. Smole.

⁵ For a discussion of church-state constitutional issues regarding vouchers, see CRS Report RL30165, *Education Vouchers: Constitutional Issues and Cases*, by Angie A. Welborn.

⁶ For more information about these provisions, see CRS Report RL33371, *K-12 Education: Implementation Status of the No Child Left Behind Act of 2001 (P.L. 107-110)*, coordinated by Gail McCallion.

choice and opportunity that already exists for students from more affluent families. Another major argument made in support of choice is that competition through choice would be a catalyst for major improvements in the performance of public school systems, including those serving large numbers of low-income students. At the same time, choice supporters recognize that providing public funding to private schools may be accompanied by new forms of government regulation. They argue, however, that federal regulations could be limited through statutory prohibitions, especially if the aid was provided indirectly to the private school via vouchers provided directly to individual students.

Opponents of federal school choice proposals that include private schools tend to focus on the limitations of the proposed choice options and the potentially negative effects on public schools and their students, particularly the shifting of attention and resources away from the goal of public school system reform. Choice proposals involving private schools generally involve only a portion of the potentially eligible student population (e.g., opportunities would be available in a limited number of localities or be made available only to a limited number of low-income families nationwide). In addition, choice proposals are often limited or capped in terms of the proportion or amount of private school tuition or fee costs that may be covered by vouchers or scholarships. While these amounts may cover a substantial share of the costs of attending some private schools, they are often sufficient to pay the full costs of attending only the least expensive private schools. Some opponents also argue against the creation of federal school choice programs based on concerns about the substantial governmental regulation of private schools that could ensue, regardless of whether funds are provided directly or indirectly to the schools. Further, some opponents argue that the effects of competition on public school systems are more likely to be negative than constructive, including a reduction in funds that are provided based on student enrollment levels, loss of students whose families are best informed about their education options, and unequal constraints on public schools. The last issue focuses on concerns that public schools may have to serve numerous hard-to-educate students whose parents did not exercise the opportunity to choose a private school or students who were not accepted to private schools, potentially based on their academic performance.

Enactment of the Opportunity Scholarship Program

In the Bush Administration's FY2004 budget submission, the Administration requested \$75 million for a Choice Incentive Fund that would have provided competitive grants to states, local educational agencies (LEAs), and community-based organizations that expanded opportunities for parents of children who attend low-performing schools to attend higher-performing schools, including charter schools and private schools.⁷ Under the Administration's proposal, a portion of the funds would have been reserved for school choice programs in the District of Columbia. Both the mayor of the District of Columbia, Anthony Williams, and the President of the District of Columbia Board of Education, Peggy Cooper Cafritz, endorsed the concept of private school vouchers as a means of improving education options for DC public school students and as a means for transforming the city's faltering public school system.⁸ Local supporters of a voucher

⁷ This was not the first attempt by Congress to establish a voucher program in the District of Columbia. In 1998, President Clinton vetoed the District of Columbia Student Opportunity Scholarship Act of 1997 (S. 1502), which would have created a federally funded scholarship program in the District of Columbia for purposes of awarding scholarships to enable children from low-income families to attend schools of choice in the Washington, DC, metropolitan area.

⁸ Peggy Cooper Cafritz, "Making the Most of Vouchers," *Washington Post*, March 3, 2003, p. 17.

program insisted that the program had to be federally funded and could not result in a reduction of funds to the city's traditional public schools and public charter schools. Eleanor Holmes Norton, the District of Columbia's Delegate to Congress, subsequently criticized the mayor's support for a federally funded voucher program, noting that the proposal was an affront to home rule.⁹ Other opponents of the voucher program argued that the program would reduce needed funding for public education and be of minimal benefit to most of the city's students.

The establishment of a federally supported voucher program met with both support and resistance in Congress. In July 2003, the House Committee on Government Reform passed H.R. 2556, the DC Parental Choice Incentive Act of 2003, by a vote of 22 to 21. The act would have created a federally funded scholarship program to serve low-income students in the District of Columbia. The program would have established a competitive grant program under which the Secretary of Education would award grants to eligible entities for the operation of one or more scholarship programs. Grantees would have awarded scholarships (also known as vouchers) of up to \$7,500 per academic year to students who are residents of the District of Columbia and whose family income does not exceed 185% of the poverty level to enable them to attend private elementary and secondary schools located in the District of Columbia. The program would have been authorized at \$15 million for FY2004 and at such sums as may be necessary through FY2008.

Later that month, the House Committee on Appropriations reported H.R. 2765, which would have provided \$10 million for a school choice program in the District of Columbia in the FY2004 appropriations bill for the District of Columbia. The program was substantively similar to the program proposed under H.R. 2556. During floor debate on H.R. 2765 two voucher-related amendments were offered. The first, offered by Delegate Norton, would have eliminated the proposed voucher program. The amendment failed to pass by a vote of 203 to 203. A second amendment was offered by Representative Tom Davis that would have established eligibility criteria for students to receive a voucher and cap the maximum amount of funding a voucher could provide for any given school year. The amendment passed by a vote of 209 to 206.

The Senate's version of the FY2004 District of Columbia appropriations bill (S. 1583) included the DC Student Opportunity Scholarship Act of 2003. This bill was substantively similar to H.R. 2556, and contained the framework on which the final provisions for the DC School Choice Incentive Act were based. It was placed on the Senate calendar but was never considered on the Senate floor. The Senate-passed version of H.R. 2765, however, did not include funding to establish a scholarship program for low-income students. It did include funding for school improvement for traditional public schools and public charter schools in the District of Columbia.¹⁰ The House-passed version of H.R. 2765 did not include funding for these specific purposes.

The DC School Choice Incentive Act, which created the Opportunity Scholarship program, was authorized and funded by the Consolidated Appropriations Act, 2004 (H.R. 2673; P.L. 108-199),

⁹ Craig Timberg and Justin Blum, "Mayor Endorses Vouchers in D.C.; Norton Criticizes Statement as 'Selling Out' Home Rule," *Washington Post*, May 2, 2003, p. A1.

¹⁰ When H.R. 2765 was initially considered on the Senate floor, it contained \$10 million for a school voucher program in the District of Columbia but did not contain funding for traditional public schools or public charter schools. S.Amdt. 1783 would have amended the bill to provide \$40 million for these purposes with traditional public schools, public charter schools, and a school voucher program each receiving \$13 million and \$1 million provided for evaluation. Prior to voting on S.Amdt. 1783, the amendment was modified by S.Amdt. 2201, which eliminated funding for the school voucher program. S.Amdt. 1783 was then passed by unanimous consent.

which included the FY2004 District of Columbia appropriations bill. Specific funding for the Opportunity Scholarship program was provided under the header "Federal Payment for School Improvement," which also included funding for the District of Columbia Public Schools (DCPS) for the improvement of public education and the State Education Office (SEO) for the expansion of public charter schools. This approach, commonly known as the three-prong approach to funding elementary and secondary education in the District of Columbia, was initially suggested by Mayor Williams when he asked for federal assistance for public education in the District of Columbia.¹¹ The proposal was supported by both the Administration¹² and Members of Congress. While concerns were raised during consideration of the bill that only the Opportunity Scholarship program—not school improvement funding for DCPS or public charter schools—was authorized for five years, each year the Opportunity Scholarship program has been funded, the federal government has also provided funds to support school improvement in the city's traditional public schools and public charter schools.

DC School Choice Incentive Act

The DC School Choice Incentive Act (P.L. 108-199, Title III) authorized a scholarship or voucher program to provide the families of low-income students, particularly students attending elementary or secondary schools identified for improvement, corrective action, or restructuring under the ESEA, as amended by the No Child Left Behind Act (NCLB; P.L. 107-110), with expanded opportunities to enroll their children in schools of choice located in the District of Columbia. The program was authorized for FY2004 through FY2008. An appropriation of \$14 million was specified for FY2004; appropriations for the subsequent fiscal years were for "such sums as may be necessary."

Under the Opportunity Scholarship program, the Secretary of Education (hereinafter referred to as the Secretary) may award grants to eligible entities for a period of not more than five years to make opportunity scholarships to eligible individuals. Eligible entities were defined as an educational entity of the DC government, a nonprofit organization, or a consortium of nonprofit organizations. In selecting one or more eligible entities to operate the program, the Department of Education (ED) was required to give priority to eligible entities who would most effectively give priority to eligible students who, in the school year preceding the school year for which the student is seeking a scholarship, were attending a school that was identified for improvement, corrective action, or restructuring under the ESEA. In addition, ED was required to give priority to eligible applicants that would target available resources to students and families who lacked the financial resources to take advantage of school choice options and that would provide students and families with the widest range of school options. The Washington Scholarship Fund (WSF) has been the sole program administrator since the program's inception in 2004. WSF is permitted to use up to 3% of the funds it receives from ED for administrative expenses.

¹¹ For more information, see letter from Mayor Anthony Williams inserted into the *Congressional Record*, Senator Mike DeWine, "District of Columbia Appropriations Act, 2004," Remarks in Senate, *Congressional Record*, September 25, 2003, pp. S11954-S11955.

¹² For more information, see letter from Secretary of Education Rod Paige, inserted into the *Congressional Record*, Senator Mary Landrieu, "District of Columbia Appropriations Act, 2004," Remarks in the Senate, *Congressional Record*, September 26, 2003, p. S12044.

Student eligibility for the program is open to children from families with incomes not exceeding 185% of the poverty line who are entering kindergarten through 12th grade or who turn five years old by September 30 of the school year for which scholarships are awarded.¹³ Eligible students may apply to receive an Opportunity Scholarship valued at up to \$7,500 to cover the costs of tuition, fees, and transportation expenses associated with attending participating private elementary and secondary schools located in the District of Columbia.¹⁴ Scholarships provided to students are considered assistance to the student (as opposed to the school) but are not treated as income of the parents for federal tax purposes or for determining eligibility for other federal programs. Students must reapply each year to participate in the program. Scholarship recipients remain eligible to continue to participate in the scholarship program, as long as their family income does not exceed 300% of the poverty level.¹⁵ During the 2008-2009 school year, WSF reported that 1,721 students received scholarships. **Table 1** provides information on the number of students who received a scholarship by program year and grade level.

Table 1. Student Enrollment by Grade in the DC Opportunity Scholarship Fund for Various School Years

Grade	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Pre-K	11	11	12	2	6
K	155	170	155	123	116
1	128	228	189	192	144
2	123	214	249	219	198
3	109	186	197	262	172
4	110	194	489	207	218
5	119	156	191	201	176
6	74	162	159	204	171
7	80	155	138	163	163
8	60	120	134	128	121
9	23	61	90	86	78
10	18	32	50	78	65
11	10	15	26	43	56
12	2	7	16	22	37
Total	1,022	1,711	1,795	1,930	1,721

Source: Table prepared by CRS, January 22, 2010, based on unpublished data provided by the Washington Scholarship Fund.

Notes: Enrollment numbers are based on the number of students who received scholarship payments for educational services rendered at a participating school. These figures are currently undergoing a final audit in

¹³ Information on student eligibility by age or grade level is available online at <http://www.washingtonscholarshipfund.org/programs/opportunity/index.html>.

¹⁴ The School Choice Incentive Act permits the program administrator to award larger scholarships to eligible students with the greatest need, but no scholarship may exceed \$7,500 for any given school year.

¹⁵ The original threshold for continuation in the program was 200% of the poverty level.

conjunction with the Washington Scholarship Fund's report to the U.S. Department of Education covering the multi-year grant period.

In general, private schools accepting scholarships through the Opportunity Scholarship program are prohibited from discriminating against program participants or applicants on the basis of race, color, national origin, religion, or gender. The last prohibition does not apply, however, to single sex schools that are operated by, supervised by, controlled by, or connected to a religious organization to the extent that nondiscrimination based on gender would be inconsistent with the religious beliefs of the school. In addition, nothing in the School Choice Incentive Act allows participating schools to alter or modify the provisions of the Individuals with Disabilities Education Act (IDEA). With respect to sectarian private schools that accept scholarship students, nothing in the School Choice Incentive Act prohibits the school from hiring in a manner consistent with the school's religious beliefs or requires the school to alter its mission or remove religious symbols from its building. All participating private schools are required to comply with requests for data and information with respect to program evaluations required by the School Choice Incentive Act.

Based on the most recent evaluation of the Opportunity Scholarship program, 57 of 102 private elementary and secondary schools in the District of Columbia participated in the program during the 2007-2008 school year.¹⁶ The majority of the participating schools (56%) were faith-based schools, primarily the parochial schools of the Catholic Archdiocese of Washington. Of the participating schools, 46% charged an average tuition above the voucher cap of \$7,500.

The Omnibus Appropriations Act, 2009 (P.L. 111-8), added additional requirements for participating schools. First, the participating school must have and maintain a valid certificate of occupancy issued by the District of Columbia. Second, the core subject matter teachers of the scholarship recipient must hold four-year bachelor's degrees.¹⁷

In addition, given that P.L. 111-8 extends the Opportunity Scholarship program beyond its original authorization period, ED has announced a competition to select a program administrator for the 2009-2010 school year.¹⁸ The competition was reopened July 6, 2009, due to an error in how applications should be submitted.¹⁹ The Washington Scholarship Fund's contract to administer the program was for the five-year period that corresponded with the original program application. As required by P.L. 111-8, the program administrator will be permitted to award only continuation scholarships to voucher recipients currently enrolled in the program. As of school year 2009-2010, the Washington Scholarship Fund continues to administer the Opportunity Scholarship program.

The **Appendix** provides a list of schools participating in the Opportunity Scholarship Program in school year 2009-2010, and includes their religious affiliation, where applicable.

¹⁶ U.S. Department of Education, Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years, available online at <http://ies.ed.gov/ncee/pdf/20094050.pdf>.

¹⁷ Issues related to certificate of occupancy and teachers holding a bachelor's degree were mentioned in GAO's report on the implementation of the DC Opportunity Scholarship Program. For more information, see U.S. Government Accountability Office, *District of Columbia Opportunity Scholarship Program*, GAO-08-9, November 2007, pp. 1-98, <http://www.gao.gov/new.items/d089.pdf>.

¹⁸ For more information on the request for applicants, see <http://www.ed.gov/legislation/FedRegister/announcements/2009-2/042309b.html>.

¹⁹ For more information on the second competition, see <http://www2.ed.gov/legislation/FedRegister/announcements/2009-3/070609a.html>.

Evaluations of the Opportunity Scholarship Program

The School Choice Incentive Act requires the scholarship program to be evaluated annually. The Secretary and Mayor of the District of Columbia were required to jointly select an independent entity to conduct these evaluations. The evaluations are being conducted by Westat, a social science research firm in Maryland, that is currently working with two subcontractors—the University of Arkansas Department of Education Reform and Chesapeake Research Associates.²⁰ Up to 3% of the total annual appropriation for the School Choice Incentive Act may be used for program evaluation purposes.²¹

The independent entity evaluating the program is required to measure the academic achievement of participating students, use the same measurement to assess participating students as is used to assess students in DCPS, and work with the Washington Scholarship Fund to ensure that the parents of all students who apply for a scholarship, regardless of whether a scholarship is received, agree that the student will participate in measurements conducted by the independent evaluator for the period for which the student applied for or received a scholarship.²² The evaluation is required to compare the academic achievement of scholarship recipients with students in the same grades attending DC public schools and the eligible students who applied for but did not receive a scholarship. The evaluation must also examine the extent to which the program expanded choice options for parents; the reasons parents chose to participate in the program; retention rates, dropout rates, graduation rates, and college admissions rates for participating students with students of similar backgrounds who did not participate in the scholarship program; the impact of the program on students and public elementary and secondary schools in the District of Columbia; the safety of the participating schools versus schools attended by non-scholarship recipients; and other issues as designated by the Secretary.

In June 2007, Westat released the first impact report of the Opportunity Scholarship program, which evaluated the program after one year of implementation.²³ The evaluation initially used a randomized control trial to compare the results of two groups: (1) students who applied for the scholarship program and were randomly selected by the lottery to receive a scholarship, and (2) students who applied for the scholarship program but were not selected. Further analysis made statistical adjustments to the group of students who received a scholarship and compared two different groups: (1) students who received a scholarship and *used* the scholarship and (2) students who received a scholarship but *did not use* the scholarship. Unless otherwise noted, the

²⁰ Information on the evaluators is based on the most recent evaluation conducted of the Opportunity Scholarship program. For more information, see U.S. Department of Education, *Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years*, available online at <http://ies.ed.gov/ncee/pdf/20094050.pdf>.

