

Testimony of  
Thomas J. Gentzel, Executive Director  
to  
Senate Education Committee  
on  
Senate Bill 1

February 16, 2011

Good morning, my name is Thomas J. Gentzel and I am the Executive Director of the Pennsylvania School Boards Association. I thank the committee for allowing PSBA to testify on Senate Bill 1. Let me state up front that the organization I represent, PSBA, is unequivocally opposed to the use of publicly funded tuition vouchers , or, as they are called in the bill, opportunity scholarship grants, that can be used to pay a student's tuition to non-public and private schools. In short, we believe that SB 1 would implement a system that is unaccountable, unaffordable, unpopular, unproven and unconstitutional.

The voucher system implemented by SB 1 is unaccountable because there is nothing in the bill that would require any follow-up on the progress of students who enter into nonpublic or private schools using a voucher. While the bill does allow for a study to be done in future years, there are no specifics included that dictate the contents of that study. Proponents of the bill say that parental accountability and marketplace-driven accountability will ensure that nonpublic and private schools that accept voucher recipients will be answerable; however, when public dollars are involved, as they are in this instance, there must also be accountability to the public, who is ultimately paying the bill. The lack of any public accountability begs these questions: If the goal of SB 1 is to help students in failing schools improve their education, why is there no requirement in SB 1 to measure their academic progress once they are in a nonpublic or private school? Additionally, if, as advocates suggest, nonpublic and private schools can do a much better job with voucher students, why are they reluctant to report back the degree to which those students are progressing? Finally, what controls will be placed on how voucher dollars will be spent in these schools? Will they come under some routing auditing requirement, as do public schools?

PSBA also wonders how parents will be sufficiently informed about the quality of available schools. Good choice results from having good information. Nothing in the bill requires potential recipients of voucher students to make available information about their schools. School districts are required to fill out a "report card" for each school building that shows the enrollment, the

breakout of the enrollment by certain subgroups, the aggregated test scores of students and how those scores compare with similar schools. To our knowledge that type of information is not available to parents for nonpublic and private schools. We believe that parents should have information about all their educational choices, much like all of us can view a nutrition label on the foods we are thinking about purchasing to see if the product fits our needs.

There have also been comments by advocates of the bill that “the marketplace” will create schools to accommodate voucher students that might not be accepted in the public, nonpublic or private schools to which they apply. There is some research that backs up this claim. About half the schools that accept voucher students in the Milwaukee program have sprung up since the program began in 1990. Unfortunately, according to various reports in the *Milwaukee Sentinel-Journal* over the intervening years, at least a dozen of these schools were forced to close, in most cases because they accepted voucher money to which they were not entitled or they did not report the number of voucher students they were educating. If new schools were to be created in Pennsylvania, how will they be held accountable, and how will parents know if they are good schools?

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The voucher system implemented by SB 1 is unaffordable, to the state, to schools and to students who will remain in the lowest achieving public schools. According to the prime sponsor of the bill, the costs could be as high as \$50 million in the first year, \$100 million in the second year and “significantly higher” costs in year three. It is important for the public to know that not all of these funds are coming from the state’s share of funding to districts, a significant portion of the cost will have to come from new revenue or revenue that is reduced elsewhere in the budget. These costs are occurring at a time when the state faces what could be a \$4 billion deficit and many of the commonwealth’s citizens face unemployment or under-employment, the loss of benefits and even the loss of their homes. The losses that school districts and school buildings will face come as districts are struggling with declines in local revenues, cost increases for pensions and employee benefits and an uncertain level of support from the state budget. Most notably, the loss of local dollars makes a bad situation even worse for students attending struggling schools. Take for instance the Simon Gratz High School in Philadelphia. Using

available state numbers and a 10% voucher utilization rate in the first year of the program, the school would stand to lose almost \$700,000. In the city's John Bartram High School, the figure exceeds three quarters of a million dollars (\$785,654). These figures represent the losses of only 98 and 110 potential voucher students respectively and leaving behind 1157 and 1133 students respectively. Imagine the impact that the loss of these hundreds of thousands of dollars will have on those students that remain behind in these schools. SB 1 does not help these students, it hurts them and it cripples the school district's efforts to do anything positive for that school building. Additional examples can be found on the attachments to this testimony.

