

**Senate Education Committee Hearing  
October 13, 2006**

Testimony of Kathy Miller, President, Texas Freedom Network

The Texas Freedom Network is a non-partisan, grassroots organization of over 25,000 religious and community leaders who advance a mainstream agenda of religious freedom, individual liberties and public education.

Vouchers drain money from neighborhood public schools.

In the last special legislative session, the members of this committee, and the entire Texas legislature assured Texans that their goals for our public schools were to make more funds available, raise the bar on accountability and promote educational excellence. To pass a voucher scheme of any kind in this state would erase any progress sought by that legislation – in fact it flies in the face of those promised goals.

In fact, nearly everyone acknowledges that it will be a genuine challenge to meet the spending levels promised by the legislation that passed in that session – and many believe the state's budget will need to be cut in other areas or taxes will need to be raised to do so. Clearly, this is no time to consider shifting hundreds of millions of dollars away from our neighborhood schools into private and religious schools that don't have to meet state standards for excellence or accountability.

Across the country, voucher programs have been proven expensive, ineffective and unaccountable. They have drained hundreds of millions of dollars from neighborhood public schools. Voucher programs do not serve targeted populations for which they were originally intended, show little or no evidence of improved student achievement and essentially allow private and religious schools to pick and choose which students to accept.

**Vouchers are expensive:**

In 2005, the Texas House of Representatives failed to pass a voucher pilot program that would have drained \$2 billion dollars from neighborhood public schools across the state, including nearly \$900 million from right here in Houston. In many cases the money would have come from the very schools that face intense overcrowding and lack the resources needed to attract certified teachers and maintain small class sizes. Instead of looking for ways to drain much needed funding from these schools, we should provide them with the resources they need to extend the full benefits of educational opportunity to every child in our state. Time and again we have witnessed schools' improvement once they can attract certified teachers, provide intensive reading intervention and maintain smaller classes. Edgewood ISD is a perfect example.

Despite claims by voucher proponents that improvements in Edgewood ISD's ratings came on the heels of the privately funded CEO Horizon Voucher program, Edgewood

ISD began improving its ratings when the WADA funds became more aligned with wealthier neighboring school districts -- years before the Horizon Vouchers came into existence. In fact, in the year after funding equalization, Edgewood's accountability scores went from unacceptable to acceptable. In just one year!

Outside Texas, the mounting costs of voucher programs are increasingly taxing public school funding in cities and states where voucher schemes have been implemented.

- ◆ In 2005, 30,000 students used vouchers from one of Florida's three programs, draining \$137 million from local public schools.
- ◆ From 1990 to 2003, the Milwaukee program spent more than \$265 million in taxpayer funds for private school tuition and in 2004 the program was expected to cost an additional \$76 million.
- ◆ Even the privately funded voucher program in Edgewood ISD in San Antonio has drained money from local public schools. The program enrolled 1,935 students for the 2003-2004 school year, draining from Edgewood the state and federal aid that would have accompanied those students in public schools, approximately \$10 million.

**Voucher programs are ineffective:**

A July 2006 study by the U.S. Department of Education countered the claims of voucher proponents that private schools outperform public schools. The study revealed that public schools perform favorably with private schools when student's income and socio-economic status are taken into account. Yet voucher proponents continue to pressure lawmakers across the country and here in Texas to implement voucher schemes that fail to improve student performance and undermine neighborhood public schools.

- ◆ About 77 percent of Florida private schools taking tax dollars to educate disabled students in 2003 did not offer special classes. The state does not require private school teachers to be certified to teach special education or even to teach at all.
- ◆ A study of the voucher program in Cleveland found that public school students achieved higher academic gains than voucher students at private schools in math, reading and language arts from kindergarten through third grade. This happened even though the public school students were substantially less affluent than students attending private schools with a voucher and the fact that voucher schools lost their lowest performing students over time.
- ◆ A state commissioned, five-year evaluation of the Milwaukee program found that public school students performed at least as well as voucher students academically.
- ◆ The voucher law for Washington, DC gives the greatest priority to students attending DC public schools most in need of improvement as defined by federal law, but fewer than 75 of the more than 1,300 students who received vouchers in 2004 came from those schools. At the same time, more than 200 students already enrolled in private schools have received vouchers.

