

Senate Education Committee Hearing

Senate Bill 1

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Good morning Chairman Piccola and committee members. I am Ted Kirsch, president of the American Federation of Teachers in Pennsylvania. Thank you for this opportunity to testify before the Senate Education Committee on Senate Bill 1.

On behalf of AFT Pennsylvania, I am here today to speak in opposition to Senate Bill 1 and in support of your continued focus on improving Pennsylvania's public schools.

I would like to address major four issues related to Senate Bill 1:

- The Voucher Track Record
- Voucher Accountability
- Voucher Costs
- Proven strategies for raising achievement in low-performing schools.

The Voucher Record

Since the first voucher program was launched 20 years ago, researchers have tried to determine whether voucher programs raise student achievement. Studies by voucher supporters showed voucher students making tremendous gains over public school students, while critics' reported that students using vouchers showed little if any advantage. Predictably, each side criticized the methodology of the other and little was known about the efficacy of vouchers.

Today, we have a 20-year track record and research showing that when you compare students of similar socio-economic backgrounds, voucher students do not perform better than students attending public schools. Furthermore, research clearly shows that the persistent notion that children who attend private schools perform better than public school students is also a myth.

Looking at NAEP mathematics scores to determine the relative advantages of public and private schools, researchers have found that once you account for the fact that private schools serve more advantaged populations "the presumably advantageous 'private school effect' disappears, and even reverses in most cases." Public schools, they found, generally outperform private, charter, Catholic and Christian schools by a large margin when studies are controlled for socio-economic status, race, ethnicity, disability, gender and limited English proficiency. (*Charter, Private, Public Schools and Academic Achievement: New Evidence from NAEP Mathematics Data1*, Christopher Lubienski, Sarah Theule Lubienski, 2006)

The case for taxpayer-funded vouchers weakens further when you consider a 2009 study by researchers at Princeton University and Federal Reserve Bank of Chicago. They reviewed studies of the 20-year-old Milwaukee voucher experiment, the Cleveland voucher program and the District of Columbia program. They found "relatively small achievement gains for students offered educational vouchers, most of which were not statistically different from zero." After reviewing data from all of the programs, they further concluded that the improvement in public schools that proponents promise as a result of "free-market competition" failed to materialize. Indeed, based on their findings, the researchers cautioned against expecting any significant future achievement gains among voucher students. (*Cecelia Rouse and Lisa Barrow, "School Vouchers*

and Student Achievement: Recent Evidence and Remaining Questions,” Annual Review of Economic, 2009)

A five-year longitudinal study of the Milwaukee program mandated by the legislature found that neither students in voucher nor public schools performed well on standardized tests. Overall, students in both voucher and public schools scored below the 50th percentile nationally and most scored in the 33rd percentile, the same as other low-income students.

A study commissioned by the Florida legislature and conducted by economist David Figlio, the found that 23,259 students using corporate tax credit scholarships to attend private and religious schools did no better than similar students in public schools. (*Evaluation of Florida’s Corporate Tax Credit Scholarship Program, David N. Figlio, 2009*)

In virtually every instance, the results are the same: overall students of similar backgrounds who use vouchers to attend private or parochial schools do not perform any better than students who remained in public schools.

Even studies by voucher advocates and paid for by voucher advocates, fail to show significant academic gains among voucher students. When your own side’s research says your program doesn’t improve the education of children and you keep on pushing it, it raises serious questions about the role wishful thinking, rather than improving student outcomes, plays in advancing the “school choice” agenda.

In this light, I want to point out that the bill before you lists 144 under-performing public schools but does not include more than two dozen low-performing charter schools that would be on the list had you applied the same criteria to charter schools as you did to regular public schools.

The fact is a minority of charter schools are successful. The most comprehensive study of charter schools in the nation found that only 17 percent of charter school students showed gains that were significantly better than traditional public schools, while 37 percent of charter students performed worse than comparable children in public schools. (*Multiple Choice: Charter School Performance in 16 states, Center for Research on Education Outcomes, Stanford University 2009*)

Based on test scores in Philadelphia, 29 of 74 charter schools perform so poorly that they would have been included the list of schools warranting vouchers under Senate Bill 1.

Voucher legislation is a bad idea, regardless of who it applies to – public, parochial or charter students – but the fact that Senate Bill 1 excludes charter school students suggests that this bill has more to do with dividing parents, educators, concerned citizens and lawmakers into educational camps than doing the real work of improving schools for all children.

Accountability in Admissions: Schools Choose, Not Parents

The bill before you would allow private and parochial schools to receive state subsidies for enrolling low-income students from under-performing schools. But how many struggling, poor students will be admitted to high-performing private or out-of-district schools? Will the voucher

program serve all populations equally? And how will taxpayers know if the program is successful?

