

United States Senate

WASHINGTON, DC 20510-4704

March 22, 2017

Dear Colleagues,

Last week, the Trump Administration released its fiscal year 2018 budget request that commits to diverting public funds from bipartisan education programs for school privatization efforts. This should concern all of our colleagues, Republican and Democrat, as many of these programs were reauthorized and strengthened in the Every Student Succeeds Act. While supporters try to argue the programs proposed in President Trump's budget increase "school choice," in reality, privatization presents a false choice for parents, students, and communities.

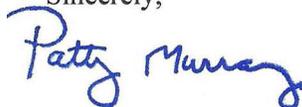
Under school privatization programs such as private school vouchers, tuition tax credits or deductions for private school, and education savings accounts for elementary or secondary education, families and students are promised a better school experience. But the reality is that private schools receiving taxpayer funds lack accountability and transparency, can deny students and parents basic rights, and are inaccessible to students in rural areas and students who cannot afford to pay the difference in cost between the voucher and private school tuition. These programs are particularly concerning for our nation's children who need additional supports and services in school, including students with disabilities who are often forced to sacrifice their rights under the Individuals with Disabilities Education Act in exchange for a voucher.

The memo attached lays out the damaging impact of school privatization programs across the country, and a better way forward: instead of focusing on false choice, we must give parents the real choice to have their children attend a high-quality public school in their neighborhood. We must increase community and parent involvement and improve access to high-quality career and technical education, dual enrollment programs, and other advanced coursework. Finally, we must ensure that all school options within the public school system prioritize accountability and transparency for outcomes for all students, and provide parents with high-quality choices. Effective implementation and enforcement of the bipartisan Every Student Succeeds Act, Individuals with Disabilities Education Act, and our civil rights laws are critical to this mission.

In this memo you will hear from parents, teachers, administrators, and other education leaders about their experiences with school privatization, and the consequences of state-level school privatization in their communities. They will share their concerns, experiences, and aspirations for the children they love and serve, and their vision of real school choice. I hope this memo provides you with helpful facts, examples, and context on harmful privatization efforts we are going to continue to have pushed by the Trump administration.

All children deserve access to a high-quality public school, regardless of where they live, how they learn, or how much money their parents make. I look forward to continuing to work with you on critical issues facing our schools and American families. I am happy to discuss any of these issues with you and my staff is always happy to talk to yours and follow up with additional analysis.

Sincerely,



Patty Murray
United States Senator

154 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-4704
(202) 224-2621

2930 WETMORE AVENUE
SUITE 903
EVERETT, WA 98201-4107
(425) 259-6515

2988 JACKSON FEDERAL BUILDING
915 2ND AVENUE
SEATTLE, WA 98174-1003
(206) 553-5545
TOLL FREE: (866) 481-9186

10 NORTH POST STREET
SUITE 600
SPOKANE, WA 99201-0712
(509) 624-9515

950 PACIFIC AVENUE
SUITE 650
TAGOMA, WA 98402-4450
(253) 572-3636

THE MARSHALL HOUSE
1323 OFFICER'S ROW
VANCOUVER, WA 98661-3856
(360) 696-7797

website: <http://murray.senate.gov>
e-mail: <http://murray.senate.gov/email>
PRINTED ON RECYCLED PAPER

402 EAST YAKIMA AVENUE
SUITE 420
YAKIMA, WA 98901-2760
(509) 453-7462

MEMORANDUM

To: Senate Colleagues

From: Senator Patty Murray (D-WA) and Senate Health, Education, Labor, and Pensions Minority Staff

RE: Real Choice vs. False Choice: The Repercussions of Privatization Programs for Students, Parents, and Public Schools

Date: March 22, 2017

Real Choice vs. False Choice: The Repercussions of Privatization Programs for Students, Parents, and Public Schools

There are few issues more important to families, the economy, and the future of our country than making sure every student has the opportunity to succeed no matter where they live, how they learn, or how much money their parents make. Education is the heart of true opportunity in our country, and getting it right at the federal level is one of the most important ways we can help our middle class grow. But there is a debate right now about the best way to accomplish this, and the outcome of this debate has serious implications for the futures of our students, the success of our nation, and the strength of our economy.