Throughout the debate on this issue, advocates have been touting the theory that the voucher system will create competition for students between public and nonpublic schools and that "the marketplace" will help keep down the costs of the program because fewer public school students equals less cost to the public. Unfortunately, these theories are misguided. Using a business model of competition between manufacturers of the same product cannot be overlaid onto education. In the business model, all players are using essentially the same rules. In the education model, public education is hamstrung by the thousands of mandates, rules and regulations that are imposed by the state and federal governments while private education has to follow relatively few rules, most of which do not add expense to the school. In addition, public schools have, over the years, become the institution of choice to teach our children about every social issue and every new fad that arises. A comprehensive list of these issues is attached to my testimony. With few exceptions, nonpublic and private schools need not follow this list. In fact many nonpublic and private schools have different requirements based on religion or the school's curriculum and these will be taught to voucher students regardless of their beliefs or values or those of their families.

Public schools must enroll everyone who shows up at the door and provide them with the best education possible. Nonpublic schools can accept who they wish and reject those who, for whatever reason, do not fit in their schools. Senate Bill 1 expounds on this difference in enrollment policies by allowing nonpublic schools to exclude voucher students for whom a participating nonpublic school "does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet the special needs of the opportunity scholarship

recipient or does not offer a particular program requested.” This language backs up what we have been saying all along – in the end, it is the school that chooses the students, and therefore, this bill is not a true parental choice bill.

The voucher system implemented by SB 1 is unpopular. A recent poll by the Center for Opinion Research at Franklin and Marshall College showed that two out of three Pennsylvanians oppose giving public money to parents so they can send their children to a private school of their own choosing. Most older Pennsylvanians, aged 55 or older, oppose taxpayer-funded school vouchers and, in fact, 51% strongly oppose them. Over 70% of individuals surveyed under the age of 34, strongly or somewhat oppose school vouchers, more so than any other respondent age group. Additional information about the poll is attached to my testimony.

The voucher system implemented by SB 1 is unproven. There are no independent studies on voucher programs that show consistent academic improvement in the performance of students who use tuition vouchers to transfer from a public school to a nonpublic or private school.<sup>1</sup> Most studies show that there are modest gains in either reading or writing, but even there, the gains are inconsistent among individual students who use vouchers. There are some students who improve and others that do not. We believe that if the General Assembly wants to spend \$150 million or more of taxpayer dollars, particularly given the economic situation, that money should go to programs that have been proven to work and should not come at the expense of those who are ineligible or do not choose to participate in a given program.

The voucher system implemented by SB 1 is, in our view, unconstitutional. The Pennsylvania Constitution contains three provisions that serve as a bar to SB 1. First, Article III, Section 15 prohibits the use of money raised for the support of public schools to be appropriated to any sectarian school. Section 29 of the same Article, in part, prohibits appropriations for charitable, education or benevolent purposes to any person or community or to any denominational and sectarian institution, corporation or association. Interestingly, this same section goes on to allow the awarding of grants or loans for higher education purposes enrolled in institutions of higher

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<sup>1</sup> Studies that are cited as credible by the US Department of Education’s What Works clearinghouse (<http://ies.ed.gov/ncee>)

education. This language was amended into the Constitution as part of legislation that created PHEAA. SB 1 does not condition its implementation on a change to the state Constitution.

Finally, Section 30, of the same Article prohibits the appropriation of funds to any charitable or educational institution non under the absolute control of the commonwealth...except by a vote of two-thirds majority of the House and Senate.