If the record in other communities is repeated, vouchers will give a small number of motivated children with and engaged parents a shot at attending a high-performing private school. But for the majority of parents and children, vouchers will give a false hope of a better education while siphoning resources from the state's cash-strapped public schools.

Although there is perfunctory language prohibiting discrimination by schools accepting vouchers, it is well documented that voucher, private and charter schools under-enroll certain populations of students, including learning or physically disabled students and English Language Learners (ELLs).

A national study by CREDO, the Center for Research on Education Outcomes at Stanford University, found that New York City charter schools enrolled smaller proportions of English-language learners than are present in the city's school population, while a Mathematica Policy Research study found that 22 middle schools run by the acclaimed Knowledge Is Power Program, or KIPP, in New Jersey, were much less likely to enroll ELLs than the school districts from which KIPP draws its students. Similarly, a U.S. Department of Education study found that "enrollment of students with more significant disabilities in charters schools is relatively rare, except in schools specifically designed for these students." (*ERIC Digests, Westat, Charter Schools and Students with Disabilities: A National Study, 2000*)

In Milwaukee, the NAACP and the Milwaukee Fair Housing Council tested school compliance with non-discrimination codes and found that voucher schools, in violation of state law, consistently worked to make it easier for desired parents – particularly parishioners – to participate in "school choice," and to "counsel out" parents of students who private school administrators found less desirable.

This is largely because parental choice is a myth...private schools choose their students, not parents.

Furthermore, even a \$9,000 voucher will not buy a low-income, Philadelphia student's way into excellent neighboring districts like Lower Merion, which spends an average of \$18,000 per year on each child's education, or into any one of the hundreds of high-performing private schools, which charge from \$15,000 for kindergarten to \$30,000 by high school.

It seems likely that many vouchers will be used at schools as low performing as the ones the bill is helping students leave existing schools.

Academic Accountability: No Testing, No Accountability

Under Senate Bill 1 schools accepting vouchers are not required to meet state academic standards, are not required administer standardized tests and have no mandate to report test scores, enrollment, attendance or graduation rates to taxpayers, as public and charter schools do.

This bill does not provide parents or taxpayers with even a modest amount of transparency, as all public schools do. No reports are required revealing who applied and who was denied admission – making a sad joke out of anti-discrimination language. Senate Bill 1 doesn't require curriculum approval or regular evaluations of students, as even state regulations require for home-schooling. And Senate Bill 1 sets no guidelines for the qualifications of school operators, administrators, teachers or staff.

And most disturbing to anyone who follows current events, the bill provides no protection for children in schools that accept vouchers be protected from criminals and sexual predators by mandating criminal background checks for all employees – as all public schools do.

Under Milwaukee's voucher program, a school called Alex's Academics of Excellence was opened by a convicted rapist and remained open despite allegations that staff members used drugs on school grounds. The founder of another Milwaukee voucher school was jailed for padding enrollment, stealing \$300,000 to buy himself two Mercedes while failing to pay his staff, according to an investigative report in the *Milwaukee Journal Sentinel*.

The lack of regulation, monitoring, transparency and oversight of private and parochial school operators subsidized with taxpayer funds under this bill would encourage unqualified operators to take advantage of poor families by opening fly-by-night schools, hiring unqualified teachers and taking fat salaries for themselves and their families, without providing a quality education.

Senate Bill 1 ignores every phrase about the need to hold publicly funded schools accountable for student performance that has been uttered in HarriSenate Billurg over the last decade. In reality, this bill is the beginning of the state abandoning its responsibility to be accountable for both taxpayer funds and student performance.

The Cost of Vouchers to Taxpayers

Senate Bill 1's sponsors haven't revealed how much their program will cost taxpayers, but the way the bill is written we know it will be expensive and it grow tremendously by the third year, when every low-income child in Pennsylvania in private and religious schools will be eligible to receive a voucher.

In the first year, estimates show that if just 10 percent of the children in the 144 schools take advantage of the voucher program, the cost to the Commonwealth would be more than \$50 million. If half of the eligible students take vouchers, the first-year cost would jump to a half a billion dollars in state funds.

In the third year, when this bill makes every low-income child in private and religious schools eligible to receive a voucher, the cost will mushroom to over a \$1 billion a year – the same amount that Gov. Corbett may be proposing to cut from his education budget this year.

That money would come directly from the poorest schools, draining vital funding from our most impoverished schools.

What's more, Senate Bill 1 is a blank check with no safeguards to prevent the kind of fraud and reckless spending that is well-documented at numerous charter schools. The Commonwealth of Pennsylvania and the Pennsylvania Department of Education, as well as school districts, have demonstrated they do not have the ability to protect public dollars from unscrupulous school operators. Philadelphia City Controller Alan Butkowitz has identified numerous instances at charter schools of conflicts of interest by board members, improper relationships with nonprofits, excessive profits and administrative salaries, intermingling of funds, nepotism and self dealing in contracts.