**Vouchers provide no accountability:**

Under voucher schemes in other states and in every voucher proposal considered by the Texas legislature in the last decade, private and religious schools who cash in on those vouchers aren't held to the same standards or accountability measures as public schools.

Private and religious schools accepting tax dollars through vouchers aren't required to accept all students who wish to attend.

- ◆ In San Antonio, the CEO Horizon program acknowledged that children accepted by private schools under that voucher program were "B" students who performed above average on standardized tests.
- ◆ Florida private school administrators also objected to a provision that private schools must accept all eligible applicants for available seats.

Despite the fact that every public school in Texas is required to administer the TAKS test as a measure of accountability and the schools designated 'low performing' and therefore subject to the pilot voucher schemes considered by the legislature in recent years receive that rating based on that TAKS test – private and religious schools eligible to receive vouchers would not be asked to administer that test or subject themselves to the Texas accountability and ratings system.

Neighborhood public schools are now required to document their spending in detail for TEA and the Texas legislature. But, under every voucher scheme proposed in recent memory, fiscal accountability and transparency are tossed aside once a voucher's dollars reach the private school.

After decades of working to make sure our public schools meet real standards that help our students learn, and legislative focus on accountability – whether through ratings based on the TAKS test or in transparency in public school finances – Texas can't afford to shift public education tax dollars to schools that don't have to meet ANY of the standards expected of our public schools.

Voucher proponents say we need a pilot program to experiment with vouchers. Vouchers are no longer an experiment – we do not need a pilot project. There are voucher programs across the country and right here in Texas that provide plenty of information, evidence and results to evaluate. The jury has reached a verdict on vouchers in Texas and elsewhere – they are expensive, ineffective and unaccountable. They are definitely not the right thing for Texas schoolchildren, Texas parents or our neighborhood public schools.



TEXAS  
FREEDOM  
NETWORK

## BRIEFING PAPER: VOUCHERS

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Milwaukee launched the country's first publicly funded voucher program in 1990. Florida began the first statewide program in 1999, although the Florida Supreme Court struck down that program in 2006.<sup>ii</sup> The country's first federally funded voucher program began in Washington, D.C., in 2004. After Hurricanes Katrina and Rita, the federal government enacted its first voucher program outside D.C. The program was intended to serve those students affected by the hurricanes.<sup>iii</sup> Texas currently has no publicly funded program, but in 1998 the CEO Horizon Scholarship Program in San Antonio became the largest privately funded voucher scheme in the country. San Antonio businessman Dr. James Leininger pledged to pay most of the program's \$50 million cost – at least until Texas has a publicly funded program. Dr. Leininger has poured millions of dollars into the campaigns of Gov. Rick Perry and other elected officials in an effort to create such a state-funded program. Strong opposition from constituents, however, has killed voucher schemes in every Legislative session of the Legislature since 1995.

### **VOUCHERS DRAIN HUNDREDS OF MILLIONS OF DOLLARS FROM PUBLIC SCHOOLS.**

- In 2005, 30,000 students used vouchers from one of Florida's three programs, costing \$137 million.<sup>iv</sup>
- With more than 13,000 students receiving vouchers in 2004, the Milwaukee program was expected to cost more than \$76 million for the school year – a sizable loss for the more than 100,000 Milwaukee students who remained in public schools. From 1990 to 2003, the Milwaukee program diverted more than \$265 million in taxpayer funds to private school tuition.<sup>v</sup>
- Even the privately funded voucher program in San Antonio's Edgewood ISD has drained money from neighborhood public schools. Because state and federal aid to public schools is tied to enrollment, every student who leaves an Edgewood ISD school costs the district funding it needs for all its costs. Edgewood ISD lost more than \$4 million — or 9 percent of its annual operating budget — in the first year of the voucher program.<sup>vi,vii</sup>