The Trump Administration and some in Congress are pursuing an education agenda under the guise of providing students and families with so-called “school choice.” Though, on its face, this promise may sound appealing, in reality, this so-called answer doesn’t work for students and families for a number of critical reasons: It ignores the needs of students in rural areas without private school options, ignores the threats posed to students with disabilities and students who may face discrimination, and ignores the parents who believe in their communities and want their children to be able to attend strong public schools in their neighborhood. In other words, it is a false choice. The only true student and family agenda is one that delivers on the idea that every child, parent, and family should have the choice to attend a high-quality public school.

This memo contrasts privatization efforts that ignore the needs of students and families, with a vision for offering true choices to students, parents, and communities. It first shares stories from educators, parents, and families to explain how Trump-DeVos “school choice” or “privatization” policies work in practice. Then it describes how privatization falls short by focusing on three areas: 1) Accountability and transparency, 2) Challenges in rural areas, and 3) Protecting students’ rights. In each of these areas, it contrasts the privatization agenda with a vision for true public school choice.

But before getting into the policy, it would help to take a look at a real-world example.

Plevna, Montana

Jule Walker is a superintendent, parent, teacher, and community leader in Plevna, Montana, a town located about 50 miles from the North Dakota border. Walker’s district serves 84 students. The school is the largest employer in town and the center of the community. The school bus route runs 50 miles south, 35 miles west, and 20 miles north of the school. “We have a shared belief in rural Montana that we stress being committed to helping others and being good to others,” she said, when

asked about the importance of education in her small town. There are a number of initiatives she is working on to better serve the students in her community.

In 2015, Montana passed a tax credit scholarship program, which provides a voucher of approximately \$500 for students to use to attend private schools. Even though only 25 students in the state participated in the program in the first year,¹ the push toward privatization is deeply concerning to many in Plevna who worry it won't truly benefit them or their students. To start with, the closest non-boarding private school in Montana is 240 miles away from Plevna. "Private schools are completely inaccessible to our students," Walker says. And accessibility isn't her only concern. "Accountability in voucher programs is one of our biggest issues. Part of what they want to do is funnel off money for public education and remove that accountability." In addition, Walker is concerned about the impact of vouchers on students with disabilities. She explains, "We have students with disabilities, and we have been serving them well. They will not have the same access to voucher schools as they do with public schools, so it is not an equal playing field, and we are creating inequality."

Instead of focusing on vouchers, Walker says, Plevna is working on a new initiative to provide access to high-quality digital learning opportunities for her students. In Plevna, she says, "we try to provide state-of-the-art technology, personalized and engaged learning, and independent projects, in order to create entrepreneurial thought processes. We need to get back to a point where we value public education, where we engage parents and families, and keep an impetus of keeping education as an equalizer in our society, instead of a chaos-creator, which is what it is becoming in this push towards privatization."²

Parents in Plevna and across the country often face a "false choice" when it comes to their child's education—privatization policies that fail to provide meaningful and accessible opportunities to parents and students that ultimately drain resources from public education. Jule Walker, and others similar to her, are focused on providing the true choice of a strong public education to her students, but in order to do that, she needs government at all levels to step up to the plate and not waste resources on failed privatization efforts that don't actually help her kids.

What is "Privatization?"

While the share of funding varies by state, generally in the United States, public education is funded by taxpayer dollars, including 46% local, 45% state, and 9% federal funds.³ Privatization occurs when states, districts, or the federal government divert public funds to private education. Privatization can take many forms, including direct subsidies or vouchers, tax credits or deductions, and education savings accounts. Although the exact forms vary, what ties them all together is that they each siphon taxpayer funding away from public education toward private schools that lack accountability, often fail to serve all students, and do not guarantee their rights.

