



**Testimony of the
Pennsylvania State Education Association (PSEA)**

**Public Hearing Regarding
Senate Bill 1**

**Presented to the
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**By
Michael J. Crossey
PSEA Vice President**



Good afternoon, Chairman Piccola, Chairman Dinniman, and members of the Senate Education Committee. I am Mike Crossey, a teacher in the Keystone Oaks School District and Vice President of the Pennsylvania State Education Association (PSEA). On behalf of my 191,000 colleagues, thank you for the opportunity to testify on Senate Bill 1 and the issue of taxpayer funded tuition vouchers.

OVERVIEW

PSEA opposes taxpayer funded tuition vouchers and Senate Bill 1 in its current form. At a time when Pennsylvania faces a four billion dollar deficit and our neighborhood public schools could be cut by as much as one billion dollars, it is illogical to impose a costly, unproven program with little to no accountability.

There has been considerable media and public attention paid in recent months to the issue of “school choice” and education “reform” in Pennsylvania. PSEA supports school choice and school reform when it is real, but Senate Bill 1 provides neither – rather it provides taxpayer monies to private and religious schools and gives them the “choice” about which students they will accept. It provides no “reform” whatsoever to the students and public schools struggling to succeed.

Proponents argue that Senate Bill 1 provides “choice” to parents and to students struggling to succeed in underperforming schools. But the bill does not provide “choice” to parents – it provides it to the private and religious schools that decide which publicly funded student they will accept. Senate Bill 1 also falls significantly short in addressing the needs of the students and parents in these underperforming schools. The bill siphons resources away from these schools without any fiscal or academic accountability following the taxpayer dollars funding the vouchers.

While most of Pennsylvania’s public schools are doing quite well, PSEA agrees that some schools face significant challenges that must be addressed. There is no question that some of our public schools must do better. There is no doubt that we all share some of the blame for allowing the 144 schools, initially targeted by Senate Bill 1, to fall to the levels of achievement they are currently demonstrating. But a taxpayer funded voucher system that funnels significant dollars away from the very schools that are struggling to provide the necessary education to all students – those often in communities suffering from a depressed local tax base and higher levels of impoverished students – is not the answer or the solution. In fact, it will cause greater harm than good.

So what is the answer? There is no silver bullet solution or answer, but instead a shared commitment and shared accountability to fight to improve these struggling schools – by PSEA members, legislators and other policymakers, parents, school boards, students, and the surrounding communities. Drastic measures may be needed to help school districts with significant challenges such as Harrisburg and Chester-Upland, and PSEA remains willing to engage in the discussion and make targeted changes that will have a true, measureable impact.

But we also need to recognize that the great majority of Pennsylvania's public schools have made real strides in student achievement. For instance, on the National Assessment of Educational Progress (NAEP), commonly called "the nation's report card", no states have statistically significant higher eighth grade reading scores than Pennsylvania. The Center for Education Policy also cited Pennsylvania last year as recording gains in all academic categories from 2002-2008.

These public schools are succeeding because we have made investments in time, talent, and resources in the programs proven to work. If we cut funding for our public schools and spend it on private schools that are not accountable to taxpayers, we will reverse the gains we've collectively made. Pennsylvania should continue to build on its success – not carve it apart. Pennsylvania's taxpayers simply do not have the ability to pay for an experimental program, ripe for abuse, and with no ability to measure its effectiveness.

COST

The cost projections for Senate Bill 1 range from hundreds of millions of dollars to well over one billion dollars. As noted previously, in the face of a four billion dollar deficit, with a potential one billion dollar cut in funding for Pennsylvania's public schools next year, adding the burden of paying for a costly, unproven program with little to no accountability is the wrong approach.

Ultimately, Senate bill 1 will drain the resources necessary for school districts to provide all students with an education and will result in either significant cuts in educational programs or significant increases in property taxes at the local level.

