

Senate Bill 1506 by Janek
TESTIMONY OF BILL RATLIFF
On Behalf of "Raise Your Hand Texas"
March 29, 2007

Madam Chairman, members, my name is Bill Ratliff and I am here representing an organization known as "Raise Your Hand Texas".

Raise Your Hand Texas is a group of civic leaders and CEO's of some of the largest companies in our state who have come together to support our state's public schools. We do not believe the way to improve our public education system in Texas is to walk away from schools that are experiencing difficulties, but to provide help and intervention where necessary to fix these schools.

Senator Janek, I have no doubt as to your sincere belief in what you are proposing. We just happen to believe that, in the immortal words of Gib Lewis, what we have here is a "Box of Pandoras".

I cannot begin to point out all of the problems we have with SB1506, but without taking an inordinate amount of time, I will try to go over perhaps a half dozen of those we believe are the most serious.

(1) We find it very curious that, during the immediately preceding legislative session, the Legislature took the position that, *if we are going to provide more funding for public schools, we must have "accountability" and "transparency"*. Yet, here we are proposing to send, according to Mr. Lieninger's estimate, about \$7,000 per student to voucher schools with:

- *No accountability or transparency* since these voucher schools are not subject to the open meetings or open records act and are established by this bill as virtually autonomous.
- *No required TAKS test* and therefore there will be no way to compare these voucher students with our public schools students.
- The students are required to take a nationally norm-referenced test, but there is *no accountability provided for poor performance* on that test.
- The voucher schools will *not be required to teach any particular curriculum* and, even though they are using state funding, we will not have *any idea* what these students will be required to know at graduation or any other time in their school careers.

Therefore, the very poorest children, the children whose parents, in Senator Ellis' words, "Take the early bus", will not be given a viable choice. Only the upper economic range of the eligible students will be truly given that choice.

(3) We are very concerned that there is no definition of "eligible student" or "qualified student". A child is "eligible" for a voucher based on family income, dropout status, special education, first time student, and other such conditions. Once declared "eligible", the student is given a certificate of eligibility. A child with a certificate of eligibility cannot be discriminated against based on race, color, national origin, or disability, and a private school may show admission preference based on other stated conditions.

However, the terminology then shifts and provides that, if a private school has more "qualified scholarship applicants" than available positions, those positions must be filled by a random process. There is no linkage to say *what other conditions an "eligible" student must meet in order to be a "qualified applicant"*.

Since Sec.29.359(b) says that no state agency may regulate the admissions policy of such school, clearly this bill could be interpreted to mean that a school could establish additional criteria necessary before an "eligible" student would become a "qualified" applicant – criteria such as IQ, religion, physical appearance, family position, or even political connections.

(4) SB1506 goes to great lengths to specify eligibility for a "scholarship" and the conditions pursuant to admission. However, unlike public schools which must make provision for children with disciplinary problems, it makes no provision for the possible expulsion of a student or any other possible disciplinary action.

Sec.29.354(c) says that any child who establishes "eligibility" may continue participating in the "program" until either graduation or age 21. However, it does not say that the child has the right to continue *at the school chosen*. After a child is admitted to a particular school, the bill is silent as to that child's possible expulsion. *Can a student be expelled without cause?* Since these voucher schools are virtually autonomous, what protections are there to guard against unjust expulsions?

Should a child be expelled from a voucher school, *what happens to that child?* Is that child put on the street? Is that child dumped back into the public school system for the remainder of the school year? Are our public schools to become a dumping ground for those students whom voucher schools have failed to handle?

(5) Since Sec.29.359(b) prohibits any state agency from overseeing a voucher school's educational program, it is clear that such schools can teach any type of extreme

It would also appear that, if they can obtain approval by some accrediting association, a school operated by the newly reconstituted Branch Davidians South of Waco could be eligible to receive vouchers. It is certainly possible that the extreme wing of the Fundamentalist Mormon sect south of Eldorado, Texas, who teach the doctrine of Warren Jeffs, could also qualify for vouchers.

There appears to be no way that the state can oversee such institutions *to make sure that they are not teaching radical, or even illegal, ideology, since no state agency has the authority to audit their activities.*

(6) Finally, we have worked tirelessly since 1989 in an attempt to produce a school finance system wherein schools have “substantially equal access to similar revenues per student at similar tax rates”. The mechanism in SB1506, if it should be implemented to any extent, *will significantly contribute to the disequalization of the school finance system in Texas.*

Using Mr. Leininger’s estimate that a voucher under this bill would likely be for about \$7,000:

If a child in a poor district goes to a voucher school, the school district retains say the \$1,000 in local funds which would have been used to educate that child. The state sends the district \$700 for a total “gain” of \$1,700 for each child that leaves with a voucher.

If a child from a chapter 41 district goes to a voucher school, the school district retains the entire \$7,000 in local funding which would have been used to educate that child. The state sends the district \$700 for a total “gain” of \$7,700 for each child that leaves with a voucher.

Thus, a wealthy district realizes 4 ½ times as much from a departing voucher student than does a poor district. Obviously, the more students who access this system, the more disequalizing it becomes.

Conclusion

Madam Chairman, members, we have a viable school choice system in Texas. Best estimates are that there are over 200,000 students in our public schools who attend a school other than the one to which they would be geographically assigned. If you add charter schools, we have close to 300,000 students who are taking advantage of public school choice.

Where we have problems in the public education system, let's work together to address those problems, and not throw the baby out with the bathwater.