Typical privatization policies in the United States include:

¹ Ed Choice. "Montana - Tax Credits for Contributions to Student Scholarship Organizations." Accessed March 14, 2017. <https://www.edchoice.org/school-choice/programs/montana-tax-credits-for-contributions-to-student-scholarship-organizations/>.

² Walker, Jule. Telephone interview. March 3, 2017.

³ "NCES Blog." IES. Accessed March 15, 2017. <https://nces.ed.gov/blogs/nces/post/financing-education-national-state-and-local-funding-and-spending-for-public-schools-in-2013>.

- **Vouchers:** Vouchers are public subsidies provided directly to parents to pay a portion of their child’s tuition at a private or religious school. Many vouchers do not cover the full cost of tuition at private schools, meaning low-income families often cannot afford private schools even with support from vouchers.⁴
- **Direct tax credits or deductions:** Families with a child attending a private school can receive a public subsidy for their private or religious school costs in the form of a tax deduction or credit for tuition at a private school and other related expenses.
- **Tax credit vouchers:** Individuals or businesses can donate money to a nonprofit organization that provides vouchers for children to attend private school. Instead of just receiving a typical federal tax deduction for a charitable contribution, these donors also receive a larger public subsidy for their donation. These programs rely on non-profits and are often used to skirt state constitutional requirements that prohibit funds from being used to subsidize religious entities.⁵ Florida’s Tax Credit Scholarship is an example of a privatization effort that includes both a corporate and individual tax credit of this kind.⁶
- **Education savings account:** State governments deposit taxpayer funds into an “education savings account” that can be used by parents to pay for various educational purposes, including private or religious school tuition. Another type of education savings account allows individuals to deposit a certain amount of their own funds into an investment account in which all gains are free from federal taxation, so long as the money is used for educational purposes, including private or religious school tuition. Arizona’s Empowerment Scholarship Accounts program is an example of an education savings account that allows government funding to be used for private schools.⁷

This memo will give a brief overview of each of these policies.

Accountability and Transparency

When it comes to education, information is power, and it is key to parent decision-making, public accountability, and to student success. Parents and communities need reliable, transparent information to determine whether schools are serving their children well and that they are making appropriate gains. Parents need peace of mind knowing that schools are held to high standards and will be held accountable, including in areas such as health and safety, as well as academic performance. This knowledge builds trust so parents can support their schools as centers of the community, but also empowers parents to take action if there are areas of concern. And taxpayers deserve to know that their money is being spent wisely and efficiently.

⁴ "Church & State." 10 Reasons Why Private School Vouchers Should Be Rejected | Americans United. Accessed March 15, 2017. <https://www.au.org/church-state/february-2011-church-state/featured/10-reasons-why-private-school-vouchers-should-be>.

⁵ U.S. Commission on Civil Rights, “The Blaine Amendments and Anti-Catholicism.” June 1, 2007. <http://www.usccr.gov/pubs/BlaineReport.pdf>

⁶ "Florida Tax Credit Scholarship Program." EdChoice. Accessed March 15, 2017. <https://www.edchoice.org/school-choice/programs/florida-tax-credit-scholarship-program/>.

⁷ "Arizona - Empowerment Scholarship Accounts." EdChoice. Accessed March 18, 2017. <https://www.edchoice.org/school-choice/programs/arizona-empowerment-scholarship-accounts/>.

In the United States, all public schools are subject to certain accountability and transparency requirements to not only improve schools, but also to provide information to parents and students on the learning environment in those schools. These requirements are written in the Elementary and Secondary Education Act (ESEA), which was reauthorized in 2015 through the Every Student Succeeds Act (ESSA), and mandated in the Individuals with Disabilities Education Act (IDEA). Under the ESEA, states must administer, for all public schools, annual assessments in reading and math in grades 3-8 and once in high school, and grade-span assessments in science. States must also report specific information about student outcomes, including disaggregated information for certain groups of students, including students with disabilities, English learners, major racial and ethnic groups, and low-income students, and school quality indicators to ensure that parents and taxpayers have comparable information. In addition, states must develop accountability systems to ensure that all students have access to a quality public school. However, private schools are not subject to these requirements—and this has major implications when it comes to taxpayer money being siphoned in their direction.