Cost projections for year one of Senate Bill 1 – purportedly focused on helping low-income students from struggling schools – are high even with a relatively low utilization rate of 20%; and the cost projections at the same utilization rate for year three of the bill exceeds one billion dollars. If taxpayer funded vouchers are truly about helping students in struggling schools, then the bill should not expand beyond the persistently lowest achieving school buildings that have been targeted in the first year of the program.

Some proponents argue that taxpayer funded vouchers will create competition, be a "lower cost alternative" to public schools, and decrease the costs of public education overall. It is important to note, however, that private schools do not provide the same range of educational services that federal, state, and local governments require our public schools to provide for all students who live in the school district. Furthermore, there is no decreased cost to the Commonwealth under Senate Bill 1 – in fact, there is an increased burden with the initial new funds that are required as "start up" funds for the program, and the costs escalate to over one billion dollars by year three.

The second and third year of the bill allow all low-income students residing in a low performing school district, and then the entire Commonwealth, to be eligible for a taxpayer funded voucher. Funding for students who are already in a non-public school will require additional taxpayer monies that the state and school districts do not have. There are no cost savings – only increased costs.

In addition to the major costs of the program, there are other costs and inconsistencies to consider as well. There will be a costly new bureaucracy established simply to administer the program (a three person board and additional staff). The unused school vouchers by parents will go to the Scholarship Board for more scholarships rather than having those funds returned to the school district that will be responsible for educating the student. School districts will also be charged to transport these students and also for students to attend full-time kindergarten in the private or religious school, even if the school district can only provide half-day kindergarten to its other students.

RESEARCH

Voucher experiments have been tried over the years in several cities – Milwaukee, Cleveland, and Washington, DC – and one state, Florida. In study after study, students utilizing vouchers appear to perform no better than their peers left behind in the public schools. This should raise real questions among taxpayers and others about why Pennsylvania would establish a costly new taxpayer funded program, only accessible to certain individuals and likely not to provide the voucher students with any substantial benefit.

Milwaukee, Wisconsin

An official evaluation of the nation’s oldest voucher program, the Milwaukee voucher program, lasted from 1990 through 1995 conducted by Professor John Witte of the University of Wisconsin at Milwaukee. In his final report, Witte found that “achievement (of voucher students), as measured by standardized tests, was no different than the achievement of MPS (Milwaukee Public School) students.”ⁱ

A highly regarded reanalysis of the Milwaukee data by Cecilia Rouse of Princeton University, found no gains in reading, but did find significant and accumulating gains in math. However, she also found even greater gains for public school students in smaller classes.ⁱⁱ

John Witte currently leads a team of researchers conducting a follow-up longitudinal study of the Milwaukee voucher program. Their study of the 2006-2008 achievement gains in math and reading for voucher and public school students in Milwaukee found no differences in the performance of matched samples of public school students and voucher recipients enrolled in private schools.

In general, students for whom we have two years of valid test scores appear to be performing at similar levels. Moreover, their scores appear to be similarly distributed: The gap between the highest performing students and the lowest performing students is approximately the same in the two sectors.ⁱⁱⁱ

Despite this evidence, some pro-voucher advocates continue to cite the Milwaukee school voucher program as evidence that vouchers improve achievement – an inaccurate claim at best, incorrect and disingenuous at worst.

Cleveland, Ohio

Cleveland’s voucher program was evaluated from April 1997 through December 2003 with similar results of no improvement in academic achievement of private school students over those who attended public school. The evaluation, commissioned by the Ohio Department of Education, also found that the high cost to attend private school – even with a voucher – as well as the limited number and range of participating private schools, discouraged many low-income families from participating. Families who did use the vouchers had higher incomes, were more likely to be Caucasian, and were more likely than public school students to have been enrolled in private schools in the prior year. The cumulative effect of this trend, according to the official evaluation, is that the voucher students are proportionately less minority and more affluent compared to their public school peers.^{iv} Re-analysis of achievement data from the Cleveland program also found “no academic advantages for voucher users; in fact, users appear to perform slightly worse in math”.^v

