

# **The National Coalition *for* Public Education**

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October 8, 2015

The Honorable Lamar Alexander  
Chairman  
Health, Education, Labor and Pensions  
Committee  
U.S. Senate  
Washington, D.C. 20510

The Honorable Patty Murray  
Ranking Member  
Health, Education, Labor and Pensions  
Committee  
U.S. Senate  
Washington, D.C. 20510

The Honorable John Kline  
Chairman  
Education and the Workforce Committee  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Bobby Scott  
Ranking Member  
Education and the Workforce Committee  
U.S. House of Representatives  
Washington, D.C. 20515

Re: NCPE Opposes Title I Portability in the Reauthorization of the Elementary and Secondary Education Act

Dear Conferee:

The undersigned organizations write to express our strong opposition to the inclusion of any provision in the reauthorization of the Elementary and Secondary Education Act (ESEA) that would create or lead to a private school voucher. Our opposition extends to the language included in the House version of the bill, the Student Success Act, that would make Title I funding portable by allowing the money to follow a child to that child's public school or to any attempt that permits states, on a pilot basis, to test a portability model. The portability provision undermines Title I's fundamental purpose of assisting public schools with high concentrations of poverty and high-need students and serves as a stepping-stone to private school vouchers.

### **Title I Portability Is a Stepping-Stone to Vouchers**

Even though the language in H.R. 5 limits portability to public schools, we remain concerned that inclusion of such a provision in a conferenced ESEA bill will be a stepping-stone for an expansion of vouchers for private and religious schools using either federal or state funds, which our organizations vehemently oppose.

Congress adopted Title I of the ESEA in 1965 to provide federal funding to local school districts and schools that serve large concentrations of students in poverty to address the compounded impact of poverty on student learning. Today's Title I dollars flow to the states, which then distribute the

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Public Education**

The **National Coalition for Public Education** is comprised of more than 50 education, civic, civil rights, and religious organizations devoted to the support of public schools. Founded in 1978, NCPE opposes the funneling of public money to private and religious schools through such mechanisms as tuition tax credits and vouchers.

dollars to school districts based on the number of students in poverty and the percentage of total students in poverty in each district. As a result, school districts and schools within the state receive different allocations of Title I funds. This weighted formula ensures that poorer, smaller, under-resourced districts receive a greater share of Title I funds than more affluent districts. The Title I portability language in the House bill would dismantle Title I's funding formula and the funds would "follow the child."

Our concern that portability might lead to private school vouchers is bolstered by the fact that there were several failed attempts in the last Congress, as well as this year in the Senate debate of ESEA, to turn Title I funding into a private school voucher by making the funds portable to both public and private schools. In addition, the main argument made by the supporters of portability—that the funds should follow the child—mimics that of voucher proponents. Furthermore, dismantling the Title I funding formula would allow the dollars to be more easily transferred to private schools to either create a voucher or to be combined with existing state voucher programs.

### **Portability Undermines Title I's Goal of Addressing Achievement Gaps in Poor Schools**

We oppose portability not only because it could lead to vouchers, but also because it would have a negative impact on students and schools most in need. Allowing the funds to flow in equal amount to each child undermines the goal of Title I, which is to address the unique needs of schools and communities with a concentration of students in poverty. Portability dilutes the funds, stretches the dollars thinner, and diminishes the effectiveness of the funding.

Portability would also divest local school districts, principals, and other school leaders of important decision making authority to determine how to best use Title I funds. Currently, school districts make local decisions about how to best use their Title I funding. This allows them to "pool" Title I funds so that the highest poverty schools in the district receive the funds. Districts generally choose to invest their Title I funds primarily in their highest poverty elementary schools because addressing student learning needs at the earliest age possible produces the greatest return on investment. Districts also work with principals and school leaders to further target their federal dollars toward specific students within a school based on their academic needs. Portability removes this local control, which would diminish the effectiveness of the funds and create a cumulative negative effect on learning opportunities for high-need students.

### **School Vouchers Are Bad for Education and Students**

In addition to opposing portability, we also oppose any amendments that would create private school vouchers or expand portability to include private schools. We oppose private school vouchers because they run counter to the very purpose of ESEA. Vouchers divert desperately-needed resources away from the public school system to fund the education of a few, select students, with limited, if any, real impact on student academic achievement. Congress would better serve *all* children by using funds to make the public schools stronger and safer than by creating a new voucher program.

Instead of providing equal access to high quality education or setting high standards for accountability, voucher programs have proven ineffective, lack accountability to taxpayers, and deprive students of rights provided to public school students. The "choice" in voucher programs lies with the schools – not with students or parents. Private schools may turn students away for a variety

of reasons, while public schools are open to all. Vouchers do not improve academic opportunities. According to multiple studies of the District of Columbia, Milwaukee, and Cleveland school voucher programs, students offered vouchers do not perform better in reading and math than students in public schools.

Moreover, voucher programs offer little accountability to taxpayers. Private school voucher programs usually do not require participating private schools to comply with the same teacher standards, curriculum, reporting, and testing requirements as the public schools. And, private schools that receive voucher students do not enforce all federal civil rights laws, adhere to religious freedom protections provided under the First Amendment of the U.S. Constitution, and do not face the same public accountability standards that all public schools must meet, including those in Title IX, the Individuals with Disabilities Education Act (IDEA), and ESEA—the very law this Congress seeks to reauthorize.

### **Conclusion**

For these reasons and more, we oppose the portability provision currently in the Student Success Act and any attempts to include that language or any other language that would permit a voucher program in the final version of the bill. ESEA should ensure that public dollars remain invested in public schools for the benefit of all students.

Thank you for your consideration of our concerns.

Sincerely,

African American Ministers In Action  
AASA: The School Superintendents Association  
American-Arab Anti-Discrimination Committee (ADC)  
American Association of University Women (AAUW)  
American Atheists  
American Civil Liberties Union (ACLU)  
AFL-CIO  
American Federation of School Administrators (AFSA), AFL-CIO  
American Federation of State, County, and Municipal Employees (AFSCME)  
American Federation of Teachers, AFL-CIO  
American Humanist Association  
Americans for Democratic Action  
Americans for Religious Liberty  
Americans United for Separation of Church and State  
Anti-Defamation League  
Association of School Business Officials International  
Association of Education Service Agencies  
Association of University Centers on Disabilities  
Baptist Joint Committee for Religious Liberty  
Center for Inquiry  
Center for Law and Social Policy (CLASP)

Council for Exceptional Children  
Council of the Great City Schools  
Disability Rights Education & Defense Fund  
Disciples Justice Action Network  
Education Law Center  
Equal Partners in Faith  
Feminist Majority Foundation  
Gay, Lesbian & Straight Education Network (GLSEN)  
Institute for Science and Human Values, Inc.  
Interfaith Alliance  
Lawyers' Committee for Civil Rights Under Law  
League of United Latin American Citizens  
National Alliance of Black School Educators  
NAACP  
National Association for Bilingual Education  
National Association of Elementary School Principals (NAESP)  
National Association of Federally Impacted Schools  
National Association of State Directors of Special Education  
National Association of Secondary School Principals (NASSP)  
National Black Justice Coalition  
National Council of Jewish Women  
National Education Association  
National Organization for Women  
National PTA  
National Rural Education Advocacy Coalition  
National Rural Education Association  
National Urban League  
People For the American Way  
Public Advocates Inc.  
Secular Coalition for America  
School Social Work Association of America  
Southern Education Foundation  
Southern Poverty Law Center  
TASH  
Texas Faith Network  
Texas Freedom Network