²¹ Funds have been provided each year for program administration. The annual appropriations bills, however, may have specified that something other than 3% of the appropriation be provided for evaluation. For example, FY2009 appropriations provided that up to \$1 million of the \$14 million appropriated for the program could be used to administer and fund assessments.

²² The independent evaluator is required to administer the assessments. Schools participating in the voucher program are not required to administer the assessments. For more information, see <http://www.ed.gov/programs/dcchoice/faq.html>.

²³ U.S. Department of Education, *Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year*, available online at <http://ies.ed.gov/ncee/pdf/20074009.pdf>.

results discussed below compare the students who used the scholarship and students who did not use the scholarship.

Results from the first impact report indicated that there were no statistically significant differences between the two groups in reading or math achievement. Subgroup analysis revealed that these findings were consistent across students with lower test scores at baseline, females, males, elementary students, and secondary students. Further subgroup analysis revealed that two subgroups of students within the scholarship program may have demonstrated increased math achievement (i.e., students who did not previously attend a school in need of improvement and students who showed higher performance at baseline). The increases in math achievement, however, may actually be "false positives" that result from the statistical procedures used in the evaluation.²⁴ More research may be necessary to determine the effect of the scholarship program on these two subgroups.

One year of the DC Opportunity Scholarship Program had a positive impact on parents' perceptions of school safety; however, the number of dangerous incidents reported by students did not differ between groups. Similarly, parents of students in the scholarship program reported increased satisfaction with their child's school; however, student satisfaction with school was generally unaffected by participation in the program.

In June 2008, Westat released the second impact report of the DC Opportunity Scholarship Program, which evaluated the results of the program after two years of implementation.²⁵ Results of this evaluation were consistent with results from the first year of implementation. After two years, there were no statistically significant differences in reading and math achievement between students who participated in the program and those who did not. Parents of students in the program continued to report increased levels of satisfaction and had more positive perceptions of school safety. Students who participated in the program, however, reported similar numbers of dangerous incidents as students who did not participate in the program, and student satisfaction with school was generally unaffected by participation in the program.

The most recent impact report of the DC Opportunity Scholarship program was released in March 2009 and evaluated the results of the program after three years of implementation.²⁶ Among the students who participated in the program, results indicated that students who used the scholarship scored significantly higher in reading than students who did not use the scholarship. Further analysis revealed that the reading effects were significant for five subgroups, including students who were not from schools in need of improvement, students with relatively higher levels of academic performance, female students, students entering grades K-8, and students from the first cohort of the program. Significant reading effects were not found for other subgroups, including students from schools in need of improvement, students with relatively lower levels of academic

²⁴ This evaluation made comparisons between two groups on multiple variables. In evaluation research, this can introduce the problem of "multiple comparisons," which can lead to finding statistically significant effects when, in fact, the effects are not significant. When statistical procedures were used to reduce the effect of multiple comparisons in this study, the potential significant effect on math achievement disappeared. This result suggests that the slight increases in math achievement for certain subgroups may be false discoveries.

²⁵ U.S. Department of Education. *Evaluation of the DC Opportunity Scholarship Program: Impacts After Two Years*, available online at <http://ies.ed.gov/ncee/pdf/20084023.pdf>.

²⁶ U.S. Department of Education. *Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years*, available online at <http://ies.ed.gov/ncee/pubs/20094050/pdf/20094050.pdf>.

performance, male students, students entering high school, and students from the second cohort of the program.

The remaining results from the most recent impact study are consistent with the results from the first two impact studies. There were no significant differences in math achievement between students who were offered a scholarship and students who were not offered a scholarship. In terms of overall satisfaction, the program had a positive impact on parents' reports of school satisfaction and perceptions of safety; however, there was no effect on student satisfaction.

The most recent impact study also reported common reasons that parents chose not to participate in the DC Opportunity Scholarship Program. The most common reasons that parents chose not to participate in the program included a lack of available space in their desired private school, a lack of special needs services, enrollment in a charter school, and the child not wanting to leave his or her public school friends. Some parents initially participated in the program but later decided to discontinue their participation in the program. Parents who chose to discontinue participation in the program commonly reported that their child did not get enough academic support at the private school, their child did not like the private school, or the discipline and rules were too strict at the private school.

A Government Accountability Office (GAO) report on the DC Opportunity Scholarship Program provides additional information on reasons that parents chose to participate (or not participate) in the program.²⁷ GAO reported that the information provided to parents about the program may not have been complete or correct. Some parents may have been misinformed that participation in the program may reduce other social service benefits, and other parents believed the offer may be "too good to be true." Parents declined to participate in the scholarship program for a variety of reasons, including family issues, personal problems, moving, special education needs of their child, transportation problems, convenience, and before- and after-care services.²⁸

To date, the impact evaluations and the GAO report have not directly addressed the extent to which the program expanded choice options for parents and the retention rates, dropout rates, graduation rates, and college admission rates for students who participate in the program.

Appropriations Provided for DC School Improvement

Funding for the Opportunity Scholarship Program has been included with more general funding provided by the federal government to the District of Columbia for school improvement since the program's inception. The FY2004 Consolidated Appropriations Act, which authorized the School Choice Incentive Act, provided funding specifically for school improvement in the District of Columbia that is allocated among three entities: (1) the District of Columbia Public Schools for

²⁷ U.S. Government Accountability Office, *District of Columbia Opportunity Scholarship Program*, GAO-08-9, November 2007, pp. 1-98, <http://www.gao.gov/new.items/d089.pdf>.

²⁸ As a result of the study, GAO recommends that the Secretary of Education should direct the Washington Scholarship Fund to improve internal controls, continue to integrate its financial systems, improve monitoring, and provide accurate information to parents. The report also recommends that the Secretary and the Mayor of the District of Columbia take action to ensure that participating schools are in compliance with District requirements and that the programs are implemented in accordance with any required evaluation.

the improvement of public education; (2) the State Education Office for the expansion of public charter schools; and (3) ED for the DC School Choice Incentive program. Appropriations for school improvement have been provided to these three recipients for FY2004 through FY2009. Table 2 details funding allocations for the program's three funding recipients.

Table 2. Appropriations for the District of Columbia Provided Specifically for School Improvement Activities

Fiscal Year	District of Columbia Public Schools (DCPS)	Public Charter Schools (State Education Office)	Opportunity Scholarships Program (including funds for administering and assessing the program)	Total for School Improvement
2004	\$12,923,000	\$12,923,000	\$12,923,000	\$38,769,000
2005	12,896,000	12,896,000	13,888,000	39,680,000
2006	12,870,000	12,870,000	13,860,000	39,600,000
2007	12,800,000	12,800,000	14,000,000	39,600,000
2008	13,000,000	13,000,000	14,800,000	40,800,000
2009	20,000,000 ^a	20,000,000	14,000,000	54,000,000
2010	42,000,000	20,000,000	13,200,000	75,400,000

Source: Table prepared by CRS, based on prior CRS analyses of appropriations acts containing funding for the District of Columbia (see CRS Report RL31813, *Appropriations for FY2004: District of Columbia*, by Eugene Boyd; CRS Report RL32313, *Appropriations for FY2005: District of Columbia*, by Eugene Boyd and William J. Krouse; CRS Report RL32994, *District of Columbia: FY2006 Appropriations*, coordinated by Eugene Boyd; CRS Report RL33563, *District of Columbia: Appropriations for 2007*, by Eugene Boyd and David P. Smole; CRS Report RL33998, *Financial Services and General Government (FSGG): FY2008 Appropriations*, by Garrett Hatch; and CRS Report RL34523, *Financial Services and General Government (FSGG): FY2009 Appropriations*, coordinated by Garrett Hatch); data available from the U.S. Department of Education, Office of Innovation and Improvement, available online at <http://www.ed.gov/programs/dcchoice/funding.html>; and CRS analysis of P.L. 111-8 and P.L. 111-117.

- a. For FY2009, an additional federal payment of \$20 million was provided to the District of Columbia to "jump start" the reform of public education.

FY2009 Appropriations

While the Omnibus Appropriations Act, 2009 (P.L. 111-8) provided funding for Opportunity Scholarships, it added additional requirements for schools to be eligible to participate in the program and included language limiting the appropriation of funds for the program beyond FY2010. P.L. 111-8 added two requirements that schools participating in the voucher program must meet. First, participating schools must have and maintain a valid certificate of occupancy issued by the District of Columbia. Second, a core subject matter teacher of voucher recipients is required to hold a four-year bachelor's degree. Statutory language does not require that the bachelor's degree be held in the subject area of instruction. That is, it does not require, for example, that only a teacher with a four-year bachelor's degree in English can provide English classes for voucher recipients.

P.L. 111-8 further specified that the use of any funds *in any act* for Opportunity Scholarships after the 2009-2010 school year shall be available only upon reauthorization of the program and the adoption of legislation by the District of Columbia approving such reauthorization. Senator Ensign (NV) offered an amendment (S.Amdt. 615) to strike the requirement that additional funding could only be provided to the program if the program was reauthorized by Congress and

subsequently approved by the District of Columbia. He noted that other federal education programs, including the Higher Education Act, continued to receive federal funding despite having expired authorizations. Further he argued that the final program evaluation had not been completed and ending the program after the 2009-2010 school year would force students, including those who had been Opportunity Scholarship participants for several years, to find new schools. The amendment failed to pass by a vote of 39-58.²⁹

The explanatory statement accompanying P.L. 111-8 specified that appropriations provided for Opportunity Scholarships in the FY2009 Omnibus Appropriations Act could only be used to provide scholarships for *students currently participating in the program*. That is, the funds could not be used to expand program participation. The explanatory statement also directed the Chancellor of DCPS to take steps to minimize the potential disruption and ensure the smooth transition for any voucher recipients seeking to enroll in the public school system as a result of changes made to the Opportunity Scholarship program after the 2009-2010 school year.

FY2010 Appropriations

The Omnibus Appropriations Act, 2010 (P.L. 111-117), eliminated the provision in P.L. 111-8 that required that Opportunity Scholarship funds be available only upon reauthorization of the program and the adoption of legislation by the District of Columbia. It provided \$42.2 million to DCPS to improve public school education in the District of Columbia, \$20 million to the State Education Office to expand quality public charter schools in the District of Columbia, and \$13.2 million for ED to provide Opportunity Scholarships. Consistent with the previous year's appropriations language, P.L. 111-117 maintained that the \$13.2 million could only be used to provide Opportunity Scholarships to students who received scholarships in the 2009-2010 school year. In addition to the requirements for participating schools included in P.L. 111-8 (i.e., participating schools must maintain a valid certificate of occupancy issued by the District of Columbia and core subject matter teachers of voucher recipients are required to hold a four-year bachelor's degree), P.L. 111-117 added an additional requirement. Participating schools are now required to be in compliance with the accreditation and other standards prescribed under the District of Columbia compulsory school attendance laws that apply to elementary and secondary educational institutions not affiliated with public schools in the District of Columbia.

Policy Issues Related to the Continuation of the Opportunity Scholarship Program

While the future of the Opportunity Scholarship program remains in question, there are several issues that may arise based on the most recent requirements added to the program and as a result of the program's possible sunset following the 2009-2010 school year. Several potential issues are discussed briefly below.

As previously discussed, P.L. 111-8 added new requirements for participating schools with respect to a certificate of occupancy and teacher education requirements. It is unclear whether these new requirements will result in any participating schools having to leave the program. If

²⁹ For more information, see Senate Record Vote Number: 94.

this does occur, it is also unclear whether voucher recipients attending these schools will be able to find another participating school to attend for the upcoming school year.

If voucher recipients return to the city's traditional public schools or public charter schools, this may have a budgetary impact on the DC government. The DC government does not provide funding to support the education of students receiving vouchers through the Opportunity Scholarship program. While it is unknown how many students currently receiving vouchers would remain in their private schools (e.g., either by the family paying tuition or the private school providing additional financial assistance to the student), if all of the students were to return to DC public schools, the costs to the city could be substantial. For FY2010, the foundation level for the District's Uniform Per Student Funding Formula, which is the District's basis for funding the public school system, is \$8,770 per student.³⁰ Using this expenditure level as an estimate for the cost per student, if 1,721 voucher recipients transferred back into the city's public schools, it would cost the city about \$15 million to provide an education for these students.

Another issue that may arise if the Opportunity Scholarship program is discontinued is that some of the private schools, particularly those that may have been more heavily dependent on the voucher funding to operate, may seek to convert to public charter schools. As noted in the GAO report on the Opportunity Scholarship program, voucher recipients are clustered in a small subset of schools. In addition, during the 2006-2007 school year, voucher recipients constituted at least 60% of total enrollment in three participating schools.³¹ During the 2008-2009 school year, seven formerly Catholic schools in the District of Columbia reopened as public charter schools. It may be that other private elementary and secondary schools, including those that are religiously affiliated, may also apply to become public charter schools, especially if financially they are unable to remain open otherwise.

Finally, funding for the Opportunity Scholarship program has been provided under the larger umbrella of school improvement funding for the District of Columbia. Prior to the enactment of the Opportunity Scholarship program, the federal government did not provide specific funding to the District of Columbia for the three purposes for which school improvement funds were provided from FY2004 through FY2010. Since the introduction of the three-prong approach to school improvement in the District of Columbia, FY2009 was the first time school improvement funding for DCPS and public charter schools exceeded the funding provided for Opportunity Scholarships. This trend in funding continued with FY2010 appropriations.

³⁰ Government of the District of Columbia, *FY2010 Proposed Budget and Financial Plan*, Volume 1 - Executive Summary, Washington, DC, September 27, 2009, pp. 1-1 to 1-4, http://cfo.dc.gov/cfo/frames.asp?doc=/cfo/lib/cfo/budget/2010_9_29/volume_1_-_executive_summary_web.pdf.

³¹ See footnote 27.

Appendix. Participating Schools

Table A-1. Private Schools Participating in the DC Opportunity Scholarship Fund, by School Type (2009-2010 School Year)

School Name	School Type ^a
Academia De La Recta Porta Intl. Christian Day School*	Other Faith-Based
Adventureland School	Non-Faith-Based
Annunciation Catholic School*	ADW
Archbishop Carroll High School*	ADW
Beauvoir–National Cathedral Elementary School*	AISGW
The Bishop John T. Walker School	Other Faith-Based
Blessed Sacrament School*	ADW
The Bridges Academy*	Non-Faith-Based
Calvary Christian Academy*	Other Faith-Based
Capitol Hill Day School	AISGW
Clara Muhammad School*	Other Faith-Based
Cornerstone School*	Other Faith-Based
Dupont Park Adventist School*	Other Faith-Based
Edmund Burke School*	AISGW
Emerson Preparatory School*	Non-Faith-Based
Episcopal Center for Children*	Non-Faith-Based
Georgetown Day School*	AISGW
Georgetown Visitation Preparatory School*	AISGW
Gonzaga College High School	AISGW
Holy Redeemer Catholic School*	ADW
Holy Trinity School*	ADW
Howard University Early Learning Programs	Non-Faith-Based
Kingsbury Day School*	Non-Faith-Based
Kuumba Learning Center (MLK Campus)*	Non-Faith-Based
Little Flower Montessori School	Non-Faith-Based
Lowell School	AISGW
Metropolitan Day School*	Other Faith-Based
The Monroe School*	Non-Faith-Based
Muhammed University of Islam*	Other Faith-Based
Nannie Helen Burroughs School*	AISGW
National Cathedral School*	AISGW
National Presbyterian School*	AISGW

District of Columbia Opportunity Scholarship Program

School Name	School Type ^a
Naylor Road School*	Non-Faith-Based
The New Macedonia Christian Academy*	Other Faith-Based
Our Lady of Victory School*	ADW
Preparatory School of DC*	Non-Faith-Based
Randall Hyland Private School of DC	Non-Faith-Based
Roots Activity Learning Center*	Non-Faith-Based
Sacred Heart School*	ADW
San Miguel School*	Other Faith-Based
Sheridan School*	AISGW
Sidwell Friends School*	AISGW
St. Albans School	AISGW
St. Ann's Academy*	ADW
St. Anselm's Abby School*	AISGW
St. Anthony School*	ADW
St. Augustine School*	ADW
St. Francis Xavier Academy*	ADW
St. Johns College High School	AISGW
St. Peter's Interparish School*	ADW
St. Thomas More Academy*	ADW
Washington International School	AISGW
Washington Jesuit Academy*	Other Faith-Based
Washington Middle School for Girls*	Other Faith-Based

Source: Table prepared by CRS, January 22, 2010, based on unpublished data provided by the Washington Scholarship Fund.