Butkowitz's report details a variety of financial abuses and found that "it is abundantly clear that taxpayer's money is at risk," and that "ethical concerns may, in fact, be more widespread than many acknowledge." The U.S. Department of Justice is investigating 13 of 74 charter schools in Philadelphia. Similar problems have been identified in other states.

I'd like to point out that Pennsylvania already has the Education Investment Tax Credit, which provides taxpayer subsidies to 38,000 private school students. What are the test scores of those students? How much turnover is there? What is the cost in taxes to the strapped state treasury? We don't know. The only study of student achievement in a program like this one looked at Florida's corporate tax voucher program. It concluded that voucher students' scores were "on average modestly lower" than those of comparison students in the public sector.

We have a tremendous number of school choice options in Pennsylvania. In addition to the Education Investment Tax Credit program, we have 144 charter schools and a dozen cyber schools.

And within the traditional public schools – particularly in Pittsburgh, the Lehigh Valley and Philadelphia – we have a large number of choices: career and technical academies, college preparatory schools, schools focused on government, science, engineering and technology and culinary arts. There are provisions for transfers under NCLB for students in schools that are not making AYP. The idea that a student is 'trapped' in any school is rapidly becoming an urban legend.

One more form of "choice" will provide greater opportunity for misdirection of taxpayer funds.

Support successful school reforms

It's clear that you have better choices than to divert taxpayer funds from public schools. Although we all agree that there is much more work to be done, over the last several years we have made tremendous progress in public education, particularly for at-risk youth in Pennsylvania.

On the National Assessment of Education Progress we are now 15th in 4th grade reading, and there are only six states whose advantage over us is outside the margin of error. We are 14th in 4th grade math, but there are only four states with an advantage over us that is outside the margin of error.

Similarly, there are 19 states that are better on 8th grade reading, but only six of those have advantages over us that are outside the margin of error. We are 12th in 8th grade math, but only four states have advantages over us that are outside the margin of error.

We haven't narrowed the achievement gap in 8th grade math, but we've had the 4th largest reduction in the achievement gap in 4th grade math, 12th largest in 4th grade reading, and the 15th in 8th grade math. And the difference between us and the leader in every category is within the margin of error. The fact is we're reducing the achievement gap, and no one is doing it faster.

The Center for Education Policy found that Pennsylvania was the only state to do all three of these things:

- Reduce the percentage of students performing at the lowest achievement level
- Increase the percent of students at the highest achievement level
- Increase the number of students who are on grade level or better.

The center also found that Pennsylvania was a leader in overall improvement across elementary, middle and high school performance. And our locals are making a real commitment to support this progress. In Philadelphia, we negotiated a contract that includes new ways to reward teachers who take on more challenging tasks and to reward entire staff of schools where students are making exceptional progress. And we've created a new evaluation system that uses peer assistance and review to help improve instruction and identify those who probably should not be teaching.

In addition to the contract, our local in Philadelphia has been awarded a grant from the AFT to support a community schools program. Community schools are a way of using the school system to deliver added services for students who are on the tough end of the recession – services like healthcare, family counseling, job training for parents, and other services that help elevate entire families. We believe this is going to make a difference for our children both in and outside of the classroom.

In PittSenate Billurgh, the school district and the PittSenate Billurgh Federation of Teachers have worked collaboratively over several years to secure a \$40 million grant from the Bill and Melinda Gates Foundation to help develop a package of teacher-effectiveness initiatives, including incentive pay and a new evaluation system. Beginning next September, teachers at schools making significant gains in student achievement will receive a \$6,000 bonus. The most recent contract added after-school enrichment activities and a voluntary, pilot pay-for-performance plan.

These and other programs increasing the length of the school day and school year, lowering class sizes, providing additional help to struggling students and other reforms are making a tremendous difference in the lives of low-performing students.

In reality, we know what research says works to raise achievement across the state, and particularly among disadvantaged students. We must continue to expand access to early childhood education and full-day kindergarten to make sure students are prepared to learn. We must keep class sizes low in kindergarten through the third grade so that children get the one-on-one instruction that ensures everyone is reading on grade level. We need early intervention programs that identify children who are at risk of dropping out – and the warning signs (truancy,

academic failure and behavioral problems) are clear by the fifth and sixth grades – and provide support to stop the cycle of failure. Our schools need counselors, psychologists and nurses to help low-income children and families address the issues that often impede academic progress. And we need great high schools that offer a multitude of college- and career-track programs to prepare our students to be productive and engaged citizens of our democracy.

These are the reforms with a track record of turning under-performing schools around and are worthy of our investment. I hope you will continue to support free and open public schools that welcome and educate all students, not just a lucky few.

This unaffordable and unaccountable program giving taxpayer-funded vouchers will not help Pennsylvania students attain the high levels of achievement they'll need to be successful in our competitive, technology-driven global economy.

Thank you.