### **VOUCHER PROGRAMS FAIL STUDENTS THEY WERE SUPPOSED TO HELP.**

- The voucher law for Washington, D.C., gives the greatest priority to students attending D.C. public schools most in need of improvement as defined by federal law, but a 2005 study showed that fewer than 75 of the more than 1,300 students who received vouchers the year before came from those schools. At the same time, more than 200 students already enrolled in private schools have received vouchers.<sup>viii</sup>
- Milwaukee's program was intended to provide assistance to low-income families, but voucher advocates worked to lift the income cap to include wealthier families.<sup>ix</sup>
- In Cleveland, by 2003 just 52 percent of voucher students were African American, compared to 71 percent of Cleveland public school students.<sup>x</sup>
- San Antonio private schools accepting CEO vouchers were neither required to accept nor set up to accommodate the special needs of children with learning or physical disabilities.<sup>xi</sup>
- About 77 percent of Florida private schools taking tax dollars to educate disabled students in 2003 did not offer special classes. The state does not require private school teachers to be certified to teach special education or even to teach at all.<sup>xii</sup>



Detail on Financial Projections Regarding Potential Loss of School District Funding Under H.B. 12 and H.B. 1263  
 2005-2007

**House Bill 12**

Pilot Districts	Eligible Students	Voucher Amount	Local Portion	State Portion	Potential Voucher Cost*	Local Cost	State Cost
Austin ISD	23,799	\$6,352	96%	4%	\$302,359,442	\$292,362,476	\$9,996,968
Cypress-Fairbanks ISD	4,652	\$5,064	80%	20%	\$47,113,880	\$37,982,618	\$9,131,262
Dallas ISD	54,930	\$5,874	90.5%	9.5%	\$645,272,798	\$584,255,876	\$61,016,922
Fort Worth ISD	19,107	\$5,883	58%	42%	\$224,798,190	\$130,518,180	\$94,280,010
Houston ISD	78,655	\$5,701	92%	8%	\$896,766,182	\$822,154,718	\$74,611,466
Northside ISD	7,413	\$5,661	68%	32%	\$83,930,750	\$57,418,222	\$26,512,526

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Pilot Districts	Eligible Students**	Voucher Amount	Local Portion	State Portion	Potential* Voucher Cost**	Local Cost	State Cost
Austin ISD	7,114	\$6,937	88.5%	11.5%	\$74,019,933	\$65,540,526	\$8,479,407
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Edgewood	1,244	\$6,937	11.5%	88.5%	\$12,934,038	\$998,274	\$11,436,627
Fort Worth ISD	7,578	\$6,937	49%	51%	\$78,849,732	\$38,821,923	\$40,027,809
Houston ISD	19,192	\$6,937	75%	25%	\$199,708,842	\$150,460,611	\$49,248,231
San Antonio ISD	5,150	\$6,937	33%	77%	\$53,595,609	\$17,852,727	\$35,742,882
So. San Antonio ISD	902	\$6,937	19%	81%	\$9,376,395	\$1,764,234	\$7,612,164

Source for Financial Information: Cindy M. Russell Consulting

Source for Data on Students Eligible for H.B. 12 Vouchers: Texas Education Agency

\* Due to decimal points and rounding, this number is slightly different than the amount that would result simply by multiplying eligible students times voucher amount.

\*\* The first year of the biennium, the number of eligible students under H.B. 1263 would be equal to 5% of district enrollment for the prior year. For the second year, the number of vouchers to be distributed would be limited to the students given vouchers in year one plus the new voucher students for year two, which are limited to 5% of the school district enrollment. So the cost calculations are based on 5% of enrollment in year one and 10% of enrollment in year two.

July 15, 2006

## Public Schools Close to Private In U.S. Study

By DIANA JEAN SCHEMO

The Education Department reported on Friday that children in public schools generally performed as well or better in reading and mathematics than comparable children in private schools. The exception was in eighth-grade reading, where the private school counterparts fared better.

The report, which compared fourth- and eighth-grade reading and math scores in 2003 from nearly 7,000 public schools and more than 530 private schools, also found that conservative Christian schools lagged significantly behind public schools on eighth-grade math.