Notes: Schools marked with an asterisk (*) have enrolled students participating in the DC Opportunity Scholarship Program as of December 2, 2009.

- a. School Type abbreviations: ADW = Archdiocese of Washington (faith-based); AISGW = Association of Independent Schools of Greater Washington (faith-based, other faith-based, or non-faith-based).

Author Contact Information

Rebecca R. Skinner
Specialist in Education Policy
rskinner@crs.loc.gov, 7-6600

Erin D. Caffrey
Analyst in Education Policy
ecaffrey@crs.loc.gov, 7-9447

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February 15, 2011

Member
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Senator,

On behalf of the American Association of School Administrators (AASA), representing more than 13,000 school administrators across the nation, we urge you to oppose any efforts to reinstate, renew or expand the D.C. Opportunity Scholarship Program.

Recently introduced legislation known as the Scholarships for Opportunity and Results (SOAR) Act is under consideration in your committee. This legislation would reauthorize the failed District of Columbia private school voucher pilot, allow new students to enter the program, and increase the public funds these students can spend on private education.

AASA believes that public dollars should be used for public education. Providing additional federal dollars for private school vouchers when current funding commitments to America's public schools are not being met by the federal government is irresponsible, if not unconscionable. In a time when every federal dollar matters and funding for critical public school funding such as Title I is under threat, now is not the time to continue the diversion of scarce taxpayer dollars to private schools, especially to a program that has failed to demonstrate academic gains for participating students.

The program is currently provided \$13.2 million to fund vouchers for existing students. These provisions include sunset provisions, however, stipulating that no new students would be added to the program and that students currently enrolled would be able to remain in their private school. AASA is comfortable with the current compromise of allowing current students to remain in this program and we urge you to maintain the status quo, especially in this tight fiscal environment.

Multiple independent government evaluations demonstrate that D.C. students enrolled in the private school voucher program are not achieving at a greater rate than their public school peers. Evaluations of the Opportunity Scholarship Program consistently found no academic difference for the target population of students in English or math, students who originally attended schools failing to make Adequate Yearly Progress.

In addition, the SOAR legislation does not require that D.C. private schools be held to the same accountability standards as D.C. public schools. Private schools are not required to have the same level of transparency and reporting to the public. In addition, private schools are not subject to the requirements of No Child Left Behind or the Individuals with Disabilities Education Act. As Congressional expectations of public school districts continue to rise, it is inequitable to have different expectations for private schools receiving federal dollars.

With limited federal dollars we must invest available funding into the public school districts that help a larger percentage of children. Scarce taxpayer dollars should be focused on interventions to improve education for all students, rather than diverting funds to let a select few out of the public system.

Once again, we urge you to focus on the education that affects the majority of school children: please oppose sending taxpayer dollars to private schools through the D.C. private school voucher expired pilot program.

If you need any additional assistance, please do not hesitate to contact us (nellerson@aasa.org or sbartolf@aasa.org).

Sincerely,

Noelle Ellerson
Assistant Director, Policy Analysis & Advocacy

Sasha Bartoff
Legislative Specialist



**Written Testimony of the
American Association of University Women**

before the

United States Senate Committee on Homeland Security and Government Affairs

Hearing on

“The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program”

February 16, 2011

Chairman Lieberman and members of the Committee thank you for the opportunity to submit testimony for the hearing “The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program.”

The American Association of University Women is a membership organization founded in 1881 with approximately 100,000 members and 1000 branches nationwide. AAUW has a proud 130-year history of breaking through barriers for women and girls and has always been a strong supporter of public education. Today, AAUW continues its mission through education, research, and advocacy.

The American Association of University Women stands firmly by the belief that the country should provide an excellent education for all children, not private school vouchers for a few. AAUW believes a strong, free public education system is the foundation of a democratic society, and has long opposed diverting public funds to private or religious elementary and secondary schools. The 1937 AAUW legislative program called for “free public instruction of high quality available to all, since popular education is the basis for freedom and justice,” and in 1955 stated “universal education is basic to the preservation of our form of government and to the well-being of our society.” Today, AAUW’s 2007-2009 Public Policy Program clearly states AAUW’s “...opposition to the use of public funds for nonpublic elementary and secondary education.”¹

While AAUW supports innovative techniques to improve America’s schools, we believe voucher proposals fly in the face of our nation’s commitment to public education. AAUW does not oppose public school choice programs, which allow students to choose a public school in their school district. However, in many areas of the country the notion of “private school choice” is misleading because there are few, if any, private schools or because the only private schools are religiously affiliated and not the appropriate denomination for the family.

From AAUW's perspective, regardless of the constitutionality of certain voucher programs, such schemes are not sound education policy.

AAUW Opposes Vouchers

- Private and religious schools are not required to observe federal nondiscrimination laws, such as Title IX. In fact, voucher proposals often contain language specifically intended to circumvent civil rights laws, and many proponents insist voucher funding does not flow to the school but instead to the parent or student precisely to avoid any civil rights obligations. This specificity in language allows private institutions to discriminate on the basis of religion, gender, disability and language proficiency. Further, private and religious schools can reject a student based on the school's own admissions criteria and discriminate against a student in access to classes, guidance counseling, extracurricular activities, and other aspects of education.
- Private and religious schools are not held to the same accountability and testing standards established in the No Child Left Behind Act (NCLB). Such schools do not have to hire "highly qualified" teachers, adhere to NCLB testing requirements and Adequate Yearly Progress, or disaggregate or publicly release student achievement results.
- Funding for NCLB is woefully inadequate, and the additional diversion of needed resources would further diminish public schools' ability to meet mandated accountability standards and address achievement gaps among students. Over the course of its existence, NCLB has been underfunded to the tune of over \$85 billion.²
- Our country's public schools already face teacher shortages, overcrowded classrooms, and increased accountability without adequate funding. Diverting critical resources from the school systems that educate 90 percent of America's students is not a fiscally sound investment.³
- Private and religious school voucher programs weaken the public school system by diverting these already scarce funds that could otherwise be used for needed teacher training, smaller class sizes, expanded support services, and improved facilities.
- Private school vouchers do not raise student achievement. A study conducted by the National Center for Education Statistics of the U.S. Department of Education compared the effectiveness of public schools to that of private institutions. After controlling for critical demographic factors (parents' income, education level, number of books in household), NCES found that public schools perform as well as, and even better in a few instances, than private schools.⁴ A 2001 GAO study confirmed that the official evaluations of Cleveland's and Milwaukee's voucher programs found no differences in the achievement of voucher students compared to public school students, despite built-in applicant screening advantages for private schools.⁵
- Vouchers are taxpayers' dollars spent according to the policies of a private school board—not the decisions of a democratically elected and publicly accessible school board. Private and religious schools are not required to meet basic accountability

provisions, such as open meetings and records laws, or to publicly release test scores, dropout rates, and other basic information. Because private schools are not accountable to the public at large, taxpayers lose public oversight for the expenditure of their tax dollars.

- Vouchers disproportionately help families with children already in private schools or those who have never attended public schools. At the inception of the Cleveland “Scholarship and Tutoring Program,” 39 percent of students used their vouchers to continue their attendance in private or religious schools, and another 40 percent were attending school for the first time.⁶

Voucher Proposals Unpopular in Public Opinion Polls and Ballot Initiatives

- A 2001 poll conducted by the National School Boards Association and Zogby International revealed that voters preferred strategies to invest in public education like reducing class size (27 percent), improving teacher quality (27 percent), and increasing teacher training (23 percent) over voucher schemes (13 percent).⁷
- A 2006 Phi Delta Kappa/Gallup poll found that 71 percent of Americans would prefer improving existing public schools over “finding an alternative to the existing public school system.”⁸
- In November 2007, Utah voters rejected a voucher proposal that would have made vouchers available to all students. This marked 11 out of 11 tries that voucher state ballot initiatives have been decisively rejected by voters.⁹ In most cases, the \$3,000 voucher would not cover even half of private school tuition which is estimated to be as much as \$8,000 annually. The initiative was defeated by a 25 percentage point margin with every county in the state voting against the voucher proposal.¹⁰

District of Columbia School Voucher Program

In 2003, a private school voucher program was created for the District of Columbia school system; it was intended as a five-year pilot research project scheduled to expire in 2008. This represents the first time in history that federal dollars have been used to fund private school vouchers. In the 109th and 110th Congresses, several attempts to expand the program were proposed. While many of these attempts were thwarted, in the 109th Congress did approve expanding eligibility for families already enrolled for the first two years of the program from 185 percent of the federal poverty level to 300 percent of FPL, turning what was pitched as a program to subsidize tuition for low-income families into a program that funds private education for middle-class families that often could afford the tuition anyway. With these precedents laid, voucher proponents have been emboldened to further divert taxpayer dollars to pay for private education. The program, which currently receives approximately \$13 million, provides vouchers of up to \$7,500 a piece to about 1,000 students.

AAUW urges Senators to oppose the Scholarships for Opportunity and Results Act of 2011 (S. 206). The legislation would reauthorize the failed District of Columbia private school voucher pilot program and allow new students into the program, increase the number of students who receive vouchers, and increase the voucher amount. AAUW has opposed continuation of the expired voucher program and we strongly oppose reauthorizing the program. This program

funnels taxpayer money to private schools that do not have to follow many civil rights laws, such as the No Child Left Behind Act and Title IX, which prohibits sex discrimination in educational programs that receive federal funding.

While implemented, the District of Columbia private school voucher “pilot” program has not performed in the ways the law was intended. A 2005 report found that fewer than 75 of the more than 1,300 students who received vouchers came from public schools that were determined to be most in need of improvement by federal law.¹¹ At the same time, more than 200 students who received vouchers were already enrolled in private schools. The unfortunate irony is that the number of students already in private schools receiving vouchers is almost three times the number of students coming from schools in need of improvement—the students who were purportedly the target of the program.¹²

While AAUW’s general concerns about vouchers as discussed above apply to this program, we are especially troubled that most of the private schools that receive funding under the program do not have to follow Title IX. Title IX is the federal civil rights law prohibiting sex-discrimination in education programs and activities that receive federal financial assistance. The only private schools in the program that have to comply with Title IX are schools that receive federal money in addition to the voucher funding. While commonly known for creating opportunities for women and girls in athletics, Title IX affects all areas of education. It has made it possible for women to pursue careers as lawyers, doctors, mechanics, scientists, and professional athletes. Because schools that participate in this voucher program are exempt from Title IX, they can discriminate based on gender. This means schools can base admissions decisions on gender, limit opportunities for girls to play athletics, and base curriculum on outdated gender stereotypes. By exempting schools under this program from Title IX, the voucher program creates an environment that is not only ripe for gender discrimination, but has no protections in place should that discrimination occur.

In addition to civil rights concerns, the DC voucher program has not been shown to improve academic achievement. In June 2010, the Department of Education released its final report on the District of Columbia voucher program, finding that there was “no conclusive evidence that the OSP [Opportunity Scholarship Program] affected student achievement. . . . The same pattern of results holds for students who applied from schools in need of improvement (SINI), the group Congress designated as the highest priority for the Program.”¹³ This report’s conclusions coincide with the Department’s previous studies of the program. In an April 2009 report, the Department found no improvement in academic achievement for those students receiving vouchers from public schools in need of improvement – the target audience of the voucher program.¹⁴ An earlier report from June 2008 found that “after 2 years, there was no statistically significant difference in test scores in general between students who were offered an OSP [Opportunity Scholarship Program] scholarship and students who were not offered a scholarship.” In addition, while “the Program had a positive impact on overall parent satisfaction and parent perceptions of school safety . . . [s]tudents had a different view of their schools than did their parents.” Overall, student satisfaction was unaffected by the voucher program.¹⁵

In addition, a November 2007 GAO report revealed numerous problems with the District of Columbia voucher program, including a lack of detailed fiscal policies and not adhering to

procedures for making scholarship payments. The report also found that many of the participating schools conducted classes in unsuitable learning environments taught by teachers lacking bachelor's degrees. In many cases, parents were not informed of these deficiencies.¹⁶

Although the program expired in 2008, it continues to receive funding. In addition, the FY2010 Consolidated Appropriations Act and FY2011 continuing resolutions included language to ensure that only students who received vouchers in the previous year would continue to receive vouchers. As a response to past reports and hearings on the DC voucher program's deficiencies, the appropriations language also states that schools must maintain a valid certificate of occupancy, core subject teachers must have a four-year bachelor's degree, and schools must be in compliance with the accreditation standards in the District of Columbia. In addition, voucher students must take the same academic tests as those administered to students in DC public schools.

AAUW will continue to urge Congress and the Obama Administration to stop the expansion of the DC voucher program – a program which does not work and has already expired. AAUW believes the appropriate strategy for improving our nation's schools is to direct resources toward improving public schools, rather than diverting public funds into private institutions.

Thank you for the opportunity to submit testimony.

¹ American Association of University Women. (August 2007). *2007-09 AAUW Public Policy Program*. Retrieved December 6, 2007, from http://www.aauw.org/advocacy/issue_advocacy/upload/2007-09-PPP-brochure.pdf.

² National Education Association. (February 4, 2008). *Funding Gap: No Child Left Behind*. Retrieved April 27, 2009, from <http://www.nea.org/assets/docs/fundinggap.pdf>.

³ National Center for Education Statistics. (2007). *The Condition of Education 2007*. Retrieved December 4, 2007, from <http://nces.ed.gov/pubs2007/2007064.pdf>. The 90 percent statistic is derived from this table, which shows total private school enrollment at 9.7 percent.

⁴ National Center for Education Statistics. (July 2006). *Comparing Private Schools and Public Schools Using Hierarchical Linear Modeling*. Retrieved December 4, 2007, from <http://nces.ed.gov/nationsreportcard/pdf/studies/2006461.pdf>.

⁵ U.S. Government Accounting Office. (August 2001). *School Vouchers: Publicly Funded Programs in Cleveland and Milwaukee*. GAO-01-914 Retrieved December 5, 2007, from <http://www.gao.gov/new.items/d01914.pdf>.

⁶ Schiller, Zach and Policy Matters Ohio. (September 2001). *Cleveland School Vouchers: Where the Students Come From*. Retrieved December 5, 2007, from <http://www.policymattersohio.org/voucherintro.html>.

⁷ National School Board Association/Zogby International Poll. (September 25, 2001). *School Vouchers: What the Public Thinks and Why*. Retrieved December 5, 2007, from <http://www.nsba.org/MainMenu/Advocacy/FederalLaws/SchoolVouchers/VoucherStrategyCenter/NSBAAdvocacyToolsonVouchers/NSBAnationalpollonschoolvouchers.aspx>.

⁸ Phi Delta Kappa/Gallup Poll. (September 2006). *The 38th Annual Phi Delta Kappa/Gallup Poll on the Public's Attitudes Toward Public Schools*. Retrieved December 5, 2007, from <http://www.pdkintl.org/kappan/k0609poll.htm>.

⁹ National School Boards Association. (November 7, 2007). *Utah Voters' Defeat School Vouchers*. Retrieved January 2, 2008, from http://vocuspr.vocus.com/vocuspr30/Newsroom/Query.aspx?SiteName=NSBANew&Entity=PRASSET&SF_PRASSETID_EQ=108422&XSL=PressRelease&Cache=False.

¹⁰ Crawford, Grigs, (November 7, 2007). *Taxes, Stem Cell Funding, School Vouchers Rebuffed in Ballot Measure Voting*. Retrieved December 5, 2007 from <http://www.cqpolitics.com/wmspage.cfm?parm1=5&docID=news-000002623685>.

¹¹ People for the American Way Foundation. (February 2005). *Flaws and Failings: A Preliminary Look at the*

Problems Already Encountered in the Implementation of the District of Columbia's New Federally Mandated School Voucher Program. Retrieved December 5, 2007, from http://site.pfaw.org/site/PageServer?pagename=report_flaws_and_failings.