Washington, DC

Washington, DC’s tuition voucher program was evaluated from 2004 to 2009. According to the experimental design of the program, voucher applicants were randomly assigned to receive a \$7,500 voucher (treatment group) or not receive one (the control group). The final report for the publicly funded Washington, DC voucher program points to the same conclusion about the impact of vouchers on math and reading achievement. According to the executive summary of the official evaluation:

There is no conclusive evidence that the Opportunity Scholarship Program affected student achievement. On average, after at least four years, students who were offered (or used) scholarships had reading and math test scores that were statistically similar to those who were not offered scholarships (figure ES-2). The same pattern of results holds for students who applied from Schools In Need of Improvement (SINI), the group Congress designated as the highest priority for the program. Although some other subgroups of students appeared to have higher levels of reading achievement if they were offered or used a scholarship, those findings could be due to chance. They should be interpreted with caution since the results were no longer significant after applying a statistical test to account for multiple comparisons of treatment and control group members across the subgroups.^{vi}

The report did find a positive impact on graduation rates for voucher students; however, the research on this outcome is very limited. Several voucher advocacy groups refer to the experimental studies as the “gold standard.” The DC program was one such study.

“Research” touted by Pro-Voucher Advocates

Anyone interested in a detailed view of the flaws and misrepresentations published by pro-voucher advocacy researchers should read the detailed review published by Lubiencki and Weitzel in the Brigham Young Law Review.^{vii} At the very least, one should view with extreme caution any findings announced by Paul Peterson and the Harvard Program on Educational Policy and Governance (PEPG), Peterson’s student Jay Greene, or articles in the Peterson-edited *Education Next*, a “journal of opinion and research.” It should go without saying that anything published by organizations dedicated to the advocacy of school vouchers, such as the Friedman

Foundation bear the highest level of scrutiny. Consider this written by Lubienski and Weitzel in 2008:

For instance, the Friedman Foundation report extols competition among schools and asserts that its effects are purely positive. The report claims: “Not one empirical study has ever found that outcomes at U.S. public schools got worse when exposed to school choice, and numerous studies have found that they improve (citation omitted).” Although this issue has been little studied in the United States, evidence from other nations that have further developed choice models gives us reason to question this assumption. Research from other countries has found clear negative effects of choice. Nations such as Chile, New Zealand, and the United Kingdom have gone further than the United States in pursuing universal school choice, but research, much of it peer-reviewed, shows that substantial social segregation results from choice, with poorer students left behind in schools that then accelerate the schools’ decline (citation omitted) (p.470).

Beyond the fact that this issue has received little direct study in the U.S., the Friedman Foundation claim is misleading, because it implies to the casual reader that there have been no negative findings regarding the impact of vouchers. That is contradicted by evidence cited earlier. Moreover we believe that further study of the impact of tuition vouchers on public schools is likely to find negative impacts on the sending schools. We would note that there already is evidence of negative impacts on outcomes at U.S. public schools from other forms of school choice.^{viii}

Proponents of Senate Bill 1 claim that a literature review written by Greg Forster of the Friedman Foundation provides evidence that voucher programs force public schools to compete, and thereby, improve their performance. Christopher Lubienski of the University of Illinois wrote an extensive review of Forster’s report. He concluded: “The report, based on a review of 17 studies, selectively reads the evidence in some of those studies, the majority of which were produced by voucher advocacy organizations”.^{ix} Lubienski included a detailed description of Forster’s misrepresentation of the results of a study of the Milwaukee voucher program.^x

Since then, one recent study of Florida’s voucher program by David Figlio and Cassandra Hart of Northwestern University found very small (between one and two-hundredths of a standard deviation) increases in student test scores related to their various measures of private school competition. They also report results that these competitive effects increased for the first five years of the program, but then declined in the final year for which they had data.^{xi}