The study, carrying the imprimatur of the National Center for Education Statistics, part of the Education Department, was contracted to the Educational Testing Service and delivered to the department last year.

It went through a lengthy peer review and includes an extended section of caveats about its limitations and calling such a comparison of public and private schools "of modest utility."

Its release, on a summer Friday, was made with without a news conference or comment from Education Secretary Margaret Spellings.

Reg Weaver, president of the National Education Association, the union for millions of teachers, said the findings showed that public schools were "doing an outstanding job" and that if the results had been favorable to private schools, "there would have been press conferences and glowing statements about private schools."

"The administration has been giving public schools a beating since the beginning" to advance his political agenda, Mr. Weaver said, of promoting charter schools and taxpayer-financed vouchers for private schools as alternatives to failing traditional public schools.

A spokesman for the Education Department, Chad Colby, offered no praise for public schools and said he did not expect the findings to influence policy. Mr. Colby emphasized the caveat, "An overall comparison of the two types of schools is of modest utility."

"We're not just for public schools or private schools," he said. "We're for good schools."

The report mirrors and expands on similar findings this year by Christopher and Sarah Theule Lubinski, a husband-and-wife team at the University of Illinois who examined just math scores. The new study looked at reading scores, too.

The study, along with one of charter schools, was commissioned by the former head of the national Center for Education Statistics, Robert Lerner, an appointee of President Bush, at a time preliminary data suggested that charter schools, which are given public money but are run by private groups, fared no better at educating children than traditional public schools.

Proponents of charter schools had said the data did not take into account the predominance of children in their schools who had already had problems in neighborhood schools.

The two new studies put test scores in context by studying the children's backgrounds and taking into account factors like race, ethnicity, income and parents' educational backgrounds to make the comparisons more meaningful. The extended study of charter schools has not been released.

Findings favorable to private schools would likely have given a lift to administration efforts to offer children in ailing public schools the option of attending private schools.

An Education Department official who insisted on anonymity because of the climate surrounding the report, said researchers were "extra cautious" in reviewing it and were aware of its "political sensitivity."

The official said the warning against drawing unsupported conclusions was expanded somewhat as the report went through in the review.

The report cautions, for example, against concluding that children do better because of the type of school as opposed to unknown factors. It also warns of great variations of performance among private schools, making a blanket comparison of public and private schools "of modest utility." And the scores on which its findings are based reflect only a snapshot of student performance at a point in time and say nothing about individual student progress in different settings.

Arnold Goldstein of the National Center for Education Statistics said that the review was meticulous, but that it was not unusual for the center.

Mr. Goldstein said there was no political pressure to alter the findings.

Students in private schools typically score higher than those in public schools, a finding confirmed in the study. The report then dug deeper to compare students of like racial, economic and social backgrounds. When it did that, the private school advantage disappeared in all areas except eighth-grade reading.

The report separated private schools by type and found that among private school students, those in Lutheran schools performed best, while those in conservative Christian schools did worst.

In eighth-grade reading, children in conservative Christian schools scored no better than comparable children in public schools.

In eighth-grade math, children in Lutheran schools scored significantly better than children in public schools, but those in conservative Christian schools fared worse.

Joseph McTighe, executive director of the Council for American Private Education, an umbrella organization that represents 80 percent of private elementary and secondary schools, said the statistical analysis had little to do with parents' choices on educating their children.

"In the real world, private school kids outperform public school kids," Mr. McTighe said. "That's the real world, and the way things actually are."

Two weeks ago, the American Federation of Teachers, on its Web log, predicted that the report would be released on a Friday, suggesting that the Bush administration saw it as "bad news to be buried at the bottom of the news cycle."

The deputy director for administration and policy at the Institute of Education Sciences, Sue Betka, said the report was not released so it would go unnoticed. Ms. Betka said her office typically gave senior officials two weeks' notice before releasing reports. "The report was ready two weeks ago Friday," she said, "and so today was the first day, according to longstanding practice, that it could come out."