¹² People for the American Way Foundation. (February 2005). *Flaws and Failings: A Preliminary Look at the Problems Already Encountered in the Implementation of the District of Columbia's New Federally Mandated School Voucher Program.* Retrieved December 5, 2007, from http://site.pfaw.org/site/PageServer?pagename=report_flaws_and_failings.

¹³ U.S. Department of Education, Institute of Education Sciences (June 2010). *Evaluation of the DC Opportunity Scholarship Program: Final Report.* Retrieved July 2, 2010, from <http://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf>.

¹⁴ U.S. Department of Education, Institute of Education Statistics. (April 2009). *Evaluation of the DC Opportunity Scholarship Program: Impact After Three Years.* Retrieved April 3, 2009 from <http://ies.ed.gov/ncee/pubs/20094050/pdf/20094050.pdf>.

¹⁵ U.S. Department of Education, Institute of Education Statistics. (June 2008). *Evaluation of the DC Opportunity Scholarship Program: Impacts After Two Years Executive Summary.* Retrieved June 16, 2008 from <http://ies.ed.gov/ncee/pdf/20084024.pdf>.

¹⁶ U.S. Government Accounting Office. (November 2007). *District of Columbia Opportunity Scholarship Program: Additional Politics and Procedures Would Improve Internal Controls and Program Operations.* GAO-08-9 Retrieved December 5, 2007, from <http://www.gao.gov/new.items/d089.pdf>.

OFFICE OF GOVERNMENT & NATIONAL AFFAIRS, WASHINGTON, DC

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February 15, 2011

Dear Senator,

In advance of the Senate Homeland Security and Governmental Affairs Committee hearings on DC vouchers this week, we write to express strong opposition to S. 206 and other efforts to revive the flawed "D.C. Opportunity Scholarship Program."

Supporters of school vouchers have increasingly attempted to package them as a response to urban poverty and failing, unsafe inner city schools. And, superficially, school vouchers would seem to be a relatively benign way to increase the options poor parents have for educating their children. In fact, however, vouchers pose a serious threat to values that are vital to the health of American democracy. These programs subvert the constitutional principle of separation of church and state and threaten to undermine our system of public education.

While the Supreme Court upheld school vouchers in the 5-4 2002 *Zelman v. Simmons-Harris* case, vouchers have not been approved by the Court beyond the very narrow facts of this case. And that decision does not disturb the bedrock constitutional idea that no government program may be designed to advance religious institutions over non-religious institutions. We are concerned that vouchers and government funding for religious schools will infringe on religious liberty – because such funds will inevitably be accompanied by an unacceptable effort by the government to monitor and control religious activities. Vouchers will also inevitably result in divisive competition for scarce resources among diverse faiths.

As our country becomes increasingly diverse, the public school system stands out as one of the most important institutions that unify Americans. Under voucher programs, our educational system – and our country – become more Balkanized than it already is.

Educational reform initiatives for the District of Columbia should focus on improving the public schools, where the vast majority of students will continue to be educated. Scarce government funds should not be diverted from genuine education reform efforts – charter schools, public school choice, smaller class size, or improved facilities – for those students who remain in public schools.

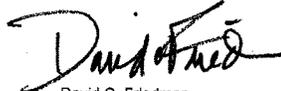
In addition, we object to the fact that this funding program for religious schools explicitly permits government-funded hiring discrimination on the basis of religion. The voucher plan for D.C., therefore, sets a dangerous precedent that allows public funds to be sent to entities without requiring compliance with federal civil rights laws.

Finally, we object to the attempted imposition of a voucher program on residents of the District of Columbia – at a time when the District has no voting representation in Congress. Congress should not deny residents of the District of Columbia the power to make their own decisions when it comes to fundamental educational funding choices.

We urge you to oppose S. 206 and other efforts to extend or expand private and religious school vouchers for students in the District of Columbia.


Michael Lieberman
Washington Counsel

Sincerely,


David C. Friedman
Regional Director
Washington, DC

Anti-Defamation League, 1100 Connecticut Avenue, NW, Suite 1020, Washington, DC 20036
(202) 452-8320 FAX (202) 296-2371 E-mail: natgov@adl.org Web Site: www.adl.org



Richard T. Foltin
Director of National
and Legislative Affairs

Office of Government
and International Affairs
1156 15th Street, NW
Washington, DC 20005
t: 202.785.3463
f: 202.659.9896
e: foltinr@ajc.org
www.ajc.org

February 15, 2011

Dear Senator:

On behalf of American Jewish Committee (AJC), the nation's global Jewish advocacy organization, I am writing to urge you to oppose S.206, the Scholarships for Opportunity and Results Act (SOAR), which would revive and expand the D.C. private school vouchers program.

AJC firmly believes that the use of vouchers contemplated by this bill, which would transfer money from public schools to private or religious schools and thereby deprive public schools of badly needed resources, is bad policy. This is especially the case at a time when our nation's public schools—the venue in which the vast majority of our children are educated, whether in D.C. or elsewhere—are being forced to reduce teaching staff, increase class size, eliminate after-school enrichment programs, use outdated textbooks, and make other accommodations within the constraints of insufficient budgets. Nor is there even evidence that the students receiving vouchers have benefited: Federal studies have concluded that there is no significant difference in the overall academic achievement of students in the D.C. vouchers program as compared to public school students.

Additionally, the private school vouchers contemplated by S.206 would allocate federal funds to institutions that lack the accountability of public schools. Students with physical or learning disabilities are underrepresented in the vouchers program as compared to the public schools. This should not be surprising since, among other accountability issues, students in the D.C. voucher program have been less likely to have access to key services—such as ESL programs, learning support and special needs programs, and counselors—than public school students.

Moreover, while the U.S. Supreme Court may have upheld the use of vouchers in religious schools under certain circumstances, indirect funding of religious institutions through this mechanism remains inconsistent with the principle that taxpayers should not be forced to support instruction in religion contrary to their own. Vouchers may also open up religious schools to government regulation and entanglement, leading to interference with fulfillment by these schools of their religious missions.

Finally, S.206 constitutes an unwarranted intrusion by Congress into the administration by D.C. residents of their own affairs. The Senate should heed the voice of D.C. Delegate Eleanor Holmes Norton who, reflecting the views of her constituents, opposes the use of school vouchers in the District of Columbia.

In sum, on behalf of AJC's more than 175,000 members and supporters in 50 states, I urge you to oppose renewal and extension of the DC vouchers program, an initiative that will divert desperately needed funds from public to private and religious schools.

Respectfully,

Richard T. Foltin

Written Testimony of
Americans United for Separation of Church and State
Submitted to
U.S. Senate Committee on Homeland Security and Governmental Affairs
for the Hearing Record on
“The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program”
February 16, 2011

Americans United for Separation of Church and State submits this testimony to the US Senate Committee on Homeland Security and Governmental Affairs for a hearing entitled: “The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program.” Americans United opposes reauthorizing and expanding the DC voucher program not only because it raises constitutional and civil rights concerns, but also because it has simply proven ineffective. Indeed, extending the program would defy the lessons learned from the current pilot program—that vouchers do not improve the education of DC students.

The DC voucher program was established in 2003 (passing by just one vote in the US House of Representatives) as a five-year pilot program slated to expire in 2008. Nonetheless, the FY 2009 and FY 2010 appropriations bills and the FY2011 continuing resolutions provided additional funding to allow for a smooth transition for students currently participating in the program. These appropriations bills, however, stipulated that no new students could enter the program—only students already in the voucher program are eligible to receive a voucher in the future. The program currently receives approximately \$13 million dollars to provide vouchers worth up to \$7,500 to approximately 1,300 students.

During its five-year pilot, the voucher program has proven ineffective and, thus, should not be restarted and expanded by Congress. First, reports issued by the Department of Education in 2007, 2008, 2009, and 2010 all indicate that the program has not lived up to the promises made by proponents and make the case against reauthorization or expansion. **The Final 2010 Report concluded that the use of a voucher had no statistically significant impact on overall student achievement in math or reading.**¹ In addition, all four studies found that students from “schools in need of improvement,” which are the students targeted by the program, have shown no improvement in reading or math due to the voucher program.² Furthermore, participating in the voucher program **had no impact on student safety, satisfaction, motivation, or engagement.**³

¹ US Dep’t of Educ., *Evaluation of the DC Opportunity Scholarship Program: Final Report*, xv, xix, 34 (June 2010) (*Final US Dep’t of Educ. Report*).

² *Final US Dep’t of Educ. Report* at 34; US Dep’t of Educ., *Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years* 34 (March 2009) (*2009 US Dep’t of Educ. Report*); US Dep’t of Educ., *Evaluation of the DC Opportunity Scholarship Program: Impacts After Two Years*, 34, 36-38 (June 2008) (*2008 US Dep’t of Educ. Report*); US Dep’t of Educ., *Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year* xvii, 44, 46 (June 2007) (*2007 US Dep’t of Educ. Report*).

³ *Final US Dep’t of Educ. Report* at 43-47; *2009 US Dep’t of Educ. Report* at xxvi, xviii, 35, 44-45, 49-50; *2008 US Dep’t of Educ. Report* at 42-43, 50, 57; *2007 US Dep’t of Educ. Report* at xx, 53-55.

A November 2007 Government Accountability Office (GAO) Report was also critical of the DC program. The study found that "accountability and internal control were inadequate."⁴ For example, federal tax dollars were paid to private schools that did not even charge tuition and to schools that employed teachers who lacked bachelor's degrees.⁵ The report also found that parents were given "incomplete," "inaccurate," and even "misleading" information about the private schools their children attended.⁶ Furthermore, the study concluded that the voucher program has not met its goal of serving students in schools in need of improvement: less than one-quarter of the students offered vouchers under the program were from these schools.⁷

On all counts—improving achievement, using funds effectively, and providing opportunities for students in schools in need of improvement—the DC voucher program has failed. Accordingly, reauthorizing the program is unjustified.

The DC voucher scheme permits religious schools that accept vouchers to discriminate on the basis of religion in hiring and on the basis of gender in admission.⁸ A central principle of our constitutional order, however, is that "the Constitution does not permit the State to aid discrimination."⁹ In addition to raising constitutional concerns, federally subsidized religious discrimination raises significant public policy concerns. When funding any school, whether public or private, the government should not surrender the longstanding principle of equal treatment for all—all students should be treated the same regardless of sex and all teachers the same regardless of religion. Taxpayer money should not fund programs that harm the fundamental civil rights of students and teachers.

Most religious primary and secondary schools are part of the ministry of the sponsoring church. Because these schools either cannot or do not wish to separate the religious components of the education they offer from their academic programs, it is impossible to prevent a publicly funded voucher from paying for these institutions' religious activities and education. This conflicts with one of the most dearly held principles of religious liberty—the government should not compel any citizen to furnish funds in support of a religion with which he or she **disagrees**, or even a religion with which he or she **does agree**.¹⁰ Vouchers also threaten the religious liberty and autonomy of religious schools, as vouchers open them up to government audits, monitoring, control, and interference from which they would otherwise be exempt.

The federal government should fund public schools rather than funnel taxpayer funds to private schools that lack accountability, religious liberty, and civil rights standards—and most importantly, do not meet the goals of helping DC students.

Thank you for the opportunity to submit testimony on this important issue.

⁴ U.S. Government Accountability Office (GAO), *District of Columbia Opportunity Scholarship Program* 36 (Nov. 2007).

⁵ *Id.* at 22-33, 33, 34.

⁶ *Id.* at 36.

⁷ *Id.* at 23-24, 26, 28.

⁸ P.L. 108-199 Stat. 3 (2004).

⁹ *Norwood v. Harrison*, 413 U.S. 455, 465-66 (1973).

¹⁰ Virginia Statute for Religious Freedom, 1789.

U.S. Senate Committee on Homeland Security and Governmental Affairs
“The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program”
February 16, 2010

Statement for the Record
Dr. Martin Carnoy
Vida Jacks Professor of Education
Stanford University

***IN A YEAR WHEN CONGRESS IS LOOKING FOR WAYS TO CUT FEDERAL
 SPENDING, WHY THE DC OPPORTUNITY SCHOLARSHIP PROGRAM
 SHOULD NOT BE REAUTHORIZED***

The D.C. Opportunity Scholarship Program, referred to as the D.C. voucher plan, was launched in 2004 by the Republican-dominated Congress as the *District of Columbia School Choice Incentive Act of 2003*, establishing the first federally funded private school voucher program in the United States.

Based on the evaluations of that program, also mandated by Congress, the evidence suggests that student learning gains from the program are small at best, the program benefits very few students, and the program does not benefit either the lowest performing students or students from the lowest performing schools that the program was specifically intended to help. Thus, the claim of “significant” learning gains by those receiving vouchers is much weaker than the authors argue and does not justify funding new cohorts to attend private schools in the District of Columbia.

Since its inception, five cohorts of students have participated in the D.C. Opportunity Scholarship Program (OSP), as it is called. Each spring, beginning in 2004, families apply for a private school scholarship (voucher). OSP prioritizes poor and near poor families attending public schools, particularly those who attend “problem” public schools designated “in need of improvement” (SINI schools). Eligible (poor/near poor/attending public schools or rising kindergarten) children are baseline tested and families fill out a baseline questionnaire. Depending on the number of places available in one of the approximately 66 private schools agreeing (in 2004) to accept OSP students, that number is randomly selected from the eligible applicant pool to receive a scholarship (voucher) of \$7,500. The rest do not receive a voucher and are designated the control group.

In practice, most students used the vouchers in a relatively small number of private schools, and most in religious schools. Eighty-two percent of voucher users attended one of the faith-based private schools participating in the program (faith-based schools generally charge lower tuition so the voucher was more likely to cover the entire cost of attendance), and 59 percent attended one of the 22 Catholic schools. Not all students who received vouchers used them, for various reasons, including not being able to find a place in a suitable private school, and a very high percentage (90 percent) switched schools (a high fraction among private schools) in the first year

attending a private school (see Figures 2-3 and 2-4¹ for a clear picture of voucher use and switching).

The evaluation of the OSP consisted of comparing the achievement scores in reading and mathematics of the randomly selected voucher recipients in Cohorts 1 and 2 with the Cohort 1 and 2 control groups one year, two years, and three years after they applied to the program. For the three evaluations, Cohort 1 was retested in spring 2005, 2006, and 2007, and Cohort 2 was retested in spring of 2006, 2007, and 2008.

At minimum, the Cohort 1 sample differs from the Cohort 2 sample because of their order in time: when Cohort 1 students applied in 2004, all eligible students of K-5 age could be placed in a private school. This was an “abnormal” situation and was not repeated in 2005. Hence all eligible K-5 students (851 students of 1,343 eligible applicants) in Cohort 1 were offered vouchers, and no one was left for the control group. The rest of the eligible students (the “impact” group) were divided into voucher recipients (299) and non-recipients (193)—the control group. According to Patrick Wolf, the lead author of the evaluation, the vast majority of the Cohort 1 sample was middle school students, although this is not transparent in the results presented (e-mail correspondence with P. Wolf, May 5, 2009).

The Cohort 2 (spring, 2005) impact group was larger than Cohort 1, for two reasons: first, a higher fraction of students was eligible, creating a larger pool for the randomized impact group, and second, a smaller fraction could be placed in private schools, so the number who ended up in the randomized sample was much larger—1,088 who were offered vouchers and 728 who were not. Cohort 2 students were spread out over K-5, middle school, and high school. Thus, 78 percent of voucher recipients and 79 percent of the control group were in Cohort 2. All primary school (K-5) students in the sample were also in Cohort 2. Most non-recipients in the combined Cohort 1 and 2 sample returned to public schools, but some returned to or switched to charters or managed to go to private school despite not being offered a voucher (Table 2-7).

Because students were randomly assigned to receive a voucher (the treatment group) or not receive a voucher (the control group), the treatment is the *offer* of a voucher (intent to treat), not its use. The randomizing process could not control who actually used a voucher. Therefore, the third year evaluation estimates the difference in achievement scores at the end of the third year between those who were offered a voucher and those who were not. The comparison in this third year report is based on the spring tests in the third year each of the two cohorts was in the program. This estimate is then adjusted for the percent of voucher users on the assumption that the achievement scores of those students who did not use the voucher would not have been affected by going to private schools (although some did so on their own).

