



Testimony before the House K-12 Education Budget Committee

in opposition to

**House Bill 2119 – Creating education savings accounts for students who are academically at risk**

by

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February 4, 2021

Madam Chair, Members of the Committee:

[Game On for Kansas Schools](#) is a nonpartisan grassroots effort among Kansans who share a belief in high-quality public education as a right of all Kansas students. We advocate for Kansas public schools to ensure our teachers, principals, superintendents, and school board members have the resources necessary to deliver quality education to all Kansas students. We inform communities across the state about issues and legislation affecting their students, and our membership extends statewide.

We oppose HB 2119 because it is a flawed, hasty attempt purporting to solve a temporary problem, does not further the educational interests of the children of the state of Kansas, and provides public funding for private schools without imposing academic standards or accountability provisions.

#### **NECESSITY?**

Without doubt, this school year has been difficult for students and families. We are all looking for ways to normalize our children's lives, but this bill is not a vehicle that will successfully achieve the return to normalcy we all seek. Should it pass, it would not be implemented for several months – certainly not in time to make a difference for the current academic year. Looking ahead, our teachers are receiving vaccinations, and our public schools – who've been restricted from in-person learning due to quarantine-related staffing shortages and the recommendations of local boards of health – will return to something much closer to a normal schedule in the coming months. If the purpose of educational savings accounts (ESAs) is to enable families to purchase a private, in-person, learning environment, we do not see why the ESAs are necessary when public schools return to a normal schedule. This bill does not end the accounts when public schools' use of hybrid- and remote-learning models ends. In fact, this bill continues public funding to ESAs even if the home district of a participating student has already returned to in-person learning, and even if there is never another period of remote or hybrid learning in the public schools. This makes these ESAs not a solution to a temporary problem, but a long-term vehicle to divert public dollars to private schools.

Furthermore, we do not understand why ESA funds may be spent on private online learning programs. If this bill is being offered as a solution to the issue of remote learning, why can these funds be used for online programs?

## ELIGIBILITY

The eligibility criteria for this bill is too broad and without condition.

If the purpose of this bill seeks to serve “at risk” students, it should limit eligibility to at-risk students. By also including reduced price lunch students and students who are not eligible for free or reduced lunches or defined as at-risk, but who have merely been in remote- or hybrid- learning, this bill does nothing to ensure actual at-risk students are accepted by private schools. Without an explicit requirement by the state to accept specific student groups, it leaves open the possibility that private schools will choose students with ESAs who are easier and less expensive to teach, leaving the most challenging students to the public schools. This bill could also turn into a private school recruiting tool for strong athletes or other categories of recruits.

The inclusion criteria for this program is so broad that it would include nearly all Kansas students including

- students who are not “at risk”
- students who have been in-person for months
- children who were already in private schools when the pandemic hit.

## ACCOUNTABILITY

We also oppose this bill because it gives state funds to private schools that are not held to the same fiscal or academic standards as public schools. This bill does not require participating schools to

- be accredited
- hire certified teachers
- use standard curriculum
- provide transportation or lunch
- ensure students receive all the special education services they would receive in public schools
- accept students regardless of religion, sexual orientation, academic standing, or behavioral issues
- accept students unable to pay tuition beyond the amount of their ESA
- participate in standardized testing
- track or report academic progress of students utilizing the program

While this bill requires elementary schools to teach the same subjects as those required of accredited schools, it only requires secondary schools to teach history and government and does not require them to teach English, math, science, social studies, foreign languages, art or physical education. If this program were really about helping at-risk children, or children in general, it would provide safeguards that ESA funds would pay for an education at least as strong as that provided by their local public schools and would impose measures of accountability on the private schools receiving public funds. It would also insist upon a level of fiscal transparency commiserate with the standard used for public schools. As parents and community members, we are troubled by both the complete lack of financial accountability and the lack of curricular guidelines to ensure children in this program will not face irreparable harm to their educational futures.

## DAMAGING

Our concern about academic damage is not hypothetical. We have been doing our homework on voucher programs for over a decade, and the data have repeatedly shown that voucher programs do not generally lead to educational gains in students using them and often lead to learning loss.<sup>1</sup> We have also seen that voucher programs tend to continue to expand, despite their growing impact on public school funding and despite their lack of success. While these programs are often sold as money following the child instead of funding the public school system, the bottom line is that the money doesn't stay with the child but goes to unaccountable private schools. When speaking with parents in other states, they tell us how disastrous their ALEC voucher bills have been in their states and how they wish they had pushed back against them when their voucher programs originated. To be clear, this bill is an ALEC bill. Language used in this bill can be found in ALEC model ESA legislation.<sup>2</sup> ALEC is not an advocate for Kansas children or schools but is a national group that promotes corporate interests and seeks to erode support for public schools. In alignment with ALEC's extreme goals, this bill provides for the diversion of taxpayer funds to private schools and would do long-lasting damage to public schools whose mission is to serve all Kansas students with fidelity and accountability.

We have not yet seen a fiscal note, but this bill has no cap and could balloon into a large-scale subsidy of private schools from the State General Fund at a time when our state budget is under significant pressure due to the COVID pandemic.

Like families everywhere, we have struggled to find the best way to support our students during this pandemic. Across Kansas, our communities have had to make difficult decisions to balance the safety of the community with the needs of working parents and the educational interests of children. It has brought to light what vital roles schools play in our community and how much we rely on them, not just for an education, but as part of the network ensuring our children are safe and engaged while we work.