In our view, the fact that dollars are going directly to parents is not reason enough to conclude that SB 1 might be allowed under the Pennsylvania Constitution. In fact, it is that very provision that makes it plain to us that vouchers represent an educational appropriation paid to individuals.

We are all in agreement on the need to provide all school children in Pennsylvania with a quality education. PSBA believes that all students should be entitled to a quality **public** education. The best way to resolve the issue and the only way to ensure that 100% of students get a quality education is to implement a focused program that has as its goal the improvement of these buildings. We've heard the argument that the state has "thrown" too much money at these schools already; however, there has been little in the way of a concerted, focused effort on the problems being encountered in these schools and the communities they serve.

We know the solutions are not simple. But there are programs that have worked. The Harlem's Children Zone, for example, has shown remarkable success in an area that has long suffered from the effects of poverty. The HCZ education components include early childhood programs with parenting classes; public charter schools; academic advisors and afterschool programs for students attending regular public schools; and a support system for former HCZ students who have enrolled in college. Health components include a fitness program; asthma management; and a nutrition program. Neighborhood services include organizing tenant associations, one-on-one counseling to families; foster care prevention programs; community centers; and an employment and technology center that teaches job-related skills to teens and adults. According to its web site, what is unique and attention-getting about the HCZ is that it is designed on the assumption that it takes both effective, achievement-oriented schools and strong social and

community services to support the educational achievement of children in poverty. The presumption is that effective schools alone are insufficient.

Simply changing the governance of school districts or requiring struggling schools to convert to a charter school or private management is not the answer. We've tried these things and they do not work. The Harlem's Children Zone is but one example of what can work and there are plenty more. The leadership to make these changes has to come from the General Assembly and we stand ready to put our resources behind any program that offers a real opportunity for these schools to get better using proven techniques. Let's not spend the money on a program that will benefit a few and leave the rest in a worse situation, let's spend the money where it will do the most good.

## **ADDITIONAL SCHOOL RESPONSIBILITIES SINCE 1900**

**1900-1910 - Nutrition, Immunization, health**

**1910-1930 – Physical education (including organized athletics), Domestic Science/Home Economics (including cooking and sewing), vocational education (including industrial and agricultural education), mandated school transportation**

**1940s – Business education (including typing, shorthand, and bookkeeping), art and music, speech and drama, half day kindergarten, school lunch programs**

**1950s – Expanded science and math education, safety education, driver's education, expanded music and art education, stronger foreign language requirements, sex education**

**1960s – Advanced Placement programs, Head Start, Title I, Adult Education, Consumer education (resources, rights and responsibilities), Career education (options and entry level skill requirements), Peace, leisure and recreation education**

**1970s – Drug and alcohol abuse education, parenting education (techniques and tools for healthy parenting), behavior adjustment classes ( including classroom and communication skills), character education, mandated special education, Title IX programs, Environmental education, Women's studies, African-American heritage studies, School breakfast programs**