In states with voucher programs, private schools receiving taxpayer dollars are not subject to the same accountability and reporting requirements as public schools, and often do not require the same annual assessments for reading and math as public schools. A parent, therefore, cannot reasonably compare how students are doing in a private school compared with the same age students in a public school. Additionally, a parent has no way to verify that the private school meets even the most basic standards expected of our public schools, such as employing teachers who have graduated from college or providing students with disabilities the services they need to benefit from instruction. Private schools are also able to skirt basic transparency measures expected of public schools. While traditional public school districts are governed by local school boards and subject to open meetings and open records requirements, private schools can refuse to comply with these requirements.⁸

Evidence suggests parents should worry about this lack of performance transparency. In fact, most privatization programs are set up to make it impossible to conduct high-quality research studies, and for parents to make meaningful comparisons between schools. There have, however, been rigorous studies that employ random lotteries to test the impact of receiving a private school voucher that have shown that voucher programs do not improve student achievement.⁹ In recent studies of the Ohio and Louisiana voucher programs, students actually performed worse as a result of receiving the voucher.¹⁰ In addition, voucher programs across the country have shown evidence of fraud, such as embezzlement of funds and submitting applications and receiving funding for nonexistent

⁸ NEA, “Vouchers: What is at Stake?” Accessed March 20, 2017.

<https://www.cta.org/~media/Documents/Issues%20%20Action/Ed%20Reform/Vouchers/Vouchers%20NEA.pdf?dmc=1&ts=20170320T0641504026>

⁹ Harris, Douglas N. “Why Managed Competition Is Better than a Free Market for Schooling | Brookings Institution.” Brookings. March 17, 2017. Accessed March 18, 2017. <https://www.brookings.edu/opinions/why-managed-competition-is-better-than-a-free-market-for-schooling/>.

¹⁰ Mills, Jonathan N., Anna J. Egalite, and Patrick J. Wolf. “How Has the Louisiana Scholarship Program Affected Students?” Education Research Alliance for New Orleans, February 22, 2016.

<http://educationresearchalliancenaola.org/files/publications/ERA-Policy-Brief-Public-Private-School-Choice-160218.pdf>; Figlio, David and Krzysztof Karbownik. “Evaluation of Ohio’s EdChoice Scholarship Program: Selection, Competition, and Performance Effects. July 2016. [https://edex.s3-us-west-](https://edex.s3-us-west-2.amazonaws.com/publication/pdfs/FORDHAM%20Ed%20Choice%20Evaluation%20Report_online%20edition.pdf)

[https://edex.s3-us-west-](https://edex.s3-us-west-2.amazonaws.com/publication/pdfs/FORDHAM%20Ed%20Choice%20Evaluation%20Report_online%20edition.pdf)

[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)

students.¹¹ This occurs while simultaneously depleting needed resources for public schools and shortchanging students.

Based on this evidence and fundamental principles of public accountability for public dollars, education leaders have called for subjecting private schools that receive taxpayer dollars to the same accountability and transparency requirements, and asking that they play by the same rules as public schools. This seems reasonable, however privatization proponents continue trying to tilt the playing field by fighting against these proposals. Mike Lucas, superintendent of York, Nebraska, a rural community, explains these concerns, “If we’re going to be funneling state or federal dollars towards schools that don’t have the same expectations or accountability that public schools have, that’s a big problem to me. Public education is one of the founding principles of our country.”¹²

Privatization programs may offer more resources to private schools, but they don’t offer real choices for students and families. Under privatization programs, schools receive an ever-growing share of taxpayer funding but are free to choose the students they want, the rules they follow, and the practices they believe in, ignoring accountability and transparency for public dollars.

