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## **Re: Oppose SB 451 – Education Savings Accounts (Vouchers) Are Bad Education Policy**

Dear Senator:

On behalf of the West Virginia members and supporters of Americans United for Separation of Church and State, I write to urge you to oppose SB 451. This bill would create an education savings account (ESA) program—also known as a private school voucher—that could cost the state more than \$20 million next year. In addition to the fact that voucher programs simply don't work, this bill should be rejected because it violates the West Virginia Constitution.

### **Voucher Programs Don't Work**

Private school vouchers divert desperately needed public resources away from public schools to fund the education of a few students at private schools; yet they do not improve educational outcomes. In fact, studies of the Indiana,<sup>1</sup> Washington, DC,<sup>2</sup> Louisiana,<sup>3</sup> and Ohio<sup>4</sup> voucher programs revealed that students who used vouchers actually performed worse on standardized tests than their peers not in voucher programs.

Private schools that benefit from vouchers also do not have to abide by federal civil rights laws that apply to public schools, including those in the Every Student Succeeds Act and Title IX that all public schools must meet. Students who attend private schools with funds obtained through a savings account will be stripped of their First Amendment, due process, and other constitutional and statutory rights that would be offered to them and guaranteed in public schools. And students with disabilities that use a voucher would forfeit many of the protections provided to students under the Individuals with Disabilities Education Act

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<sup>1</sup> Margaret Fosmoe, [Study: Math Scores Drop For Low-Income Students Who Use Vouchers For Private Schools](#), South Bend Tribune, Sep. 3, 2018; Mark Berends and R. Joseph Waddington, [School Choice in Indianapolis: Effects of Charter, Magnet, Private, and Traditional Public Schools](#), 22, University of Notre Dame, Aug. 2018.

<sup>2</sup> Perry Stein, [Study: Students In Only Federally Funded Voucher Program Perform Worse on Math](#), Washington Post, May 30, 2018; Mark Dynarski et al., [Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied](#), 19, U.S. Dep't of Education, May, 2018.

<sup>3</sup> Morgan Winsor, [Louisiana's Controversial Voucher Program Harms Poor Students, Lowers Grades, New Study Finds](#), International Business Times, Jan. 10, 2016; Atila Abdulkadiroglu et al., [Free to Choose: Can School Choice Reduce Student Achievement?](#), 2, Nat'l Bureau of Economic Research, Dec. 2015.

<sup>4</sup> Patrick O'Donnell, [Tuition Vouchers Aren't Helping Ohio Kids Learn More, New Study Finds](#), Cleveland.com, July 11, 2016; David Figlio and Krzysztof Karbownik, [Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, and Performance Effects](#) 32, Fordham Institute, Jul. 2016.

(IDEA) because they are considered parentally placed in private schools and lose the quality and quantity of services available to students in public schools.

**SB 451 Would Violate the West Virginia Constitution**

Vouchers predominantly fund religious schools, and there is no reason to believe this voucher would be different. One of the most fundamental principles of religious liberty, however, is that government should not compel any citizen to pay for someone else's religious education. Indeed, this principle is enshrined in the West Virginia Constitution, which states that no one "shall be compelled to . . . support any religious . . . place."<sup>5</sup> This voucher would violate these core religious freedom protections.

**Conclusion**

For all the above reasons, Americans United opposes SB 451. I have enclosed with this letter a document outlining further some of the problems associated with vouchers. Thank you for your consideration on this important matter.

Sincerely,



Nikolas Nartowicz  
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<sup>5</sup> W.V. CONST. ART. III, Sec. 15