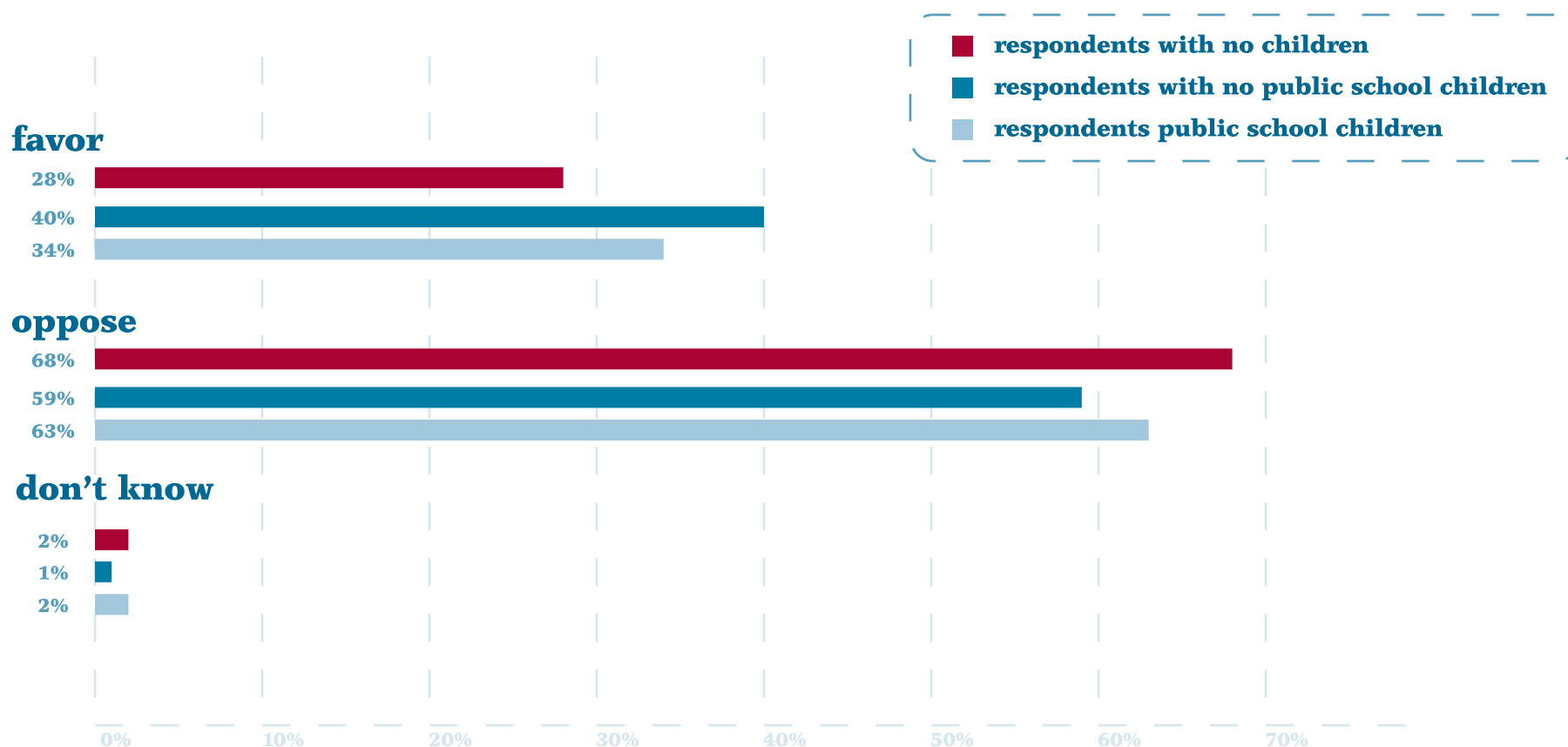
**1980s – Keyboarding and computer education, Global education, Multi-cultural/Ethnic education, Nonsexist education, English as a second language and bilingual education, Teen pregnancy awareness, Hispanic heritage education, Early childhood education, Jump Start, Early Start, Even Start and Prime Start, Full-day kindergarten, Preschool programs for children at risk, After school programs for children of working parents, alternative education in all its forms, Stranger/danger education, Antismoking education, Sexual abuse prevention education, Expanded health and psychological services, Child abuse monitoring**

**1990s – Conflict resolution and peer mediation, HIV/AIDS education, CPR training, Death education, America 2000 initiatives, Inclusion, Expanded computer and Internet education, Distance learning, Tech Prep and School to Work programs, Technical Adequacy Assessment, Post-secondary enrollment options, Concurrent enrollment options, Goals 2000 initiatives, Expanded talented and gifted opportunities, At-risk and dropout prevention, Homeless education, Gang education, Service learning, Bus safety, bicycle safety, gun safety, water safety**