Privatization programs in Arizona, which are among the oldest and largest privatization efforts in the United States, show several ways that a lack of transparency and accountability hurts students. The state has five school privatization programs: an education savings account and four different tax credits, including one credit specifically for students with disabilities. The first and largest program is the Arizona Individual Income Tax Scholarship for students with disabilities. According to the non-profit Ed Choice, under this effort, taxpayers can receive a tax credit for their “donations to nonprofit organizations that provide school scholarships to K-12 students.”¹³ The vouchers are then awarded by non-profits to students with disabilities from preschool to grade 12.¹⁴

Under this Arizona program, students are not required to take the same standardized assessments in reading and math as students in public schools, denying parents the ability to reliably compare student performance. Private schools are free to provide – or not to provide – whatever information to parents they would like. However, without this information about whether students are learning to read, write, do arithmetic, and scientifically reason, schools and parents do not know whether the school is delivering on its end of the bargain. The lack of transparency is particularly concerning for certain groups of students such as students with disabilities, English learners, and low-income students, who have traditionally been ill-served and the subject of low expectations. Further, local communities cannot use this information to improve the quality of their schools.

Dr. Edna Morris is superintendent of the Baboquivari Unified School District in Sells, AZ, on the Tohono O'odham Indian reservation, the second largest reservation in Arizona. Recently, Arizona has expanded its education savings account program, Empowerment Scholarship Accounts, to include students on tribal lands.¹⁵ She explains,

¹¹ "Dispelling the Myth of School Choice." Freedom From Religion Foundation. Accessed March 14, 2017. <https://ffrf.org/outreach/item/22744-voucherfaq#V5>.

¹² Lucas, Mike. Telephone Interview. March 1, 2017.

¹³ "Arizona - Original Individual Income Tax Credit Scholarship." EdChoice. Accessed March 14, 2017. <https://www.edchoice.org/school-choice/programs/arizona-original-individual-income-tax-credit-scholarship-program/>.

¹⁴ The Arizona Individual Income Tax Scholarship provides vouchers to students who have been identified as having a disability under either the Individuals with Disabilities Education Act or the Section 504 of the Rehabilitation Act of 1973.

¹⁵ "Ariz. Legislature Passes Bill Giving Native American Students on Tribal Lands Access to Empowerment Scholarship Accounts." American Federation for Children. April 02, 2015. Accessed March 15, 2017.

“For example, if we have 500 students at one school, and 250 took advantage of [Empowerment Scholarship Accounts], we would still, facility-wise, use state dollars to pay for the facility, turn on the water, pay for the teachers. So if you collectively as a state, slash our funding by 50%, you have basically ruined our education for the 250 who stayed. Plus, there is no accountability for the 250 who left; there is no accountability that says that they will be successful.... We look at it and say every single child deserves the right to be educated, so why not put those dollars in those school districts who are actually making an effort in promoting our students’ education.”¹⁶

Additionally, private schools receiving public dollars often do not need to be accredited or employ teachers with the credentials necessary to teach in public schools, such as a Bachelor’s degree.¹⁷ Because of this, parents have no way to ensure the teachers who are providing instruction to their children are quality teachers.

Here is an example. Nadell Northrop is the grandparent of Luke, a student who took part in the Florida Tax Credit Scholarship. Under this program, Luke received a voucher to attend Manatee Learning Academy for middle school. While Luke got good grades, when he tried to attend a public school in 10th grade, he found out his credits would not transfer. As Nadell described, “It was only then that we found out how bad things were – the voucher school was not accredited, and the teachers were not certified! For all those glossy voucher program brochures, nobody running the program bothered to mention that schools taking voucher students did not have to be accredited, and their teachers didn’t have to be certified.” Upon realizing that he would have to repeat 10th grade, Luke dropped out of school.¹⁸

This lack of accountability leads to significant amounts of fraud in the privatization system, including misusing public dollars for administrators’ own benefit.