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- In Cleveland, by 2003 just 52 percent of voucher students were African American, compared to 71 percent of Cleveland public school students.<sup>x</sup>
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### EVIDENCE THAT VOUCHERS IMPROVE STUDENT ACHIEVEMENT IS WEAK OR NONEXISTENT.

- A study of the voucher program in Cleveland found that public school students achieved higher academic gains than voucher students at private schools in math, reading and language from kindergarten through third grade. This happened even though the public school students were substantially less affluent and more likely to be minorities and private schools lost their lowest performing students over time.<sup>xiii</sup>
- A state-commissioned, five-year evaluation of the Milwaukee program found that public school students performed at least as well as voucher students.<sup>xiv</sup>
- Florida does not “grade” the performance of private schools (as it does public schools) and therefore has no way to assess whether a voucher student is actually moving to an academically superior school compared to the school they would otherwise attend.<sup>xv</sup>

### PRIVATE SCHOOLS USE VOUCHERS TO “CHERRY-PICK” THE BEST STUDENTS, LEAVING IN PUBLIC SCHOOLS THOSE WHO ARE MOST AT RISK

- CEO in San Antonio acknowledged that children accepted by private schools under the CEO voucher program were “B” students who performed above average on standardized tests.<sup>xvi</sup>
- Florida private schools early on said they had waiting lists and could not accommodate public school students.<sup>xvii</sup> Florida private school administrators also objected to the provision that private schools must accept all eligible applicants for available seats.<sup>xviii</sup>
- In the first year of Cleveland’s voucher program, about half the students awarded vouchers were unable to actually use them to enroll in private schools. Schools denied children entrance either due to lack of space or because the child did not meet school requirements.<sup>xix</sup>
- The Roman Catholic Archdiocese of Washington apparently would not give final agreement to participate in the D.C. voucher program until it received assurance from the Department of Education that it could raise tuition for new students.<sup>xx</sup>

<sup>i</sup> “Comparing Private Schools and Public Schools Using Hierarchical Linear Modeling,” U.S. Department of Education, July 2006.

<sup>i</sup> “Court Throws Out Florida School Voucher Program,” National Public Radio, <http://www.npr.org/templates/story/story.php?storyId=5159138>, 1-16-06

<sup>ii</sup> U.S. House Resolution 2863, Title IV Hurricane Education Recovery Act, <http://www.ed.gov/policy/elsec/guid/secletter/051230Bill.pdf>

<sup>iii</sup> Florida Department of Education, <http://www.floridaschoolchoice.org/>

<sup>v</sup> *MPCP: Facts and Figures for 2003-2004*; Milwaukee Public Schools; *MPCP: Membership and Payment History, in Total, 1990 to 2003*, Wisconsin Department of Public Instruction, 3-03; *MPCP: Informational Paper 29*, Wisconsin Legislative Fiscal Bureau, 1-03.

<sup>vi</sup> *Fort Worth Star-Telegram*, 2-4-99.

<sup>vii</sup> CEO Foundation enrollment data, 2-21-01; Texas Education Agency figures for state and federal per pupil aid to Edgewood ISD.

<sup>viii</sup> *Flaws & Failings: A Preliminary Look at the Problems Already Encountered in the Implementation of D.C.’s New Federally Mandated School Voucher Program*, February 2005, People for the American Way. Based on data from the U.S. Department of Education.

<sup>ix</sup> “The Corruption of School Choice,” *Boston Globe*, 10-28-98.

<sup>x</sup> “Cleveland Study: Evidence Undercuts Voucher Claims,” National School Board Association, 12-23-03.

<sup>xi</sup> *Austin American-Statesman*, 2-4-99

<sup>xii</sup> “Vouchers don’t help disabled students,” *Palm Beach Post*, 12-8-03

<sup>xiii</sup> “Public Schools Trounce Vouchers in Cleveland,” *Arizona School Board Research Analyst Michael T. Martin*, 5-9-03.

<sup>xiv</sup> John Witte, et al, *The Milwaukee Parental School Choice Program*, Madison, WI: Wisconsin Department of Public Instruction, 1995, 1996.