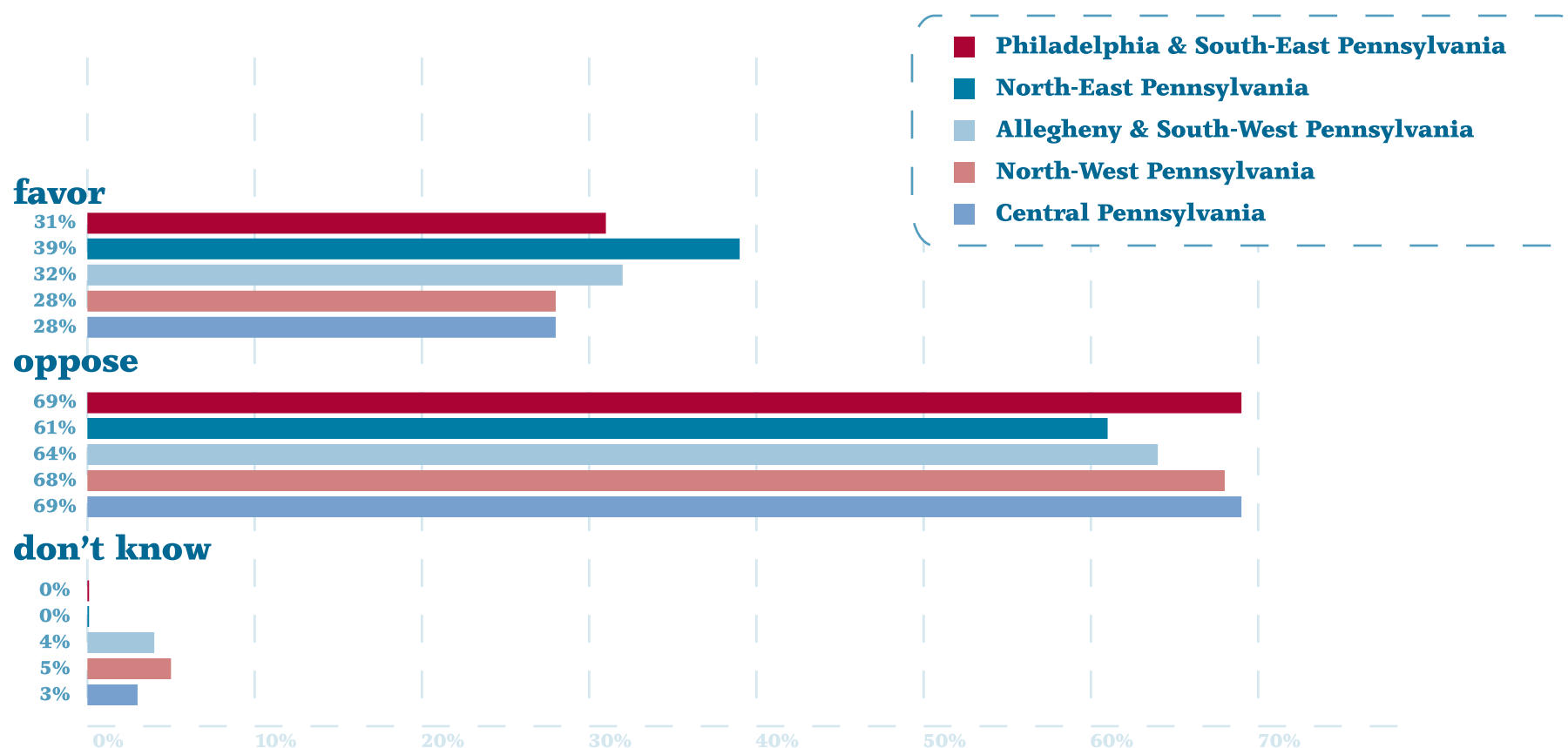


**2000-2010 – No Child Left Behind, Bullying prevention, Anti-harassment policies, expanded early childcare and wrap-around programs, Elevator and escalator safety instruction, Body mass index evaluation, Organ donor education and awareness programs, Personal financial literacy, Entrepreneurial and innovation skills development, Media literacy development, Contextual learning skill development, Health and wellness programs, Race to the Top**