Wisconsin has the nation’s oldest and perhaps most famous school voucher programs, the Milwaukee Parental Choice Program (MPCP). MPCP provides vouchers to low-income students to attend participating private schools. In the 2016-2017 school year, 28,188 students participated in MPCP.¹⁹ In the past 25 years of operation, the program has come under fire for poor test scores and fraud. In fact, in one instance in 2012, a Wisconsin grand jury indicted Bishop Gregory L. Goner for using \$100,000 per year he received through the voucher program to allegedly “lease Cadillacs for himself and his family.”²⁰ As State Rep. Mandela Barnes (D-Milwaukee) described, “There’s government money available for people who want to open up a building and call it a school. All you have to do is get the children and all you have to do is come up with a catchy slogan.”²¹ Due to

<http://www.federationforchildren.org/ariz-legislature-passes-bill-giving-native-american-students-tribal-lands-access-empowerment-scholarship-accounts/>.

¹⁶ Morris, Edna. In person interview. March 14, 2017.

¹⁷ "School Choice: Private School Choice Programs Are Growing and Can Complicate Providing Certain Federally Funded Services to Eligible Students." U.S. Government Accountability Office (U.S. GAO). September 12, 2016. <http://www.gao.gov/products/GAO-16-712>.

¹⁸ Northrop, Nadell. "We Learned the Hard Way about Vouchers, President Trump – Schoolhouse Voices." Medium. March 03, 2017. <https://medium.com/school-house-voices/we-learned-the-hard-way-about-vouchers-president-trump-d69846b521a#.jkt4mod2q>.

¹⁹ "Wisconsin - Milwaukee Parental Choice Program." EdChoice. Accessed March 14, 2017.

<https://www.edchoice.org/school-choice/programs/wisconsin-milwaukee-parental-choice-program/>.

²⁰ Dwyer, Meghan, and Stephen Davis. "Voucher School Leader Indicted for Stealing Taxpayer Money Spotted at New Choice School." FOX6Now.com. February 12, 2016. <http://fox6now.com/2016/02/11/voucher-school-leader-indicted-for-stealing-taxpayer-money-spotted-at-new-milwaukee-choice-school/>.

²¹ "Voucher School Leader Indicted for Stealing Taxpayer Money Spotted at New Choice School."

traditionally poor financial reporting in the privatization system, this incidence of fraud could be just the tip of the iceberg.

While most privatization programs completely lack transparency about student learning, there have been a few studies comparing the performance of students receiving vouchers to performance in public schools. A major study of the Louisiana Scholarship Program (LSP) found “large negative results in both reading and math.”²² According to the study, “An LSP user who was performing at roughly the 50th percentile at baseline fell 24 percentile points below their control group counterparts in math after one year.”²³ Students improved in the second year, but performance remained below the student’s original performance.²⁴

When asked about the research, Tulane Professor of Economics Doug Harris said, “Almost never do you see an effect as negative in size as we have seen in Louisiana.”²⁵ In addition, a 2013 report of data for LPS showed that at least 45 percent of students receiving vouchers attended schools with performance scores in the D-F range on the state’s grading scale.²⁶ For example, when Redemptorist Elementary in Baton Rouge, which participates in the voucher program, is measured against all public schools in Louisiana, it is the second lowest performing school.²⁷

Parents, communities, and taxpayers need and deserve reliable, comparable, transparent information about school performance. Without this information, taxpayers cannot hold local schools accountable for educating their children well and push for needed improvements, especially when it comes to serving our nation’s most at-risk children. At the federal level, this kind of information is critical to measuring the progress being made in closing achievement gaps. Even more critical, parents need information to make informed decisions about where to send their children. Instead of embracing accountability and transparency, privatization proponents reject even the most basic transparency and accountability, while leaving parents and families behind.