After reviewing the voucher literature along with studies of other forms of school choice in 2008, Cecilia Rouse and Lisa Barrow (of the Federal Reserve Bank of Chicago) concluded:

Keeping these limitations in mind, the best research to date finds relatively small achievement gains for students offered education vouchers, most of which are not statistically different from zero. **Further, what little evidence exists about the likely impact of a large-scale voucher program on the**

students who remain in the public schools is at best mixed, and the research designs of these studies do not necessarily allow the researchers to attribute any observed positive gains solely to school vouchers and competitive forces. The evidence to date from other forms of school choice is not much more promising. As such, while there may be other reasons to implement school voucher programs, one should not anticipate large academic gains from this seemingly inexpensive reform.^{xii}

While the Figlio and Hart study subsequently provided some support for the existence of a positive competitive voucher effect, the very modest size of this effect found in one state hardly justifies a large scale program or a reason for modifying Rouse and Barrow's overall conclusion.

Finally, taking a more local view, it is worth noting that only thirty-four private schools in Pennsylvania participated in the PSSA testing. In that small, non-representative group, 59 percent of students scored advanced or proficient in math, while 60.4 percent did so in reading. The performance of the private school students varied widely, from a low of 6.5 percent scoring advanced or proficient in math to a high of 100 percent. Similarly, the range of performance in reading was from a low of 3.6 percent scoring advanced or proficient to a high of 100 percent. Thirteen of these thirty-four private schools had less than half of their students reaching the proficient level in reading.^{xiii} Three of them had 10 percent or less of their students achieving proficiency. In contrast, 77 percent of students in traditional public schools taking the PSSAs in 2009-2010 scored at the advanced or proficient levels in math, while 71.5 percent scored advanced or proficient in reading.

These figures are not offered as evidence of the relative performance of public and private schools. However, they do call into question the assumed superiority of private schools. And this assumption is contradicted in methodologically sophisticated studies using four different national data sets as well.

Researchers at the University of Illinois analyzed the test scores of more than 340,000 fourth and eighth grade students in 13,000 traditional public schools, charter schools, and private schools on the 2003 National Assessment of Educational Progress. They found that “demographic differences between students in public and private schools more than account for the relatively high raw scores of private schools... after controlling for these differences, the presumably advantageous ‘private school effect’ disappears, and even reverses in most cases.”^{xiv}

An analysis of the same data done for the National Center for Education Statistics (NCES) found that after adjusting for selected student characteristics, there was virtually no difference in the scores of public and private school students in grade four reading and grade eight mathematics. The adjusted school average was actually higher for public schools in grade four mathematics, while it was higher in private schools only in grade eight reading.^{xv} In addition, a reanalysis of data from two studies using different national data sets (the Education Longitudinal Study and the National Educational Longitudinal Study) suggests there is little difference between public and private high school student performance.^{xvi}

Further confirmation of these findings comes from an analysis of a fourth testing program. Researchers from the International Association for the Evaluation of Educational Achievement in Hamburg, Germany compared the mathematics and science test performance of private and public school 8th grade students across several nations that participated in the Third International Mathematics and Science Study (TIMSS) of 2003.^{xvii} Using advanced multilevel statistical models that included adjustments for student background characteristics, they found a private school advantage for most countries examined, except the United States. About the latter, they concluded:

“Given the lack of an overall private school advantage found in our research as well as other studies (citations omitted), shifting funds from troubled U.S. public schools to private schools suggests more a theoretical agenda as proposed by [Milton] Friedman and privatization proponents, rather than an empirical evidence based shift (p. 27).”

To summarize, sophisticated multivariate studies by various independent researchers using different nationally representative data sets have all reached very similar conclusions. There is no overall private school advantage in the United States.