For sure, remote and hybrid learning have not been ideal. We understand that this bill is being promoted as an effort to address the shortcomings of remote learning but the timeline, scope, and lack of standards and accountability in this bill make it evident that this bill is less about addressing the immediate, temporary problems associated with remote/hybrid public school than it is an effort to provide another avenue for giving public funds to private schools. While there will no doubt be testimony from accredited private schools which may provide adequate education services, when passing legislation, we must focus on what is required rather than what some schools may do, and when it comes to this bill, almost nothing is required. We urge you to vote no.

## NOTES

<sup>1</sup> Achievement losses in math and no statistically significant change in ELA for students attending private schools using vouchers through Indiana's Choice Scholarship Program.

Waddington, R. J., & Berends, M. (2018). Impact of the Indiana Choice Scholarship Program: Achievement effects for students in upper elementary and middle school. *Journal of Policy Analysis and Management*, 37(4), 783-808. <https://doi.org/10.1002/pam.22086>

Students in Indiana who transferred from a public school to a private school using a voucher experienced losses in math achievement.

Austin, M., Waddington, R. J., & Berends, M. (2019). Voucher Pathways and Student Achievement in Indiana's Choice Scholarship Program. *The Russell Sage Foundation Journal of the Social Sciences : RSF*, 5(3), 20–40

Statistically significant negative impacts on both ELA and math scores for most years of evaluation across most samples of students studied and no statistically significant impact on college enrollment in Louisiana Scholarship Program.

Wolf, P. J., Mills, J. N., Sude, Y., Erickson, H. H., & Lee, M. L. (2019, April 24). *Louisiana Scholarship Program evaluation policy brief school choice demonstration project*. <http://www.uaedreform.org/wp-content/uploads/LSP4-Policy-Brief-SCDP.pdf>

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Large negative effects for math and reading in students using vouchers in Ohio through the EdChoice Program.

Figlio, D., & Karbownik, K. (2016). Evaluation of Ohio's EdChoice Scholarship Program: Selection, competition, and performance effects. *Thomas B. Fordham Institute*. [https://edex.s3-us-west-2.amazonaws.com/publication/pdfs/FORDHAM%20Ed%20Choice%20Evaluation%20Report\\_online%20edition.pdf](https://edex.s3-us-west-2.amazonaws.com/publication/pdfs/FORDHAM%20Ed%20Choice%20Evaluation%20Report_online%20edition.pdf).

See also

Carnoy, Martin. "School Vouchers Are Not a Proven Strategy for Improving Student Achievement: Studies of U.S. and International Voucher Programs Show That the Risks to School Systems Outweigh Insignificant Gains in Test Scores and Limited Gains in Graduation Rates." *Economic Policy Institute*, 28 Feb. 2017, [www.epi.org/publication/school-vouchers-are-not-a-proven-strategy-for-improving-student-achievement/](http://www.epi.org/publication/school-vouchers-are-not-a-proven-strategy-for-improving-student-achievement/)

Atila Abdulkadiroğlu & Parag A. Pathak & Christopher R. Walters, 2018. "Free to Choose: Can School Choice Reduce Student Achievement?," *American Economic Journal: Applied Economics*, vol 10(1), pages 175-206. (School Vouchers and Student Achievement: First-Year Evidence from the Louisiana Scholarship Program, LSP participation substantially reduced academic achievement), [nber.org/papers/w21839](http://nber.org/papers/w21839) Atila Abdulkadiroğlu & Parag A. Pathak & Christopher R. Walters, 2018. "Free to Choose: Can School Choice Reduce Student Achievement?," *American Economic Journal: Applied Economics*, vol 10(1), pages 175-206. (School Vouchers and Student Achievement: First-Year Evidence from the Louisiana Scholarship Program, LSP participation substantially reduced academic achievement), [nber.org/papers/w21839](http://nber.org/papers/w21839)

DeFour, Matthew. "DPI: Students in Milwaukee Voucher Program Didn't Perform Better in State Tests." *Madison.com*, Wisconsin State Journal, 29 Mar. 2011, [madison.com/wsj/news/local/education/local\\_schools/dpi-students-in-milwaukee-voucher-program-didn-t-perform-better/article\\_4f083f0e-59a7-11e0-8d74-001cc4c03286.html](http://madison.com/wsj/news/local/education/local_schools/dpi-students-in-milwaukee-voucher-program-didn-t-perform-better/article_4f083f0e-59a7-11e0-8d74-001cc4c03286.html)

Ott, Thomas. "Cleveland Students Hold Their Own with Voucher Students on State Tests." *Cleveland.com*, 22 Feb. 2011, [www.cleveland.com/metro/2011/02/cleveland\\_students\\_hold\\_own\\_wi.html](http://www.cleveland.com/metro/2011/02/cleveland_students_hold_own_wi.html). Pianta, Robert C., and Arya Ansari. "Does Attendance in Private Schools Predict Student Outcomes at Age 15? Evidence From a Longitudinal Study - Robert C. Pianta, Arya Ansari, 2018." *SAGE Journals*, Educational Researcher, Vol. 47 No. 7, Pp. 419–434, 9 July 2018, [journals.sagepub.com/stoken/default+domain/XfYmtC25VddcCfbA3xiV/full](http://journals.sagepub.com/stoken/default+domain/XfYmtC25VddcCfbA3xiV/full)

Borsuk, Alan J. "Scores Show Voucher Schools Need Accountability." *Jsonline.com*, Milwaukee-Wisconsin Journal Sentinel, 1 Dec. 2012, [archive.jsonline.com/news/education/scores-show-voucher-schools-need-accountability-t87s06b-181693671.html](http://archive.jsonline.com/news/education/scores-show-voucher-schools-need-accountability-t87s06b-181693671.html)

<sup>2</sup> <https://www.alec.org/model-policy/the-education-savings-account-act-2/>