Challenges in Rural Areas

Nine million of the 50 million students in the United States attend a rural school, according to an upcoming report from the Rural School and Community Trust.²⁸ These students face unique challenges when it comes to school choice. In many rural areas, there are no, or very few, private school options. Students in rural areas often have to travel very far to attend the nearest school. Without taxpayer funded transportation, arranging private transportation would be prohibitively expensive and time-consuming for many families in rural areas. For these students and families, their public school is the only real option and claims to the contrary only amount to “false choice.”

²² Carey, Kevin. "Dismal Voucher Results Surprise Researchers as DeVos Era Begins." The New York Times. <https://mobile.nytimes.com/2017/02/23/upshot/dismal-results-from-vouchers-surprise-researchers-as-devos-era-begins.html>.

²³ Mills, Jonathan N., Anna J. Egalite, and Patrick J. Wolf. "How Has the Louisiana Scholarship Program Affected Students?" Education Research Alliance for New Orleans, February 22, 2016. <http://educationresearchalliancenola.org/files/publications/ERA-Policy-Brief-Public-Private-School-Choice-160218.pdf>

²⁴ "How Has the Louisiana Scholarship Program Affected Students?"

²⁵ Harris, Doug. Phone Interview.

²⁶ Dreilinger, Danielle. "Vouchers putting students in failing private schools; Some scores aren't released publicly." November 28, 2013. http://www.nola.com/education/index.ssf/2013/11/no_performance_score_for_80_pe.html.

²⁷ "Vouchers putting students in failing private schools; Some scores aren't released publicly."

²⁸ DelReal, Jose A., and Emma Brown. "Where School Choice Isn't an Option, Rural Public Schools Worry They'll Be Left behind." The Washington Post. February 10, 2017. https://www.washingtonpost.com/national/where-school-choice-isnt-an-option-rural-public-schools-worry-theyll-be-left-behind/2017/02/10/03e7146a-ef23-11e6-9973-c5efb7ccfb0d_story.html?utm_term=.0bc22af8722a.

For parents in very remote areas, the inaccessibility of a private school voucher is readily apparent. Candy Jo Bracken is a parent of three boys in the public school system who grew up in Glennallen, Alaska, a town with about 400 residents.²⁹ “The community’s public schools are the hub of most of our rural areas,” she explains. “A push for vouchers in our communities, small villages, means our students don’t have a choice. Some [parents in Alaska] are still having to put their kids on a boat to go across the river for school for the week.”³⁰ Even if Alaska adopted a privatization program and no students in Glennallen took advantage of it, the school district may still lose funding. Privatization programs drain public resources by diverting funds that could be used to improve the public school system, leaving students in public schools behind.

In rural areas where there are few private schools, privatization programs could be devastating. In Montana, there are 122 private schools serving slightly more than 10,000 students. Ninety percent of students attend public schools.³¹ Many of these students do not have a private school within driving distance, and due to vast distances and dispersed geography of rural school districts, private schools are unable to sustain themselves in these rural locations.³²

When some Montanans think about the impact of a voucher program on their communities, they see it as a threat to the quality of public schools in Montana. As Bob Vogel of the Montana School Boards Association said, “In a voucher program, you are pulling resources away from public schools that are trying to deal with a myriad of issues and trying to address things to make themselves better. But you are basically taking resources away and not giving them much of a chance to do that.”³³ In fact, when asked about privatization versus investments in improvements and innovation in public education, almost 80 percent of Montana voters supported investing in public schools, versus only 14.8% that preferred providing taxpayer funding for private schools.³⁴

Jay Curtis is the superintendent of Park County School District #16 in Meeteetse, Wyoming. In the last three years, his school of about 130 students had teams that won two national competitions in science and mathematics. When asked about the impact of a voucher program on his small district, he said “There are no private schools in our town... The closest private schools are 30 minutes away and in the winter time it is not a 30 minute ride. I certainly wouldn’t want my children on that road.” He explains further, “When you take one student out of school, and this number might shock you, as it does most people, that’s about \$30,000 dollars for us. When you consider that one teacher costs between \$60-70,000, we have that much less ability to pay for the teachers that we have that are putting blood, sweat, and tears into educating the youth of this district. It is a very scary proposition.”³⁵