Overall, the estimates show that in the third year after applying to the program, the treatment group—those students who were offered vouchers—scored 4.46 points higher than the control group in reading and less than a point higher in math (Table 3-2). The reading score difference is statistically significant, but the math difference is not. When adjusted for the percentage of those offered the voucher who actually used it to attend a private school, the reading score difference is

¹ References to specific tables, figures, and page numbers refer to the report, “Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years.”

5.27 points (0.15 standard deviations effect size). The adjusted math score difference is less than a point and is not statistically significant. In the previous two evaluations (years 1 and 2), the results showed no significant differences between treatment and control groups, although in year 2, the treatment group reading scores were 3.2 points higher than for the control group, but this difference was not statistically significant.

In addition, the evaluation estimates voucher offer/control group differences in parent and student perceptions regarding school safety and in satisfaction with their school. Voucher parents rate their children's schools significantly higher on safety and are significantly more satisfied with their children's school. However, there is no significant difference between voucher and control group *students'* views on either perceived safety or school satisfaction.

The evaluation also tests for differences across certain subgroups in the sample. For example, the effect on reading achievement score of being offered a voucher is much larger in Cohort 1 than in Cohort 2, where it is positive (about 3 points) but not significantly different from zero (Table 3-3). This is important, because, as noted above, none of the Cohort 1 students in the impact group attended primary schools, and almost all attended middle schools. In the words of the report, "Cohort 1 students *faced a different set of participating schools and fewer slot constraints* in those schools than did cohort 2 students, conditions that could generate variance in program impacts" (p. 33, italics added).

The effect is also much larger for students who never attended a SINI school (a D.C. school that has been designated as "needing improvement"). Congress designated that students from SINI schools should be most targeted by the OSP. In terms of the Congressional mandate, vouchers did not help those students from the schools most needing improvement to do better.

Other subgroups that showed significant differences between those offered vouchers and those not: females who received voucher offers had a significantly larger third year score than females in the control group, but males showed no significant difference; students in the treatment group who entered the Program in the higher two-thirds of the applicant test-score performance distribution—averaging a 43 National Percentile Rank in reading at baseline—scored significantly higher than the higher initial scoring control group, but that was not true for the treatment group that had lower initial scores; and students in the treatment who attended school in K-8 did significantly better than the control group, but that was not true for treatment students who attended high school.

Since Cohort 1 treated students were concentrated in middle schools and the effect on their reading score was so much higher than for Cohort 2 treated students, it is highly likely that the significant effect in K-8 is really only a 6-8 effect, and that the difference between the treatment and control groups in K-5 (entirely Cohort 2) was not statistically significant.

What does this evaluation tell us about the potential effect of offering vouchers in D.C., or, for that matter, in any other low-income urban school district?

At one level, and the one the reports' authors emphasize, sending low-income students to existing, predominantly religious (and even predominantly Catholic), small (average size, 265

students) private schools with small class sizes (average student- teacher ratio, 10.3 students) can increase these students' achievement (in reading but not mathematics) and result in greater parent satisfaction with their children's school.

At another level, the study implicitly reveals a lot about such programs that the authors faithfully report but do not emphasize. First, the OSP is necessarily small, not because of lack of scholarship funding, but because of the number of places made available by participating schools. It is not possible to tell exactly how many places the 102 private schools in the District of Columbia made available to the OSP, but we do know that initially, 66 schools participated, that the number in 2007-2008 had declined to 60. We also know that the number of scholarship awardees declined from 1,366 in 2004 to an average of 350 awardees in 2006-2007 (Table 1). One of the main reasons for the decline is that once the first two cohorts had been placed, it became progressively more difficult to find places for new awardees. Getting new scholarship recipients into participating schools depended increasingly on OSP students dropping out of the program or leaving a private primary school for middle school or middle school for high school. This means that the 1,700 voucher users in fall, 2008 represents the approximate capacity of the program. Total enrollment in D.C. public schools was about 49,000 students in 207-2008, and in D.C. charter schools, about 22,000, for a total of about 70 thousand. So the 1,700 places represent 2.4 percent of DC enrollment, and could not be expected to increase significantly even were funding approved.

Second, the OSP results suggest great variation in voucher usage among recipients (Figure 2-3) and a high degree of school switching (this includes "natural" switching from primary to middle to high school) among all students in the sample, and even greater among voucher recipients (Figure 2-4). Of the 1,387 voucher recipients in the two cohorts, 346 never used the voucher, 750 used it for the first two years, and only 568 used it all three years. Some of the drop in use from the second to the third year could have occurred because a school level was completed and an appropriate school at the next level was not available, but these still represent pretty low use rates for a golden opportunity to "escape" public schooling. *Further*, Only 3 percent of the treatment group and 15 percent of the control group never switched schools over the three-year period. In the first year, 90 percent of the treatment and 58 percent of the control group switched schools. Assuming that some of those were switching because they moved from one level to the next, these rates are still very high. Clearly, getting a voucher offer or even using the voucher that first year did not mean that the user stayed in his or her initial school.

Third, *the positive effect of attending private school seems to have been concentrated in the impact sample students who were more academically adept before they were offered the voucher. True, all of these "higher scoring" students were relatively low-income and averaged considerably below the 50th national percentile in reading, but attending private school does appear to have worked best for the abler students, to the extent that it raised reading scores but not math scores.* This is not a surprising result, in the sense that given the degree of switching schools, less able students attending private schools may have switched more often than more able students and more often than the less able students in the control group. Less able students in the treatment group may have used the voucher more sporadically. We have no way of knowing about such differences from the way the data are presented.

Fourth, the considerably larger treatment effects on reading and math achievement in Cohort 1 suggests that *the overall positive results for the treatment group in Cohorts 1 and 2 combined is being driven largely by the difference between the treatment and control group in Cohort 1*. We need to remember that randomized assignment took place *within* each of these two cohorts, so it should be relatively easy to compare how the two cohorts differ. For all we know, they also may have averaged higher scores on the baseline test than Cohort 2. There is also a reasonable possibility that the first cohort was less typically “treated” than Cohort 2. *We know that Cohort 1 students were concentrated in middle schools and the treatment group had a much better choice of places in private schools*. Given the apparently large difference in treatment effect between the two cohorts, the report should have made a discussion of possible differences between them a significant part of Chapter 3, where impact is discussed. Perhaps it makes sense that middle school is the level where going to a private school would have the largest effect on reading scores.

Finally, the study highlights some of the major problems of randomized trials. The first is context, which is brought out in a small way by the difference results for Cohorts 1 and 2. If the particular treatment conditions for Cohort 1 students are what carried the day, vouchers *per se* may be less the relevant “treatment” than the offer of a voucher combined with particular recipients and particular use. The authors might have emphasized that vouchers for certain groups in certain levels of school (the abler among low-income students attending middle schools, for example) result in a modest treatment effect .

The second problem for randomized trials is loss from the original sample. The loss is very large in both the treatment and control groups. The authors of the report are well aware of the problem and try to deal with it, but losses of this magnitude (32 percent) always cast doubt on whether the patterns of loss in treatment and control groups do not differ in some way that might bias the estimated effect of the treatment.

Should this study change the way we view vouchers? For voucher proponents, a randomized field trial result that shows a third year effect size of 0.15 standard deviations (even if in only one of two subjects) is obviously meaningful, as suggested by the tone of the report and editorials in the *Wall Street Journal* and *Washington Post*. The argument in the *Post* was that since the students receiving vouchers were academically a bit better (or at least no worse) off than those that did not and that parents were more satisfied, the program should continue. That is a fair argument in terms of saving a particular program that costs less per student than is spent in D.C. public schools (assuming that the money is really saved because those 1,700 students did not attend public school at least part of the time).

However, it is not a particularly good argument for those seeking to improve academic achievement for low-achieving, low-income students. After many years and much voucher research—some randomized trials and others comparing voucher students with similar students in public schools—the results strongly suggest that voucher students have either not done significantly better, or the differences have been relatively small and inconsistent across academic subjects and groups of students, as in the D.C. Opportunity Scholarship Program.²

² Martin Carnoy (2001). *School Vouchers: Examining the Evidence*. Washington, D.C.: Economic Policy Institute. For a follow-up to this analysis, see Alan Krueger and Pei Zhu (2004). “Another Look at the

After all, if the most we can hope for from an intervention is that students attending middle school increase their reading score one-sixth of a standard deviation in three years, but their reading does not continue to get better in high school, that is not going to help very much.

Further, since in D.C. only a limited number of voucher students were placed mostly in existing, proven quality Catholic schools, *the take away of all three years of evaluations could easily be that we should have had much better results but did not*. A recent third year (of five years) study (not a randomized trial)—by the very same lead author of the D.C. voucher evaluation, Patrick Wolf—of relative gains among similar social class/race students in Milwaukee showed no significant difference in achievement gains (2008/2009 versus 2007/08 and 2006/07) between Milwaukee voucher students attending private schools and students attending public schools.³

If a one-sixth of a standard deviation of achievement score only in reading is the best we can hope for from funding efforts to improve the learning of low-income students, we are in real trouble. When we put these results alongside the results from the National Assessment of Educational Progress that show a nationwide increase of one standard deviation in mathematics scores of African-American 4th graders and a 0.6 standard deviation increase among African-American 8th graders since 1992, the miniscule increase in DC certainly does not warrant further efforts in the direction of vouchers. Other efforts are working a lot better, and that is where Congress should put taxpayers' money.

New York City School Voucher Experiment.” *American Behavioral Scientist*, 47(5): 658-698. For international examples, see David Plank and Gary Sykes (2003). *Choosing Choice*. New York: Teachers College Press.

³ John F. Witte, Patrick J. Wolf, Joshua M. Cowan, David J. Fleming, Juanita Lucas-MacLean (2010). *The MCPC Longitudinal Educational Growth Study: Third Year Report*. Fayetteville, AR: School Choice Demonstration Project, University of Arkansas.



February 15, 2011

The Honorable Joseph I. Lieberman
 United States Senate
 706 Hart Senate Office Building
 Washington, DC 20510-0703

**Don't Tread on DC:
 Local Government Should Decide Local Laws**

Dear Senator Lieberman:

We urge you to vote against any bill that would impose Congress' views on the District of Columbia.

Just as President Barack Obama and our congressional leaders have encouraged recent efforts to expand democracy in the Middle East, we are troubled that members of our own Congress are leading the charge to interfere in DC's local democracy. Some members of the new House majority have introduced bills to re-impose bans that prevent the District of Columbia from using its own locally-raised tax dollars for reproductive health and to re-establish a federal school voucher program. Others are preparing a push for a repeal of the District's marriage equality law, syringe access program, medical marijuana and gun safety regulations.

Americans will continue to debate these issues in communities throughout this country, but what is not up for debate is who gets to decide these questions. The signatures at the bottom of this letter represent a wide range of organizations with differing positions on these and other issues facing DC. While there are a great many perspectives on the underlying issues, we are all in agreement that our locally elected leadership should decide what is best for the District of Columbia.

Americans nationwide believe that local governments should decide what is best on local issues. This ideal is the cornerstone of both the American Revolution and the modern-day "Tea Party." The new majority in the House of Representatives includes conservatives elected on a promise to roll back federal encroachment in the states. We expect conservatives to be consistent in their application of "local-rights" by letting Washingtonians manage their own affairs without interference or meddling by Congress.

As a nation, we applaud and support democratic movements throughout the globe. We call on you also to support democracy in our nation's capital by resisting all efforts to undo local laws and regulations in the District of Columbia.

Sincerely,

DC Vote
 AAUW of Washington
 AFSCME District Council 20
 AIDS Foundation of Chicago
 The AIDS Institute - DC

AIDS United
 Alliance For Justice
 Amalgamated Transit Union (ATU) Local 689
 American Humanist Association
 Americans For Democratic Action

(OVER)

DC Vote • 2000 P Street, NW • Suite 200 • Washington, DC 20036 • 202.462.6000 • 202.462.7001 fax • www.dcvote.org

American Jewish Committee
 Americans United for Separation of Church
 and State
 Anacostia Coordinating Council (ACC)
 Aspirations, Baton Rouge LA
 The Campaign for All DC Families
 The Caring Ambassadors Program
 Chicago Recovery Alliance, Chicago, IL
 DC Democratic State Committee
 DC For Democracy
 DC Federation of Business & Professional
 Women
 DC Fights Back
 DC Latino Action Coalition
 DC Latino Caucus
 DC Trans Coalition
 Demos
 FairVote
 Gertrude Stein Democratic Club
 Greater Washington Urban League
 Harm Reduction Coalition
 HIV Prevention Justice Alliance
 Health GAP (Global Access Project)
 Human Rights Campaign
 Housing Works
 Jews United For Justice
 Kappa Alpha Psi, Fraternity Inc.
 Leadership Conference on Civil and Human
 Rights
 League of Women Voters, DC
 League of Women Voters of the United States
 LiverHope, Minnetonka, MN
 Local Area Support For Hepatitis,
 Inc., Redding CA
 Marijuana Policy Project
 Metropolitan Washington Council, AFL-CIO
 NAACP
 NAACP DC Branch
 NARAL Pro-Choice America
 National Black Justice Coalition
 National Council of Jewish Women
 National Education Association
 National Viral Hepatitis Roundtable
 National Urban League
 The Nonprofit Roundtable of Greater
 Washington
 People For the American Way
 Planned Parenthood of Metropolitan
 Washington
 San Francisco AIDS Foundation
 So Others Might Eat (SOME)
 Treatment Action Group (TAG)
 United Food and Commercial Workers
 Union Local 400
 United Methodist Church, General Board of
 Church and Society
 Unitarian Universalist Association of
 Congregations
 United Nations Association of the National
 Capital Area
 Urban Coalition for HIV/AIDS Prevention
 Services (UCHAPS)
 Washington Ethical Society
 Washington Teachers Union
 Woman's National Democratic Club

Senator Richard J. Durbin

Statement for the Record

"The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program"

Senate Committee on Homeland Security and Governmental Affairs

February 16, 2011

I would like to thank Senator Lieberman for offering me the opportunity to make this statement about the D.C. Opportunity Scholarship Program.

Through my role on the Appropriations Committee, I have been able to observe the creation and evolution of the D.C. voucher program over the past seven years. Congress established the D.C. voucher program as a 5-year pilot in 2003. From the start, I had concerns about the program. I offered three amendments to require all teachers to have college degrees; to require all voucher school buildings meet fire safety code standards; and to require that voucher students take the same tests as public school students. All three amendments were rejected leading me to oppose a program with few reasonable standards.

The purpose of the program was described as an effort to give parents expanded opportunities for enrolling their children in higher-performing schools in the District of Columbia. I'm not opposed to that idea, but the results of this particular experiment are lackluster at best.

The Department of Education studied the program and the results were not encouraging. No gains for students in math. No statistically significant gains for boys, students who come from failing schools, or for those who started off scoring poorly on the tests. And only modest gains for students in reading: 3 months of reading gains over 3 years of the program. Most parents wouldn't give those results high marks.

The program has also been mismanaged from the start. GAO studied the program and found serious problems in some of the participating schools, including unsuitable learning environments, teachers without bachelor's degrees, and a lack of occupancy permits.

If this Committee does move forward with marking up a reauthorization of this program, I urge you to consider reasonable reforms to ensure a high quality of education for all participating students. Any school that receives federal funding by accepting voucher payments through this program should be subject to the same requirements as D.C. public and charter schools, including administering the same test so that we can accurately compare results. If the voucher students can outperform students in other D.C. schools, these tests will be proof positive.

But this Committee should also consider whether this program is the soundest investment of scarce federal dollars at this time. In the seven years that this program has been underway, we have seen improvements in the District's public and public charter schools. Since 2003, D.C. charter schools have grown from 22 schools to 57 schools on 99 campuses. The student population at charter schools has grown from 10,000 students in 2003 to over 29,000, or 38% of total District students. There are now many excellent educational options available to students

and families in the District. It troubles me that the House funds the voucher schools at the expense of public education.

Finally, the D.C. voucher program is the only federally funded voucher program. Other cities have voucher programs, but pay for those programs with local funds. If the District of Columbia wants to continue or expand this program, that can happen without federal funding. To date, there has been no local investment in this program. As a strong proponent of the principle of home rule, I will be looking to Mayor Gray and other local leaders on this matter and I hope that the Committee will do the same. If one believes in home rule and local control, it is difficult to reconcile those principles with a federally mandated program that city leaders oppose.

Again, I thank the Chairman for providing me the opportunity to make this statement.