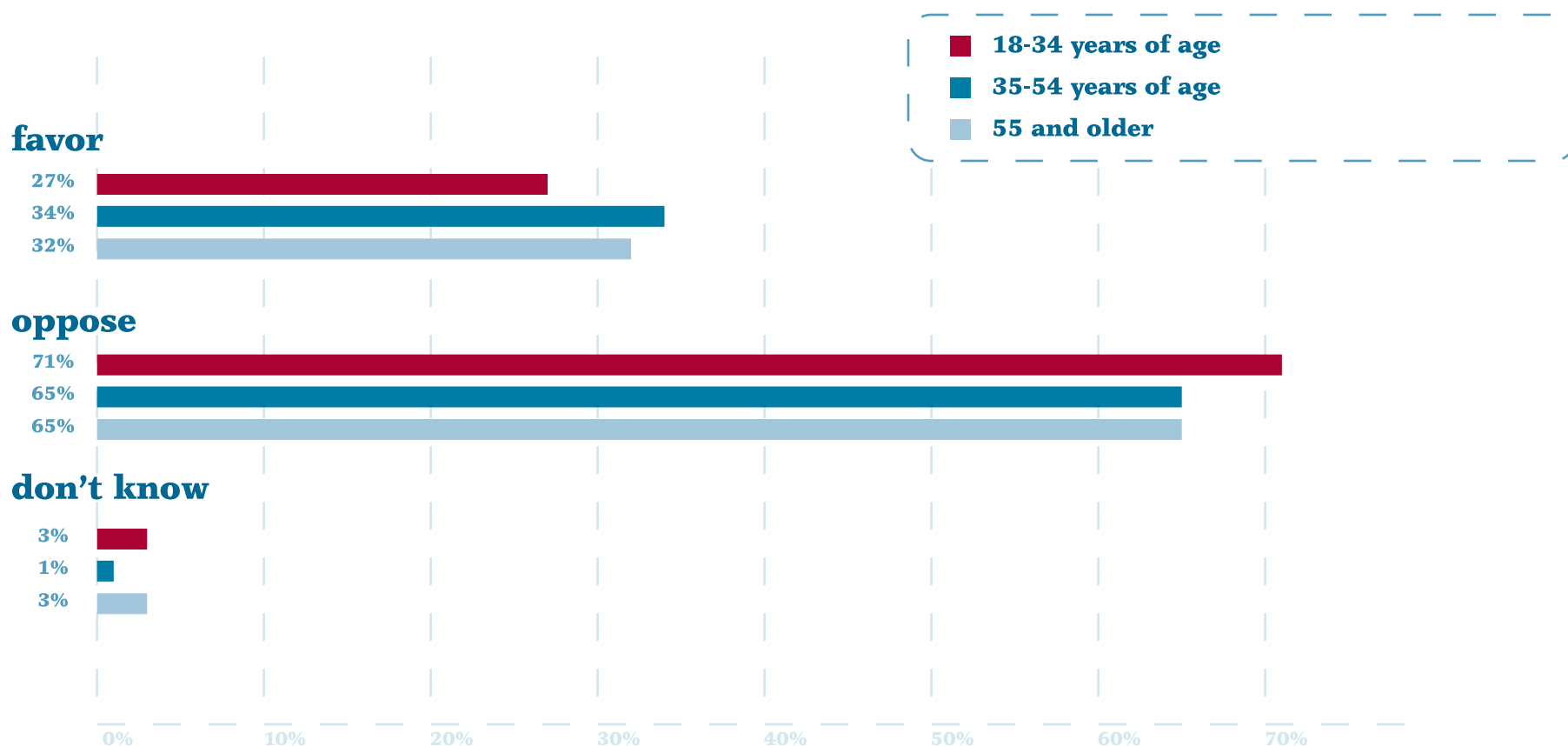
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