ACADEMIC AND FINANCIAL ACCOUNTABILITY

Senate Bill 1 lacks even the most basic accountability measures that would both protect taxpayer investment in such a program and determine its efficacy on student achievement. The “Independent Education Choice Board” created by the bill is exempt from the Independent Regulatory Review Act and the programs, procedures, and guidelines are exempt from review, regulation, or approval of the State Board of Education. It is not clear who this board would be accountable to. In addition, the program seeks to avoid real judicial review by giving the PA Supreme Court exclusive jurisdiction over challenges to the program.

Under Senate Bill 1, the private and religious schools accepting taxpayer funded vouchers are not held fiscally accountable to state taxpayers. These schools are exempt from the majority of state regulations that govern public schools. This is a significant concern when one considers some of the abuses that have occurred in other states where vouchers have been enacted.

Most recently, a top administrator at the L.E.A.D.E.R. Institute, a voucher school in Milwaukee, Wisconsin, was indicted for misusing hundreds of thousands of taxpayer dollars. And this was not the first time this occurred in Milwaukee. Several years ago, school officials at the Mandella Academy for Science and Math admitted signing up more than 200 students who never showed and then cashing hundreds of thousands of dollars in taxpayer funded tuition checks to buy non-related items, including a Mercedes-Benz for the principal and assistant principal. Seven employees from the Faith Christian Academy in Bartow, Florida were arrested for laundering over 70,000 dollars worth of voucher checks into cash that never made it to the classroom. These are but a few examples of the flagrant abuses of taxpayer monies that have occurred in other voucher programs throughout the nation. This should raise serious red flags and concerns about what safeguards would be in place to protect taxpayer dollars under Senate Bill 1.

During this era of government reform and increased transparency, it only seems prudent to build in stricter financial accountability – such as full audits of the schools’ use of taxpayer monies – and additional protections against potential abuse from the beginning of any new bureaucracy when created. PSEA is not implying that all operators of private schools who would accept vouchers have misguided intentions. However, it is for this very reason that the ones who operate ethically should embrace such accountability measures to prevent fraud before it occurs.

In addition to the lack of financial oversight, there is no academic accountability contained within Senate Bill 1. If the state is going to initially target schools based on state test performance, it only is logical that we extend these same testing requirements to the schools that accept voucher students. The General Assembly should insist that voucher schools have their students take the PSSA tests. Proponents of vouchers indicate that non-public schools will better serve voucher students; therefore, voucher schools should welcome the opportunity to demonstrate their effectiveness at educating students to state standards and providing another measure by which voucher parents can make a more informed decision.

The Commonwealth has made significant investments in determining and publicizing the effectiveness of Pennsylvania’s public schools so that parents and others can know how their taxpayer dollars are working. If we are going to investment hundreds of millions, and potentially more than a billion, of taxpayer dollars into private schools, we should, at the very least, measure their educational progress.

And finally, if Senate Bill 1 is really intended to provide parents “choice,” then there must be stricter measures to insure equal opportunity when public funds are underwriting the parents’ tuition payments. Under the present legislation, nonpublic schools will retain complete discretion in which student they do or do not enroll. This means that many students will be blocked at the door and denied access because the schools simply will not enroll them, that they will be able to discriminate among applicants.

PRIORITY SCHOOLS CAMPAIGN

Pennsylvanians want highly effective neighborhood schools that provide students the quality education they need, and PSEA is a leader in that effort. We recognize, however, that not all students and not all schools are meeting that goal. Drastic means may be necessary to address the overwhelming challenges students, educators, parents, administrators, and communities are facing in school districts like Harrisburg or Chester-Upland, and PSEA is willing and ready to engage in this discussion. There are targeted and specific changes that must occur in order to have an impact now and into the future. We now know collectively – based on years of enhanced data collection and other policy changes – what schools have students struggling to succeed on a more persistent basis. These schools must become the *priority* for lawmakers, parents, students, educators, administrators, school boards, and our local communities in order to effect real change that will make a difference in these students’ lives.

Although there are a number of factors that impact a child’s ability to succeed – family setting, the surrounding community, socioeconomic status, and his or her educational experience – my testimony today is focused on the role that the child’s neighborhood public school and educators can have to help *all* students achieve academically, socially, personally, and economically.