National Council of Jewish Women

New York Office
 110 E. 42nd Street, Suite 1000
 New York, NY 10017
 Tel: 212 691-1000
 Fax: 212 691-1001
 www.ncjw.org

Washington Office
 1100 Pennsylvania Avenue, NE
 Washington, DC 20002
 Tel: 202 638-1000
 Fax: 202 638-1001
 www.ncjw.org

Israel Office
 10000 Wilshire Blvd, Suite 1000
 Beverly Hills, CA 90210
 Tel: 310 206-1000
 Fax: 310 206-1001
 www.ncjw.org

Web: www.ncjw.org

February 15, 2010

Dear Senator:

On behalf of the 90,000 members and supporters of the National Council of Jewish Women (NCJW), I am writing to strongly urge you to oppose S 206, the Scholarships for Opportunity Results (SOAR) Act, which would restart and expand the failed Washington, DC, private school voucher pilot program.

Every federal study that analyzed the original program concluded that it is ineffective, leaving no justification for renewing it. Rather than extending the vouchers program, federal funding should serve all students in Washington, DC. Vouchers drain essential resources away from public schools, endangering the ability of the public school system to meet the needs of students and provide an education to all children.

Furthermore, vouchers and other programs that divert public money to private or religious schools do more than harm the public school system. Government funding of religious schools – primary recipients of this public voucher money – violates the First Amendment's principle of religion-state separation.

Additionally, DC's mayor and city council have made it clear that this bill would constitute an unwanted imposition on the District and a further example of Congressional intrusion even as DC has no voting representation in Congress. The passage of this law would be a serious infringement on the district's right to home rule.

Education reform must focus on improving the public schools where the vast majority of students will continue to be educated. We urge you to reject this divisive legislation and instead seek an equitable solution to help those in need without threatening the public education system of our nation's capital.

For over a century, NCJW has been at the forefront of social change, speaking out on important issues of public policy. Inspired by our Jewish values, NCJW strives to ensure individual and civil rights. We strongly urge you to help preserve First amendment freedoms and strengthen our public education system by rejecting reinstatement of the DC voucher program.

Sincerely,

Nancy Ratzan
NCJW President

Written Testimony
of the
National Coalition for Public Education
Submitted to the
Senate Committee on Homeland Security &
Government Affairs
for the Hearing on
“The Value of Education Choices: Saving
the D.C. Opportunity Scholarship Program”
February 16, 2011

The National Coalition for Public Education (NCPE) submits this testimony to the Senate Committee on Homeland Security and Government Affairs for its hearing on "The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program." The National Coalition for Public Education is comprised of more than 50 education, civic, civil rights, and religious organizations devoted to the support of public schools. Founded in 1978, NCPE opposes the funneling of public money to private and religious schools through such mechanisms as tuition tax credits and vouchers. Although the priorities of NCPE's member organizations greatly vary, we are united in our position against expanding the DC voucher program and, therefore, in opposing S. 206, the Scholarships for Opportunity Results Act.

We strongly believe that the D.C. Opportunity Scholarship Program should not be reauthorized. The four federal Department of Education studies¹ and the 2007 General Accountability Office (GAO) study² prove that the program is not improving student achievement, access to student resources, student motivation, or student perceptions of safety. Rather than continuing to spend millions of dollars on a program that has proven ineffective and that is geared towards only helping a small fraction of D.C. students, we believe that the money should be redirected to programs that help improve public education for all students in the District.

We acknowledge that the Committee may be able to point to some students who have gone to exemplary schools and seen improvement from the program. But according to government studies, these students are, unfortunately, the exception rather than the rule.

First, according to the GAO study, only 3% of the students in the program attended the elite D.C. schools that cost \$20,000 or more a year.³ And, the reason students can attend these schools is not so much the \$7,500 voucher as it is the additional \$12,500-plus they receive in scholarships from private programs or the private school itself. A more complete examination of the program, such as that which the GAO performed in 2007, shows that some children in the program have instead been sent to schools without occupancy certificates and to schools where over half the teachers lack bachelor's degrees.⁴ Surely this is not a program that is serving the students well.

Second, the Department of Education studies show that the voucher program has not caused significant gains in academic achievement, increased educational resources, or improved the school environment. Accordingly expanding the program is not justified.

The DC Voucher Program

The five-year pilot program was authorized to provide private school vouchers worth up to \$7,500 to approximately 1,700 students, at an annual cost of \$14 million. Although the program

¹ 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).

² U.S. Gov't Accountability Office, *District of Columbia Opportunity Scholarship Program: Additional Policies and Procedures Would Improve Internal Controls and Program Operation*, Publication No. 08-9, 34 (Nov. 2007) (GAO Report).

³ *Id.* at 31.

⁴ *Id.* at 34-35.

was scheduled to expire in 2008, the FY 2009, and FY 2010 appropriations bills and the 2011 continuing resolutions provided additional funding to allow for a smooth transition for students currently participating in the program. These appropriations bills stipulated that no new students could enter the program, but students already in the voucher program could maintain a voucher through high school graduation. The program now receives approximately \$13 million dollars a year to provide vouchers worth up to \$7,500 to approximately 1,000 students.

S. 206 would increase the amount of each voucher and, therefore, the cost of the program overall. It would also lift the ban on new students, reviving the program even though Congress has previously decided to wind down the program due to its poor results.

The Value of Public Schools

Open and non-discriminatory in their acceptance of all students, American public schools are a unifying factor among the diverse range of ethnic and religious communities in our society. Public schools are the only schools that must meet the needs of all students. They do not turn children or families away. They serve children with physical, emotional, and mental disabilities, those who are extremely gifted and those who are learning challenged, right along with children without special needs.

Vouchers undermine this vital function, however, by placing some of the most motivated students into private schools, leaving the students who are most difficult to educate behind in the public schools. Voucher programs also divert desperately needed resources away from the public school system to fund the education of a few voucher students. The government would better serve our children by using these funds to make the public schools stronger and safer.

Public schools are not failing. Rather, they are striving to respond to the swift, substantive changes in society and the calls for reform. We, as citizens, must create an environment of support so public schools can continue to change and improve. We must shift from attacking public schools to empowering continual public school improvement. Only then can we create the public will and motivation to accomplish for true reform.

The DC Voucher Program Has Not Improved Student Education

US Department of Education studies of the District of Columbia,⁵ like those studies of the Milwaukee⁶ and Cleveland⁷ school voucher programs, have concluded that students offered vouchers do not perform better in reading and math than students who are not part of the voucher program. The Department of Education studies also demonstrate that students who

⁵ 2010 U.S. Dep't of Educ. Report; 2009 U.S. Dep't of Educ. Report (Although the 2009 study showed a marginal gain for some students in reading (but notably, not for the program's targeted group, students from schools in need of improvement), the 2010 Final Report said "[t]here is no conclusive evidence that the [program] affected student achievement" and earlier findings of modest gains "could be due to chance" and were no longer statistically significant); 2008 U.S. Dep't of Educ. Report; 2007 U.S. Dep't of Educ. Report.

⁶ Witte, Wolf, et al., *MPCP Longitudinal Educational Growth Study Third Year Report* (Apr. 2010); Witte, Wolf, et al., *MPCP Longitudinal Educational Growth Study Second Year Report* (Mar. 2009); Witte, Wolf, et al., *MPCP Longitudinal Education Growth Study Baseline Report* (Feb. 2008); Witte, *Achievement Effects of Milwaukee Voucher Program* (Feb. 1997); Witte, et al., *Fifth Year Report Milwaukee Parental Choice Program* (Dec. 1995).

⁷ Plucker, et al., *Evaluation of the Cleveland Scholarship and Tutoring Program, Summary Report 1998-2004* (Feb. 2006); *Evaluation of the Cleveland Scholarship and Tutoring Program, Executive Report 1998-2002* (Feb. 2006).

entered the DC program from “schools in need of improvement” (SINI)—the program’s targeted students—also failed to show improvement in reading or math.⁸

According to these studies of the DC program, many of the children who left the DC voucher program actually did so because the voucher schools did not provide the academic support they needed: Of the students who left the voucher program in the first year, 45% stated that it was because the “child did not get the academic support he/she needed at the private school.”⁹ The number shot to 54% in the second year and was at 39% in the third year.¹⁰

Empirical evidence shows that students in the DC voucher program show no statistically significant improvement in academic achievement. At a time when Congress is considering major cuts in the federal domestic budget, these results do not justify new funding or an expansion of the program to new students.

The DC Voucher Program Has Not Improved Access to Academic Resources or the Learning Environment

Proponents of the DC voucher programs argue that the vouchers allow students to attend schools that are safer, provide better resources, and create a better learning environment. Again, studies of the programs prove this theory wrong.

Although the US Department of Education studies of the DC program show that parents believe that students in the voucher program are safer at school than those who did not participate, students have reported that participating in the program has had no impact on their actual school experience with dangerous activities.¹¹

Participation in the DC voucher program has also had no impact on student motivation and engagement.¹² The Department of Education studies found that participating in the program has had no statistically significant impacts on students’ aspirations for the future, frequency of doing homework, time spent reading for fun, engagement in extracurricular activities, or attendance or tardiness rates.¹³

In addition, the DC voucher program fails to offer participating students greater educational resources. In fact, the Department of Education studies of the DC voucher show that students participating in the program are actually less likely to have access to ESL programs, learning support and special needs programs, tutors, counselors, cafeterias, and nurse’s offices than students not in the program.¹⁴

⁸ 2010 US Dep’t of Educ. Report at 34; 2009 US Dep’t of Educ. at 34; 2008 US Dep’t of Educ. Report at 34, 36-38; 2007 US Dep’t of Educ. Report at 36-38; xvii, 44, 46.

⁹ 2009 US Dep’t of Educ. Report at 25.

¹⁰ *Id.* The option of “child did not get the academic support he/she needed at the private school” was not listed in the 2010 study.

¹¹ 2010 U.S. Dep’t of Ed. Report at xvi, 44-52; 2009 U.S. Dep’t of Ed. Report at xxvi, xxviii, 44-45, 49-50; U.S. Dep’t of Ed. Report at 42-43, 50; 2007 U.S. Dep’t of Ed. Report at xx, 1-4.

¹² 2010 U.S. Dep’t of Ed. Report at xxvii, 19-20; 56-60; 2009 U.S. Dep’t of Ed. Report at xxxii, 55-56; 2008 U.S. Dep’t of Ed. Report at xxvi, 57-58, F-6.

¹³ 2010 U.S. Dep’t of Ed. Report at xxvii, 19-20; 56-60; 2009 U.S. Dep’t of Ed. Report at xxxii, 55-56; 2008 U.S. Dep’t of Ed. Report at xxvi, 57-58, F-6.

¹⁴ Final US Dep’t of Educ. Report at 20; 2009 US Dep’t of Educ. Report at xxii, 17; 2008 US Dep’t of Educ. Report at xviii, 16. The 2010 Report found a decrease in access to tutors, but no “significant” reduction in tutors. Final US Dep’t of Educ. Report at 20.

Furthermore, voucher programs do not provide participating students with better teachers than are available at the public schools. To the contrary, the report issued by the GAO found that, at some schools, less than half of the teachers had even obtained a bachelor's degree.¹⁵ And, the 2009 Department of Education study revealed that the students participating in the voucher program rated their teacher's attitude no better than students who did not participate in the program.¹⁶

Again, proponents' claims are not supported by the federal studies. Voucher schools provided no better resources to students than the public schools. In fact, voucher schools, in many areas, offered DC students fewer resources. Again, the program results do not justify renewal and expansion of the program.

The DC Voucher Program Lacks Oversight, Accountability, and Internal Controls

The DC voucher program also has serious accountability problems. First, the GAO found that the grant Administrator had not ensured that the participating schools adhered to the rules of the program or even DC laws. For example, the administrator permitted schools to participate—and allowed students to attend schools—even though they lacked a valid DC occupancy certificate, failed to submit required financial data, and failed to submit required annual reports on operational reports with basic information on curriculum, teachers' education, and school facilities.¹⁷ Indeed, some participating schools failed to submit information on accreditation or educational soundness, yet voucher students were directed to and attended those schools.¹⁸

The grant administrator also paid tuition for students to schools that actually did not charge tuition and made disbursements to other schools without requiring them to submit the proper paperwork.¹⁹

The GAO report also criticized the grant administrator for providing inaccurate, misleading, and incomplete information to parents about the participating schools.²⁰ Indeed, the administrator incorrectly reported information on some schools that could have significantly affected parents' choice of schools, such as the percentage of teachers who had at least a bachelor's degree and tuition rates.²¹

Students Using Vouchers at Private Schools Lose Rights and Protections

Despite receiving public money, private schools that participate in DC voucher programs are not subject to all federal civil rights laws, and do not face the same public accountability standards, including those in the No Child Left Behind (NCLB) Act, Title IX, and IDEA that all public schools must meet. Private religious schools may discriminate in hiring on the basis of religion and on gender in admissions.²² Private religious schools also are not subject to the DC Human Right Act.

¹⁵ U.S. Gov't Accountability Office, *District of Columbia Opportunity Scholarship Program: Additional Policies and Procedures Would Improve Internal Controls and Program Operation*, Publication No. 08-9, 34 (Nov. 2007) (GAO Report).

¹⁶ 2009 U.S. Dep't of Ed. Report at xxxii, 25, 55-56.

¹⁷ GAO Report at 34-35.

¹⁸ *Id.* at 34.

¹⁹ *Id.* at 22-23, 33.

²⁰ *Id.* at 36.

²¹ *Id.*

²² P.L. 108-199 Stat. 3 (2004).

Private voucher schools also do not have to comply with the same teacher standards, curriculum, and testing requirements as the public schools. And, students who attend private schools with vouchers are stripped of their First Amendment, due process, and other constitutional and statutory rights offered to them in public schools. Unfortunately, many parents and students are not even aware of this when they accept the voucher.

Voucher Schools Can Pick and Choose Among Students

Voucher schools can reject students based on prior academic achievement, economic background, English language ability, or disciplinary history. Also, under the program, religious schools can discriminate against students on the basis of gender.²³ In contrast, public schools serve all students in DC

Certain groups of DC students have less access to voucher schools than others. For example, students with special needs often cannot find a private school that can or want to serve them: The Department of Education Reports show that a significant number of students had to reject their voucher because they were “unable to find a participating school that offered services for their child’s learning or physical disability or other special needs.”²⁴ Indeed, the Final Department of Education Report concluded that 21.6% of the parents who rejected a voucher that was offered to their child did so because the school lacked the special needs services that their child needed.²⁵ 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.²⁶

High school students also have less access to voucher schools: “For the school year 2005-2006, only about 70 openings were available at the high school level.”²⁷

Students seeking non-religious schools also “have a limited number to choose from, since most participating private schools were Catholic or Protestant, and these schools offered the most openings. The remaining schools included some that were Afro-centric or Muslim, or offered only early childhood education.”²⁸ Indeed, the final Department of Education report found that 80% of the students in the program attended a faith-based school.²⁹

Vouchers Primarily Fund Religious Schools

Many of the members of our coalition object to taxpayer funds going towards religious education. Although the religious groups in our coalition value religious education and recognize that parochial schools can serve a valuable role for many children, they also recognize that because most parochial schools either cannot or do not wish to separate the religious components of the education they offer from the academic programs, these schools must be funded by voluntary contributions, not taxation.

One of the most dearly held principles of religious liberty is that government should not compel any citizen to furnish funds in support of a religion with which he or she disagrees, or even a

²³ P.L. 108-199 Stat. 3 (2004).

²⁴ 2008 US Dep’t of Educ. Report at 22.

²⁵ Final US Dep’t of Ed. Report at 24-26.

²⁶ *Id.*

²⁷ GAO Report at 31.

²⁸ *Id.*

²⁹ Final US Dep’t of Educ. Report at 18.

religion with which he or she does agree. Voucher programs, however, violate that central tenet: they use taxpayer money to fund primarily religious education. Indeed, approximately 80% of the students participating in the DC voucher program attend 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.

Religious organizations and schools that rely on voluntary participation and contributions are likely to flourish. Government funds, however, threaten to shift religious schools' monetary source from the followers of their religion to the government treasury. And, with that shift, they also risk losing their religious identity, teachings, and message. To remain healthy, a religious school should follow the dictates of its adherents rather than the dictates of a government uninterested in its religious mission. To do this, they must reject government funding.