<sup>xv</sup> “Voucher Program Flunks Special Ed,” *New York Times*, 6-19-02.

<sup>xvi</sup> *San Antonio Express-News*, 2-9-99

<sup>xvii</sup> “Will there be room in Collier private schools for voucher students?,” *Naples Daily News*, 2-13-00; “Long takes exception to voucher proposal,” *The Tampa Tribune*, 2-9-01; “Educators united in opposition to voucher proposal,” *Orlando Sentinel*, 2-9-01.

<sup>xviii</sup> “The Voucher Experiment: A Matter of Choice? That Depends,” *St. Petersburg Times*, 10-19-98.

<sup>xix</sup> *The Cleveland School Vouchers: Who Chooses? Who Gets Chosen? Who Pays?*, American Federation of Teachers, 1997.

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A spokesman for the Education Department, Chad Colby, offered no praise for public schools and said he did not expect the findings to influence policy. Mr. Colby emphasized the caveat, "An overall comparison of the two types of schools is of modest utility."

"We're not just for public schools or private schools," he said. "We're for good schools."

The report mirrors and expands on similar findings this year by Christopher and Sarah Theule Lubienski, a husband-and-wife team at the University of Illinois who examined just math scores. The new study looked at reading scores, too.

The study, along with one of charter schools, was commissioned by the former head of the national Center for Education Statistics, Robert Lerner, an appointee of President Bush, at a time preliminary data suggested that charter schools, which are given public money but are run by private groups, fared no better at educating children than traditional public schools.

Proponents of charter schools had said the data did not take into account the predominance of children in their schools who had already had problems in neighborhood schools.

The two new studies put test scores in context by studying the children's backgrounds and taking into account factors like race, ethnicity, income and parents' educational backgrounds to make the comparisons more meaningful. The extended study of charter schools has not been released.

Findings favorable to private schools would likely have given a lift to administration efforts to offer children in ailing public schools the option of attending private schools.

An Education Department official who insisted on anonymity because of the climate surrounding the report, said researchers were "extra cautious" in reviewing it and were aware of its "political sensitivity."

The official said the warning against drawing unsupported conclusions was expanded somewhat as the report went through in the review.

The report cautions, for example, against concluding that children do better because of the type of school as opposed to unknown factors. It also warns of great variations of performance among private schools, making a blanket comparison of public and private schools "of modest utility." And the scores on which its findings are based reflect only a snapshot of student performance at a point in time and say nothing about individual student progress in different settings.

Arnold Goldstein of the National Center for Education Statistics said that the review was meticulous, but that it was not unusual for the center.

Mr. Goldstein said there was no political pressure to alter the findings.

Students in private schools typically score higher than those in public schools, a finding confirmed in the study. The report then dug deeper to compare students of like racial, economic and social backgrounds. When it did that, the private school advantage disappeared in all areas except eighth-grade reading.

The report separated private schools by type and found that among private school students, those in Lutheran schools performed best, while those in conservative Christian schools did worst.

In eighth-grade reading, children in conservative Christian schools scored no better than comparable children in public schools.

In eighth-grade math, children in Lutheran schools scored significantly better than children in public schools, but those in conservative Christian schools fared worse.

Joseph McTighe, executive director of the Council for American Private Education, an umbrella organization that represents 80 percent of private elementary and secondary schools, said the statistical analysis had little to do with parents' choices on educating their children.

"In the real world, private school kids outperform public school kids," Mr. McTighe said. "That's the real world, and the way things actually are."

Two weeks ago, the American Federation of Teachers, on its Web log, predicted that the report would be released on a Friday, suggesting that the Bush administration saw it as "bad news to be buried at the bottom of the news cycle."

The deputy director for administration and policy at the Institute of Education Sciences, Sue Betka, said the report was not released so it would go unnoticed. Ms. Betka said her office typically gave senior officials two weeks' notice before releasing reports. "The report was ready two weeks ago Friday," she said, "and so today was the first day, according to longstanding practice, that it could come out."

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