

May 17, 2018

The Honorable Pete Sessions
Chair, House Rules Committee
United States House of Representatives
Washington, DC 20515

The Honorable James McGovern
Ranking Member, House Rules Committee
United States House of Representatives
Washington, DC 20515

Re: Oppose Amendment #40 to H.R. 5515 to Create a Private School Voucher Program for Military-Connected Children

Dear Chairman Sessions and Ranking Member McGovern:

On behalf of Americans United for Separation of Church and State, representing over 120,000 members and supporters in all 50 states and the District of Columbia, we write to express our opposition to the inclusion of any amendment to the National Defense Authorization Act (NDAA) FY 2019 that would create a private school voucher program. In particular, we oppose Amendment #40, filed by Representative Banks, because it would use Impact Aid to fund Education Savings Accounts (ESAs) for military-connected students.

Americans United opposes all private school voucher schemes because they violate fundamental principles of religious freedom by using taxpayer funds for religious education. They also undermine our public schools, which are a unifying force in our society – open to all students, regardless of race, religion, ability, or any other factor. Diverting federal funding from school districts serving both military-connected students and non-military students would reduce the dollars those districts rely upon to educate their students and would leave the majority of students in public schools with fewer resources. Accordingly, we urge you to oppose any such amendment.

All Private School Voucher Programs Are Harmful for Students and Violate Principles of Religious Freedom

Private school vouchers programs are ineffective in improving educational outcomes. It is well-documented that private school voucher programs do not lead to improved academic achievement, and, in many states, can lead to a decline in achievement. Recent studies of the Louisiana,¹ Indiana,² Ohio,³ and the District of Columbia⁴ voucher programs have demonstrated that students who used vouchers perform worse academically than their peers. In addition,

¹ Morgan Winsor, [Louisiana's Controversial Voucher Program Harms Poor Students, Lowers Grades, New Study Finds](#), Int'l Bus. Times (Jan. 10, 2016).

² Mark Dynarski, [On Negative Effects of Vouchers](#), Brookings Inst. (May 26, 2016).

³ David Figlio & Krzysztof Karbownik, Fordham Institute, [Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, and Performance Effects](#) 32 (July 2016).

⁴ U.S. Dep't of Educ., [Evaluation of the D.C. Scholarship Program: Impacts After One Year](#) 11 (Apr. 2017).

studies of long-standing voucher programs in Milwaukee⁵ and Cleveland⁶ found that students who received vouchers showed no improvement in reading or math over those not in the program.

Voucher programs also strip students of civil rights protections. Despite receiving public funds, private schools participating in voucher programs do not abide by all the federal civil rights laws and public accountability standards that public schools must meet, including those in Title VI, Title IX, the Individuals with Disabilities Education Act (IDEA), Title II of the Americans with Disabilities Act, and the Every Student Succeeds Act (ESSA). Students who attend private schools with vouchers are also stripped of their First Amendment, due process, and other constitutional and statutory rights provided to them in public schools. Schools that do not provide students with these basic civil rights protections should not be funded with taxpayer dollars.

Furthermore, voucher schemes violate fundamental principles of religious freedom by using taxpayer funds to primarily fund religious schools and education. Taxpayers should never be compelled to fund the religious education of others. Nor should taxpayer dollars be used to fund schools that can refuse to admit students or hire employees based on their religion.

Private School Vouchers for Military-Connected Students Will Deprive Students of Important Supports and Services

Military-connected students face unique challenges due to frequent relocations as well as the absence of parents who may be deployed overseas. These challenges are recognized by public school districts through coordinated academic transfer agreements in every state, as well as comprehensive systems of support for students, including professional development for school counselors, to ensure a safe and healthy learning environment. A redirection of additional resources away from public schools through a voucher will only make it more difficult—if not impossible—for public schools to appropriately meet the needs of military-connected students and their families.

Public schools also meet the unique challenges that military-connected students face through the Interstate Compact on Educational Opportunity for Military Children, which is an agreement among states and school districts to address issues relating to enrollment, placement, attendance, eligibility, and graduation.⁷ The goal of the compact is to “reduc[e] the difficulty children of military families . . . have in transferring between school systems because of

⁵ *E.g.*, Patrick J. Wolf, School Choice Demonstration Project, Univ. of Ark., [The Comprehensive Longitudinal Evaluation of the Milwaukee Parental Choice Program: Summary of Final Reports](#) (Apr. 2010). (Overall, there are no significant achievement gains of voucher students compared to public school students. “When similar MPCP and MPS students are matched and tracked over four years, the achievement growth of MPCP students compared to MPS students is higher in reading but similar in math. The MPCP achievement advantage in reading is only conclusive in 2010-11, the year a high-stakes testing policy was added to the MPCP.”)

⁶ *E.g.*, Jonathan Plucker et al., Ctr. for Evaluation & Educ. Policy, Univ. of Ind., [Evaluation of the Cleveland Scholarship and Tutoring Program, Technical Report 1998-2004](#) 166 (Feb. 2006).

⁷ Military Interstate Children’s Compact Commission, [Background](#) (last visited Feb. 28, 2018).

frequent moves and deployment of their parents.”⁸ The compact, adopted by all 50 states and DC, does not extend to non-public schools, and therefore would be forfeited by students whose families choose to participate in the voucher program.

Private School Vouchers for Military-Connected Students Could Negatively Affect Impact Aid Funding

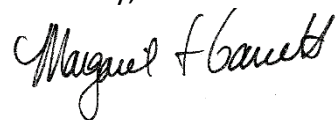
Impact Aid provides funding to school districts that have lost local tax revenue due to the presence of federal tax-exempt land—such as military installations, Native American reservations, or national parks—and that face increased expenditures due to the enrollment of federally-connected students—such as children of military families and American Indian and Alaska Native students.⁹ As of 2016, Impact Aid provided funding to approximately 1,300 school districts enrolling more than 11 million students.¹⁰

Impact Aid is critical to the school districts serving both military and non-military students. It funds the general operating budget of the school district and is necessary for implementing district-and school-wide programs. Reducing these funds as a result of students leaving to participate in a voucher program could reduce the ability of public schools to provide a high-quality education to the majority of students who would remain in the public school system.

Conclusion

Federal taxpayer funds should support the public schools that educate all students, rather than paying for the education of only a few select students at private, religious schools. We ask you to oppose Amendment #40 to H.R. 5515 because it would create a private school voucher scheme.

Sincerely,



Maggie Garrett
Legislative Director

⁸ Dep’t of Defense Instruction 1342.29, [Interstate Compact on Educational Opportunity for Military Children](#) (Jan. 31, 2017).

⁹ Dep’t of Educ., [About Impact Aid](#) (last visited Feb. 28, 2018).

¹⁰ National Association of Federally Impacted Schools, [The Basics of Impact Aid](#) (last visited Feb. 28, 2018).