Conclusion

For all of the above reasons, NCPE opposes the reauthorization of the DC voucher program. In these times, when Congress is considering major cuts in the federal domestic budget, we believe that this is one program that has not demonstrated success and that reauthorizing and increasing the funding for new students to enter the program is not the best use of limited federal funds

For more information on the organizations opposing the DC voucher, please see the attached letter signed by 47 diverse organizations.

Thank you for the opportunity to offer written testimony on this important matter.

The National Coalition

for

Public Education

February 8, 2011

Re: Oppose Restarting and Expanding the DC Voucher Program

Dear Senator:

The undersigned members of the National Coalition for Public Education (NCPE) strongly urge you to oppose and not co-sponsor S. 206, the Scholarships for Opportunity Results (SOAR) Act, which would restart and expand the failed Washington, DC private school voucher pilot program. All five of the federal studies that have analyzed the program concluded that the program is ineffective, leaving no justification for renewing it. Rather than extending the voucher program, federal funding should be spent in more useful ways that would serve all students in Washington, DC. Given the program's ineffectiveness, which is demonstrated conclusively and consistently as described below, and inappropriateness, given the disproportionate funding allocated to relatively few students while the needs of the majority of DC public school students go unmet, it is clear that there is no justification for supporting this bill.

The five-year pilot program was authorized to provide private school vouchers worth up to \$7,500 to approximately 1,700 students, at an annual cost of \$14 million. Although the program was scheduled to expire in 2008, the FY 2009, and FY 2010 appropriations bills and the 2011 continuing resolutions provided additional funding to allow for a smooth transition for students currently participating in the program. These appropriations bills stipulated that no new students could enter the program, but students already in the voucher program could maintain a voucher through high school graduation. The program now receives approximately \$13 million dollars a year to provide vouchers worth up to \$7,500 to approximately 1,300 students.

Despite proponents' claims that the voucher program would improve the academic achievement of DC students, especially students from "schools in need of improvement" (SINI), congressionally mandated Department of Education studies have concluded that the voucher program has had no effect on the academic achievement of students who use vouchers.¹ Indeed, the final Department of Education report, issued in 2010, concluded that the use of a voucher had no statistically significant impact on overall student achievement in math or reading.² Furthermore, according to all four Department of Education studies, students in the program who came from SINI schools also have shown no significant improvement in math or reading.³ **Having failed to improve the academic achievement of the students in the program—including the targeted students from SINI schools—the voucher program clearly does not warrant reauthorization.**

The Department of Education studies further found that the voucher program had no effect on student satisfaction, motivation, or engagement, or student views on school safety.⁴ And, they revealed that many of the students in the voucher program were **less likely** to have access to key services—such as ESL programs,

¹ US Dep't of Educ., *Evaluation of the DC Opportunity Scholarship Program: Final Report* at xv, xix, 34 (June 2010) (*Final US Dep't of Educ. Report*).

² *Id.*

³ *Final US Dep't of Educ. Report* at 34; US Dep't of Educ., *Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years* at 34 (March 2009) (*2009 US Dep't of Educ. Report*); US Dep't of Educ., *Evaluation of the DC Opportunity Scholarship Program: Impacts After Two Years* at 34, 36-38 (June 2008) (*2008 US Dep't of Educ. Report*); and US Dep't of Educ., *Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year* at xvii, 44, 46 (June 2007) (*2007 US Dep't of Educ. Report*).

⁴ *Final US Dep't of Educ. Report* at 43-47; *2009 US Dep't of Educ. Report* at xxvi, xviii, 35, 44-45, 49-50; *2008 US Dep't of Educ. Report* at 42-43, 50, and 57; and *2007 US Dep't of Educ. Report* at xx, 53-55.

The National Coalition
for
Public Education

The National Coalition for Public Education is comprised of more than 50 education, civic, civil rights, and religious organizations devoted to the support of public schools. Founded in 1978, NCPE opposes the funneling of public money to private and religious schools through such mechanisms as tuition tax credits and vouchers.

February 8, 2011
Page 2 of 3

learning support and special needs programs, and counselors—than students who were not part of the program.⁵ Perhaps that is why students with physical or learning disabilities are underrepresented in the program compared to the public schools.⁶ **The program's inability to improve the school experience of students in the voucher program further demonstrates that the program should not be reauthorized.**

In addition to the lack of evidence supporting an improvement in academic achievement or school experience, a **2007 Government Accountability Office Report also documented several accountability shortcomings in the program.** Examples include federal taxpayer dollars funding tuition at private schools that do not even charge tuition, schools that lacked city occupancy permits, and schools employing teachers without bachelor's degrees.⁷ Also, some of the information provided to parents regarding the private schools, including information that "could have significantly affected parents' choice of schools," was "misleading," "incorrect," and "incomplete."⁸

NCPE believes that instead of sending federal money to private schools, these funds should be invested in the public schools. We also note that despite receiving public money, the participating private schools are not subject to all federal civil rights laws, and do not face the same public accountability standards, including those in the No Child Left Behind (NCLB) Act, that all public schools must meet. Finally, we also believe this program continues to raise problems under the First Amendment of the Constitution.

The objective evidence does not support restarting and expanding the federally funded DC school voucher program. Therefore, **we urge you to oppose and not co-sponsor the Scholarships for Opportunity Results Act.**

Thank you for your consideration of our views on this important issue.

Sincerely,

African American Ministers in Action
American Association of School Administrators
American Association of University Women (AAUW)
American Association of University Women, Washington DC Branch
American Civil Liberties Union (ACLU)
American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)
American Federation of Teachers
American Federation of State, County and Municipal Employees
American Humanist Association
American Jewish Committee
Americans for Democratic Action
Americans for Religious Liberty
Americans United for Separation of Church and State
Anti-Defamation League
Association of Educational Service Agencies
Baptist Joint Committee for Religious Liberty
Council for Exceptional Children
Center for Inquiry
Council of the Great City Schools
Disciples Justice Action Network
Equal Partners in Faith

⁵ *Final US Dep't of Educ. Report at 20; 2009 US Dep't of Educ. Report at xxii, 17; 2008 US Dep't of Educ. Report at xviii, 16.* The 2010 Report found a decrease in access to tutors, but no "significant" reduction in tutors. *Final US Dep't of Educ. Report at 20.*

⁶ U.S. Government Accountability Office (GAO), *District of Columbia Opportunity Scholarship Program at 30* (Nov. 2007).

⁷ *Id.* at 22-23, 33-35.

⁸ *Id.* at 36.

February 8, 2011
Page 3 of 3

Feminist Majority
Interfaith Alliance
International Reading Association
Lawyers' Committee for Civil Rights Under Law
NA'AMAT USA
National Alliance of Black School Educators
National Association for the Advancement of Colored People (NAACP)
National Association of Elementary School Principals
National Association of Federally Impacted Schools
National Association of Secondary School Principals
National Association of State Directors of Special Education
National Center for Lesbian Rights
National Council of Jewish Women
National Education Association
National Organization for Women
National Parent Teacher Association
National Rural Education Advocacy Coalition
National Rural Education Association
National School Boards Association
People For the American Way
School Social Work Association of America
Secular Coalition for America
Southern Poverty Law Center
Union for Reform Judaism
United Church of Christ Justice and Witness Ministries
Women of Reform Judaism

National Coalition for Parental Options

March 1, 2011

The Honorable Joseph Lieberman
The Honorable Susan Collins
Committee on Homeland Security and Governmental Affairs
U.S. Senate
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

We the undersigned want to express our full support for your efforts to reauthorize the highly successful D.C. Opportunity Scholarship Program (OSP).

The OSP was part of an innovative three-sector federal education initiative that was requested, shaped, and championed by local D.C. leaders in 2003. The initial five-year authorization expired in 2009, and while the program has received continued appropriations for existing participants, neither additional children nor siblings of existing children are allowed to join, which effectively ends the program.

The OSP has been an educational lifeline to more than 3,300 children over the life of the program. The average income for participating families is just \$25,000 per year and virtually all of the participating children would otherwise be forced to attend a school in need of improvement according to federal adequate yearly progress standards. Both parental satisfaction and demand are overwhelming. Nearly 9,000 families have applied to participate in the OSP and recent polling shows that three-fourths of District residents support reauthorization and expansion.

Parental satisfaction and high demand are important factors. Just as important are the results. The major finding from the 2010 report of the U.S. Department of Education's (DOE) Institute for Education Sciences (IES) found that students who actually used their scholarships had graduation rates of 91% — 21% higher than those interested in the program who did not receive a scholarship. OSP students continue to show academic gains in reading. In addition, the OSP participants' gains were second largest among the 14 programs studied by IES so far — and just four of the 14 showed any positive effects. DOE's own "What Works Clearinghouse" validated the research behind the OSP. There is no question that the OSP is an example of funding what works in education.

Like you, we as education reformers are excited about the new direction the District of Columbia has taken in recent years when it comes to K-12 education. A robust charter school presence and teacher reform are among the policy initiatives that have launched what will be a long transformation to turn around a school system that has traditionally ranked near the top in spending and near the bottom in academic performance. In the meantime, it is essential that every option remain on the table to ensure that children, especially those from low-income families, can have immediate access to a good education.

Today, there are about 200,000 children across America who are benefitting from publicly-funded private school choice. Legislators have enacted programs in 12 states, on a bipartisan basis, to ensure that disadvantaged children are not denied what is arguably their most important civil right — access to a good education. Opponents of parental choice routinely make false claims that school choice drains money from public schools, violates the separation of church and state, discriminates against special needs children among other practices, doesn't work, is unpopular — the list is endless. What opponents refuse to discuss or acknowledge is that high-quality school choice programs like the D.C. Opportunity Scholarship Program not only work, but provide an immediate escape for children in low-income families who are trapped in failing or unsafe schools. It's about opportunity for these children. Not a year or two or five or 10 years away, but right now.

We urge you and your colleagues to reauthorize the D.C. Opportunity Scholarship Program. Fund what works in education and give every child in the nation's capitol, regardless of income or family circumstance, immediate access to a high-quality education.

Sincerely,

Agudath Israel of America	Rhode Island Scholarship Advocates
Alliance for School Choice	School Choice Indiana Network
American Association of Christian Schools	School Choice Ohio
American Federation for Children	School Choice Wisconsin
Black Alliance for Educational Options (BAEO)	Step Up for Students
Brighter Choice Foundation	StudentsFirst
Center for an Educated Georgia	Students First Corp. (Pennsylvania)
Center for Education Reform	U.S. Conference of Catholic Bishops (USCCB)
Coalition for Education Reform and Accountability	
Coalition of Hispanic Instructors in Support of Parental Awareness (CHISPA)	
Council for American Private Education (CAPE)	
DC Parents for School Choice	
Education Action Group	
Education Breakthrough Network	
Excellent Education for Everyone (E3)	
Friends Of Choice in Urban Schools (FOCUS)	
Foundation for Educational Choice	
Foundation for Excellence in Education	
Foundation for Florida's Future	
Georgia Family Council	
Heartland Institute	
Heritage Action for America	
Hispanic Council for Reform and Educational Options (HCREO)	
Institute for Justice	
Iowa Advocates/Alliance for Choice in Education	
Mid-Atlantic Catholic Schools Consortium	
National Christian School Association	
Parents/Partners for Educational Freedom in North Carolina	
Parents for Choice in Education	
REACH Alliance	
Reason Foundation	

February 15, 2011

Member
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, D.C. 20510

Re: *Oppose renewing and expanding the D.C. Voucher Program*

Dear Senator:

The National School Boards Association (NSBA), representing 95,000 local school board members across the nation through our state school boards associations, urges you to oppose any efforts including S. 206, the *Scholarships for Opportunity Results (SOAR) Act*, to renew the District of Columbia Opportunity Scholarship Program in the 112th Congress.

NSBA opposes the continuation of the pilot voucher program, which based on federally-mandated studies, has repeatedly failed to show effectiveness in improving student achievement over the last seven years. This \$13.2 million annual program has provided vouchers of up to \$7,500 each for some 1,700 students. While the program technically expired in 2008, it was funded for an additional year (2009-2010) in the FY 2009, FY 2010 appropriations bills and the FY 2011 continuing resolution. The current operable language allows participating students a year to smoothly transition out of the program. The President's proposed FY 2011 budget included \$9.4 million to fund vouchers for existing students, and the Congress appropriated \$ 13.2 million to fund vouchers for existing students. These provisions stipulated, however, that no new students will be added to the program. However, early in the first session of the 112th Congress in January, the SOAR bills were introduced in the House and Senate, H.R. 471 and S. 206, to renew and expand the D.C. Voucher Program.

When Congress created the voucher program in 2003, the goal was to raise student achievement with a priority for students who attend "schools in need of improvement" (SINI) under the No Child Left Behind Act (NCLB). However, since it was put in place all four of the Congressionally-mandated Department of Education studies have concluded that the voucher program has had no significant effect on the overall academic achievement of these students.¹ In fact, a 2007 U.S. Government Accountability Office (GAO) report found that students from SINI were underrepresented in voucher schools.²

In all four years (2007, 2008, 2009 and 2010), the studies found no significant impact on math achievement of students who were in voucher schools compared to their peers in public schools. In years one and two, no significant impact was found on reading achievement. In year three and four, the study showed the reading achievement of some students improved, but it is noteworthy that students coming from SINI and those who enter the voucher program in the lower third of the test-score distribution—the very groups the program

¹ "Evaluation of the D.C. Opportunity Scholarship Program: Final Report," Institute of Education Science, U.S. Department of Education, June 2010; "Evaluation of the D.C. Opportunity Scholarship Program: Impacts After Three Years," Institute of Education Sciences, U.S. Department of Education, April 2009; "Evaluation of the D.C. Opportunity Scholarship Program: Impact After Two Years," Institute of Education Sciences, U.S. Department of Education, June 2008; "Evaluation of the D.C. Opportunity Scholarship Program: Impact After One Year," Institute of Education Science, U.S. Department of Education, June 2007.

² "District of Columbia Opportunity Scholarship Program," U.S. Government Accountability Office, Nov. 2007.

National School Boards Association

1680 Duke Street ■ Alexandria, Virginia 22314-3493 ■ (703) 838-6722 ■ Fax: (703) 548-5613 ■ <http://www.nsba.org>



*Working with and
Through our State
Associations, NSBA
Advocates for Equity
and Excellence in
Public Education
through School
Board Leadership*

Office of Advocacy

- *Earl C. Rickman, III*
President
- *Anne L. Bryant*
Executive Director
- *Michael A. Resnick*
Associate
Executive Director

intended to help—showed no improvement in reading.³ The two groups of students who showed the most improvement in reading were students for which federal government intervention is the least justifiable: students who did not come from SINI and students who were already high performing when they entered the program.

In addition, all four studies found that participating in the voucher program had no impact on student safety, satisfaction, motivation or engagement.⁴ Students attending voucher schools also have less access to key services such as English as a second language (ESL) programs, special education services, school nurses and counselors, child nutrition and after school programs and tutors.⁵

Not only does the experimental program lack academic evidence to support its continuation, the 2007 GAO report documented numerous accountability shortcomings, including federal taxpayer dollars paying tuition at private schools that do not even charge tuition, schools that lacked a legally-required city occupancy permit, and schools employing teachers without bachelor's degrees and/or certification.⁶ It also noted that children with physical or learning disabilities were underrepresented compared to public schools.⁷

Now is simply not the time to divert funding from public schools, which are increasingly held accountable for student achievement and preparing them to be college and career ready. It should be noted that as higher standards are the goal of traditional public schools, private schools are not held to the same standards and accountability. More support for public schools is needed as educators and policymakers increasingly look to raise academic standards, teacher and principal effectiveness and graduation rates to ensure our students are competitive in the 21st Century global economy. They also must respond to increasing demands for services for special education and English language learners who generally do not meet the admissions standards of private schools. Whether it's in D.C. or elsewhere throughout the country, vouchers drain funds from public schools where the majority of American children attend to pay for private school tuition for a few.

NSBA believes strongly that the objective evidence does not support the continuation of the only federally-funded school voucher program. For these solid reasons, we urge you to oppose any amendment or bill to renew D.C. vouchers.

Thank you for considering our views and please contact Katherine Shek, legislative analyst, at (703) 535-1627 or by email at kshek@nsba.org if you have any questions.