So where do we start? Although there are no easy answers, there are best practices and shared characteristics among the majority of Pennsylvania’s public schools where students are succeeding that we should look to as a guide. State and local policies should support what is needed to ensure *priority schools* can succeed:

1. A safe school environment and orderly classrooms.
2. Parents who know how to actively support their children’s education.
3. Students who have access to high-quality early education; are fully engaged during the school day; and are engaged in intellectually, culturally, and physically stimulating activities beyond the regular school day and school year.
4. Students who are healthy and have timely access to medical and dental care.
5. Systems that provide individualized supports to students, who are not making academic progress, including: Smaller class size, programs for English language learners, Response to Intervention (RtI), Reading Recovery, and positive behavior supports.
6. Quality teachers and school leaders.
7. A long-term commitment to a curriculum that supports successful high school completion, flowing from comprehensive early childhood programming to progressively challenging, developmentally appropriate standards for the elementary, middle, and high school levels. This must include high-quality assessments that measure content proficiency and ability to use content in tandem with critical thinking and problem solving skills, as well as continued attention to providing a continuum of services that help all students achieve their full potential.

Priority schools and the students they serve would benefit from specific interventions targeted at these core areas to immediately begin improving the learning environment and options for students. This is the type of bold change and support Pennsylvania students and their parents need – not an unproven program that only moves taxpayer monies away from these priority schools and into the hands of private schools not held academically or financially accountable.

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ⁱⁱ Rouse, C. E. (1998). Private school vouchers and student achievement: An evaluation of the Milwaukee Parental choice program.” Quarterly Journal of Economics. Vol 113, p. 553.

ⁱⁱⁱ Witte, J.F, Cowen, J. M, Fleming, D.J., Wolf, P.J., Condon, M.R., & Lucas-McLean, J. (2010). “The MPCP Longitudinal Educational Growth Study Third Year Report.” SCDP Milwaukee Evaluation Report #15 April 2010. School Choice

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^{iv} Metcalf, K. (2003). Evaluation of the Cleveland Scholarship and Tutoring Program: 1998-2002. Indiana University School of Education.

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<http://ies.ed.gov/ncee/pubs/20104018/index.asp>

^{vii} Lubienski, C. & Weitzel, P. (2008). "The effects of vouchers and private schools in improving academic achievement: A critique of advocacy research." Brigham Young University Law Review. (4/1/08), pp. 447-486.

^{viii} Zimmer, R. Guarino, C, and Buddin, R. (2008) “School Choice: Options and outcomes.” In Pindus, N., Wial, H., & Wolman, H. (eds.), Urban and regional Policy and its effects Vol. 3. Brookings Institution, Washington, DC.

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<http://epicpolicy.org/thinktank/review-win-win-solution/>

^x Id. at pp.5-6.

^{xi} Figlio, D & Hart C. (2010). “Competitive effects of means-tested school vouchers.” CALDER Working Paper No. 46. The Urban Institute: Washington, DC. (June 2010).

^{xii} Rouse, C.E. & Barrow, L. (2008) “School vouchers and student achievement: Recent evidence, remaining questions.” Federal reserve bank of Chicago. WP-2008-08, (August 6, 2008).

^{xiii} http://www.portal.state.pa.us/portal/server.pt/community/school_assessments/7442

^{xiv} Lubienski, C., and Lubienski, S. T. (2006). Charter, Private, Public Schools and Academic Achievement: New Evidence from NAEP Mathematics Data. National Center for the Study of Privatization in Education, Columbia University, NY.

^{xv} Braun, H., Jenkins, F., and Grigg, W. (2006). “Comparing Private Schools and Public Schools Using Hierarchical Linear Modeling (NCES 2006-461),” U.S. Department of Education, National Center for Education Statistics, Institute of Education Sciences, U.S. Government Printing Office.

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