Sincerely,



Michael A. Resnick
Associate Executive Director

³ "Evaluation of the D.C. Opportunity Scholarship Program: Impacts After Three Years," Institute of Education Sciences, U.S. Department of Education, April 2009; "Evaluation of the D.C. Opportunity Scholarship Program: Final Report," Institute of Education Sciences, U.S. Department of Education, June 2010.

⁴ 2010 U.S. Department of Education Report at xvi, xxii, xxiii; 2009 U.S. Department of Education Report at xxvi, xviii, 35, 44-45, 49-50; 2008 U.S. Department of Education Report at 42-43, 50, & 57; 2007 U.S. Department of Education Report at xix & 1-4.

⁵ 2010 U.S. Department of Education Report at xxvii; 2009 U.S. Department of Education Report at xxii & 17-18; 2008 U.S. Department of Education Report at xvii \$16; 2007 U.S. Department of Education Report at 21.

⁶ 2007 GAO Report at 22, 33-35.

⁷ 2007 GAO Report at 30.

800 Eighth Street, N.W. Suite 318 * Washington, DC 20001 * Tel: 202.513.6484 * Fax: 202.289.8936



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The Institute for Public Affairs is the non-partisan public policy research and advocacy center of the Union of Orthodox Jewish Congregations of America, the nation's largest Orthodox Jewish umbrella organization founded in 1948.

National Headquarters:
Eleven Broadway
New York, NY 10004
www.ou.org/public_affairs



February 16, 2011

To Chairman Lieberman, Ranking Member Collins and Distinguished Committee Members:

I write to you on behalf of the Union of Orthodox Jewish Congregations of America - the nation's largest Orthodox Jewish umbrella organization representing hundreds of synagogues, rabbis and thousands of members nationwide - in support of legislation offered by Speaker of the House Boehner and Senator Lieberman which would revive the D.C. Opportunity Scholarship Program (S.206/H.R.471) and to directly refute specific arguments asserted against this legislation.

The detractors of this legislation assert that the DC program, is not effective, diverts money from public schools, and improperly funds religious education with federal funds. All of these assertions are false. First, a federally mandated study has found the program to be effective. Second, no funds have been diverted from public schools. In fact, this program is part of an initiative that directed additional funds to public and charter schools.

Finally, the U.S. Supreme Court ruled such scholarship programs to be constitutional in *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002). The core of the Court's decision turned on the program meeting the following criteria:

- the program must have a valid secular purpose,
- aid must go to parents and not to the schools,
- a broad class of beneficiaries must be covered,
- the program must be neutral with respect to religion, and
- there must be adequate nonreligious options.

The Boehner-Lieberman proposal meets all of these criteria. As a matter of law – and policy – this is no different than an older student who spends his G.I. Bill scholarship or Pell Grant at Notre Dame, Yeshiva University or Wheaton College.

During the 2008 presidential campaign, then-candidate Barack Obama was asked about his views on school voucher programs. While, like many, he had many questions about the advisability of voucher programs, Mr. Obama's bottom line statement was: "you do what's best for kids."

(See <http://www.jsonline.com/news/president/29475974.html>)

I ask you to support the Boehner-Lieberman legislation because it is "what's best for kids" in Washington, DC.

Sincerely,

Nathan J. Diament



**Submission of
People For the American Way
to the
U.S. Senate Committee on Homeland Security & Governmental Affairs
for the Hearing Record on
“The Value of Education Choices: Saving the D.C. Opportunity Scholarship Program”
S. 206**

February 16, 2011

People For the American Way is a national organization established to promote and protect civil and constitutional rights. Founded nearly 30 years ago by a group of religious, civic, and educational leaders devoted to our nation’s heritage of tolerance, pluralism, and liberty, PFAW now has hundreds of thousands of members and activists across the country.

We strongly oppose reauthorizing the failed DC Opportunity Scholarship Program, which S. 206 would do. Despite its proponents’ claims, the program has simply not provided any significant improvement in the educational attainment of the enrolled students. Even worse, it has undermined our nation’s core constitutional principles.

The program weakens the separation of church and state. An overwhelming majority of participating students – more than three quarters – have used the voucher to attend religious schools. In other words, the program funnels taxpayer money into religious organizations. This is not simply an incidental byproduct of an otherwise sound idea, but is instead the core of the program. It is contrary to basic American values for the government to use taxpayer funds to empower churches to expand their religious outreach. Indeed, one of the cornerstones of religious liberty and historic innovations of the nation’s founders is that government may not compel citizens to support religion.

The DC voucher program permits participating private institutions to discriminate on the basis of religion in hiring, a key difference from an Ohio voucher plan that was upheld by the Supreme Court in 2002. The use of federal dollars to subsidize religious discrimination raises significant constitutional concerns. As the Supreme Court has noted, “the Constitution does not permit the state to aid discrimination.”

The DC voucher scheme also fails to adequately protect the rights of students, especially those most likely to need protection from discrimination or neglect. Children in public schools are protected by an array of federal laws put into place to remedy serious problems. These include Title IX, the Individuals with Disabilities Education Act, and No Child Left Behind. Private schools are not subject to the same requirements under these laws as public schools. As a result, the DC vouchers program deprives students of many of the important legal protections that parents, teachers, and legislators have worked so hard over the years to attain.

2000 M Street, NW ♦ Suite 400 ♦ Washington, DC 20036
Telephone 202.467.4999 ♦ Fax 202.293.2672 ♦ E-mail pfaw@pfaw.org ♦ Web site <http://www.pfaw.org>

As if these problems were not enough, neutral analyses of the DC Voucher program demonstrate clearly that it simply has not significantly improved the educational attainment of the enrolled students. The United States Department of Education has conducted a rigorous evaluation of the program every year since 2007. Its final report¹ was issued in June 2010 and looked at the program in detail over the years. It “indicate[d] no statistically significant overall impact of the Program on reading or math achievement after at least four years.”²

Even worse, the program failed to serve even those students that Congress designated as the highest priority for the program: those who applied from schools in need of improvement. The *Final Report* concluded that use of a voucher resulted in no statistically significant improvement in math or reading for this priority group.³

In addition, the *Final Report* found no evidence of achievement impacts for male students and students who applied to the Program with relatively lower levels of academic performance, nor did it find any evidence of math achievement impacts for any subgroups examined.⁴ The Department of Education’s analysis also showed that the program has had no effect on student opinions on school satisfaction or safety.⁵

The private school voucher experiment in DC has left students without vital educational programs and facilities. According to the *Final Report*, voucher program students in DC were far less likely to attend a school that offered special programs for students who may be academically challenged, disadvantaging students with learning problems and students learning English as a second language.⁶ Furthermore, schools participating in the voucher program are less likely to provide nurses, counselors, art classes, or cafeteria facilities than non-voucher schools.⁷

DC public school students and their parents deserve better.

Education policy is the archetypical local matter, yet Congress – with no voting representation for DC residents – is considering overriding the wishes of DC elected officials and the disenfranchised Americans they represent. DC Del. Eleanor Holmes Norton strongly opposes private school vouchers. The mayor and a majority of the DC Council have also made public statements against the voucher program. DC residents could easily establish a voucher program through their local elected officials if they so desired, but they have consistently rejected that option. Congress should not now impose that policy on a purely local matter on an unwilling population that has no representation in that body.

¹ “Evaluation of the DC Opportunity Scholarship Program: Final Report,” Institute of Education Sciences, U.S. Department of Education, June 2010, <http://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf>.

² *Id.* at 35.

³ *Id.* at 34.

⁴ *Id.*

⁵ *Id.* at 46, 50.

⁶ *Id.* at 19.

⁷ *Id.* at 20.

This pilot program has failed, and no effort should be now made to resurrect it. The evidence shows that the DC Opportunity Scholarship program has simply not proven to be an effective educational tool, nor is it faithful to our nation's most important constitutional principles.

People For the American Way opposes S. 206 and supports DC students, so that we can better educate the children of our nation's capital while protecting the Constitution that generations of Americans have fought to protect.

Sincerely,



Michael B. Keegan
President



Marge Baker
Executive Vice President for Policy and
Program Planning



Representing Secular Americans In Our Nation's Capital

1701 K St NW
Suite 1201
Washington, DC 20006
(202) 299-1091
www.secular.org
office@secular.org

Herb Silverman
President

Sean Faircloth
Executive Director

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Atheists.
Agnostics.
Humanists.
Americans.

February 16, 2010

Dear Senators,

The Secular Coalition for America strongly urges you to oppose and not co-sponsor S. 206, the Scholarships for Opportunity and Results Act of 2011 (SOAR), which would reauthorize and expand the Washington, D.C. private school voucher pilot program. Under this legislation, every U.S. taxpayer is forced to subsidize private religious schools that are able to violate civil rights laws by discriminating on the basis of faith and proselytize to students who are not given an opt-out option.ⁱ

With more than 80 percent of students in the D.C. voucher program attending private religious schools, reauthorizing and expanding the SOAR Act would only increase the number of students – and tax dollars – going to these private faith-based institutions.ⁱⁱ

One of the most dearly held principles of religious liberty is that the government should not compel any citizen to furnish funds in support of a religion with which he or she disagrees, or even a religion with which he or she does agree.ⁱⁱⁱ

The D.C. Opportunity Scholarship Program was created in 2003 as a 5-year pilot program, scheduled to expire in 2008. The program, which currently receives approximately \$13 million in U.S. taxpayer funds, provides individual vouchers of up to \$7,500 to about 1,300 students. This program is the nation's only federally funded voucher program. Although the program expired in 2008, it continues to receive funding. However, the FY2010 Consolidated Appropriations Act and FY2011 Continuing Resolutions included language to ensure that only students who receive vouchers in the previous year would continue to receive them. Additionally, as a result of deficiencies revealed in past reports and congressional hearings, the appropriations language now mandates that the instructors who teach core subjects at private schools with students receiving D.C. vouchers must have a 4-year bachelor's degree, and the private schools themselves must maintain a valid certificate of occupancy and be in compliance with District of Columbia accreditation standards.

Federal laws protect students in public schools from many forms of discrimination, including religious. When parents accept a voucher to enroll their child in a private school, they surrender that student's guaranteed protections. The purpose of America's public school system is to provide a secular education. Once they've met basic educational standards, private religious schools may skew a curriculum toward their belief systems. Under the D.C. voucher program, there is no option for a student to receive an

education from a private religious school without indoctrination. Consider these examples of private religious schools in Washington, D.C. that have received federally funded vouchers.

- **Anacostia Christian Bible School** (Grades K – 6): “*Our purpose is to turn an audience into an army by reconciling them to God by making warriors for Christ and to each other through worship, prayer, preaching, fellowship, and teaching.*” (www.anacostiabible.org)
- **Cornerstone Schools of Washington, D.C., Inc.** (Grades K – 6): “*God’s truth is infused throughout the curriculum and is reinforced in chapel each week, where the students learn important lessons from the Scriptures. These lessons are put into practice in the classroom, on the playground, and in student service projects. Each morning, the school comes alive as students belt out Gospel songs during praise and worship time.*” (www.cornerstone-schools.org)
- **National Presbyterian School** (Grades Pre-K – 6): “*The School encourages faith in God and belief in a Judeo-Christian system of values, including respect for God, for others. ... These teachings are interwoven throughout the curriculum and the daily life of the School, and more generally articulated in our core values.*” (www.nps-dc.org)

Allowing government money to flow to these and other private religious institutions without holding them to non-discrimination laws is a clear violation of one of our core principles: “The Constitution does not permit the State to aid discrimination.”¹ Not only may private religious schools have a religious curriculum, they may also discriminate by hiring teachers based on their faith, rather than on their professional qualifications.²

Since 1967, voters in 23 states have rejected voucher proposals and other tax-assistance programs for religious schools. Open and non-discriminatory in their acceptance of all students, American public schools are the unifying factor among the diverse range of ethnic and religious communities in our society. In our nation’s capital, Washington, D.C. schools should be no different. Vouchers undermine this vital function by surrendering the longstanding principle of equal treatment for all, regardless of religion.

U.S. taxpayer money should not fund programs that harm the fundamental civil rights of students and teachers. **The Secular Coalition for America urges you to oppose and not co-sponsor the Scholarships for Opportunity and Results Act of 2011 (S. 206).**

Sincerely,



Sean Faircloth
Executive Director

¹ Title IX of the Education Amendments of 1972; U.S. Dept. of Education, Office for Civil Rights, <http://www2.ed.gov/about/offices/list/ocr/docs/hq53e8.html>

² U.S. Dept. of Ed., *Education of the DC Opportunity Scholarship Program: Impacts After Three Years* (April 2009).

³ Virginia Statute for Religious Freedom, 1789.

⁴ *Norwood v. Harrison*, 413 U.S. 455, 465-66 (1973).

⁵ Title IX of the Education Amendments of 1972; U.S. Dept. of Education, Office for Civil Rights, <http://www2.ed.gov/about/offices/list/ocr/docs/hq53e8.html>

U.S. SENATOR PAUL STRAUSS
DISTRICT OF COLUMBIA (SHADOW)

OFFICE OF THE
United States Senator
FOR THE DISTRICT OF COLUMBIA

JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVE. NW
SUITE C-09
WASHINGTON, D.C. 20004
(202) 727-7880
(202) 727-0278

Prepared Statement for the Record by

Paul Strauss

United States Senator

District of Columbia (Shadow)

ON

***"The Value of Education Choices: Saving the D.C.
Opportunity***

Scholarship Program"

before the

United States Senate Committee on

Homeland Security and Government Affairs

Wednesday, February 16th, 2011- 9:15 am

Dirksen Senate Office Building

Room SD-342

Chairman Lieberman, Senator Collins and others on this committee, as the elected United States Senator for the District of Columbia, and the parent of a child in DC's public schools, I appreciate this opportunity to submit this statement for the record.

While I am grateful to you for holding this hearing, I wish to express my concerns about school vouchers. It is my fervent belief that the voucher program is an insufficient solution to reforming our educational system. At a time when the federal government is searching for ways to reduce spending, it is fiscally irresponsible to continue funding for a program that produces limited results.

The U.S. Department of Education's study, "Evaluation of the D.C. Opportunity Scholarship Program Final Report of June 2010" concludes that OSP produces only minor significant improvements between voucher-supported students and DCPS students. It concludes that "on average, after at least four years' students who were offered (or used) scholarships had reading and math test scores that were statistically similar to these who were not offered scholarships."

The severity of the Federal deficit at this time simply does not justify the re-incorporation of a program that produced so few positive results. Other programs are being deprived of funding that will better serve the residents of the District of Columbia. One example is the DC's sterile needle exchange program, which is effective in preventing the spread of HIV and other viral infections. Due to this year's projected budget shortfall, this life or death program is in serious jeopardy.

All D.C. Public schools must adhere to standards pertaining to curriculum, teacher certification, facilities, standardized testing and safety, among others. While many of the District's private schools either meet or exceed those standards, a significant number of those schools do not. The program has in the past had problems in their attempts to ensure that private schools adhere to those fundamental standards and obligations. The current economic crisis only serves to underscore the need to make sure these limited resources are used wisely.

Supporters of a voucher program are well meaning. However, while public schools are required to accommodate all students, private schools can discriminately select students. Therefore, public funding of these private schools is not appropriate.

The solution for the struggling school system is more complicated than simply making it possible for a few students to go to different schools. We must understand and accept that vouchers do not address the central issues of our challenged school system. Instead, we must focus on early childhood development, as President Obama has emphasized. We must continue to reform public schools and strengthen academic standards.

In order to combat the conditions of the socio-economically disadvantaged, we must invest more heavily in programs that more broadly serve that purpose. Instead of unfair attacks on teachers, and their unions, we should focus on how to improve their efforts, not blame them, per se, for the current state of public education.

The decision to turn down federal funds which supplement DC's locally raised revenue is not an easy one, especially given the structural inequities that our lack of DC Statehood creates. However, for the aforementioned reasons, Mr. Chairman, it is my belief that vouchers – despite their good intentions – do not address the problems of our struggling school system. Therefore, the Senate should allow DC to use these funds in the manner our elected leaders choose, and not re-open the Opportunity Scholarship Program to additional students.

Thank you, Mr. Chairman for giving me the opportunity to address my concerns on this very important issue regarding the education of our children. Let me thank Mr. Jeffrey Caton Jr., of my staff for his assistance in the preparation of this statement. I am happy to answer questions that you or members of the Committee may have.