In Maine, the state with the highest percentage of residents living in rural areas in the nation,³⁶ the same is true. Schools are the centers of local communities, and although there are less miles

²⁹ Alaska Department of Commerce, Community, and Economic Development, Glennallen. Accessed March 20, 2017. http://www.crks.org/wp/?page_id=160

³⁰ Bracken, Candy Jo. Telephone interview. March 14, 2016.

³¹ “School Choice in Montana Well-Protected, Freely Exercised.” Montana Public Education Center. January 16, 2015. http://mrea-mt.org/wp-content/uploads/2016/04/MT-PECSpotlightonChoicee-version_000.pdf

³² “School Choice in Montana Well-Protected, Freely Exercised.”

³³ Vogel, Bob. Telephone Interview. February 28, 2017.

³⁴ “School Choice in Montana.” School Choice in Montana - Montana Public Education Center. Accessed March 14, 2017. <http://mt-pec.org/k12issuespotlights/2017/school-choice>.

³⁵ Curtis, Jay. Telephone Interview. March 1, 2017.

³⁶ “Growth in Urban Population Outpaces Rest of Nation, Census Bureau Reports - 2010 Census - Newsroom - U.S. Census Bureau.” Growth in Urban Population Outpaces Rest of Nation, Census Bureau Reports - 2010 Census -

between those schools, losing students to private schools is equally concerning. As Frank Boynton, superintendent of schools in Millinocket, Maine, describes “Every time I lose a student somewhere, it’s five or six thousand dollars. You lose seven students, that’s a teaching position.”³⁷ Practitioners in these areas are concerned about how to balance their budgets and meet the needs of the students they serve, particularly in areas where population is decreasing.

This trend can be seen across the country. The Center for American Progress estimates that vouchers are not a viable solution for 85 percent of regular school districts in the country. In these 85 percent of districts with few schools, “vouchers would not just be ineffective, but they could also dramatically destabilize public school systems and communities.”³⁸ Providing incentives for private school so-called choice at the expense of the true choices offered by investments in strong public education, would be devastating for these areas.

Protecting Students’ Rights

Due to a history of discrimination and harassment of children in schools based on race, sex, national origin, religion, disability, immigration status, gender identity, and sexual orientation, Congress developed a system of civil rights laws to ensure every child in the United States has equitable access to education.³⁹ However, Congressional proposals to create federal voucher programs disregard this history of discrimination and fail to reaffirm that any private schools receiving taxpayer dollars must be subject to certain civil rights laws, including the IDEA.⁴⁰ This leaves children and families interested in these schools at risk of discrimination and harassment without the tools provided by our civil rights laws to enforce their rights.

For example, privatization programs fail to provide all students with disabilities an equitable education. In public schools, under the IDEA, Congress requires every child that is determined eligible for supports and services to be offered a free and appropriate public education (FAPE) in the least restrictive environment (LRE), and that public schools work with the family to create an Individualized Education Program (IEP) for these students. In addition to parent participation in the educational decision-making process, IDEA requires appropriate and timely evaluations, and procedural safeguards to protect the rights of students with disabilities and their families. In the event that a school fails to meet their obligations under the law, Congress provided parents the ability to legally force a school to provide the services their child requires. With few exceptions, private schools are not subject to these requirements.⁴¹

Newsroom - U.S. Census Bureau. March 26, 2012.

https://www.census.gov/newsroom/releases/archives/2010_census/cb12-50.html.

³⁷ “Where School Choice Isn’t an Option, Rural Public Schools Worry They’ll Be Left behind.”

³⁸ Neil Campbell and Catherine, and Catherine Brown. “Vouchers Are Not a Viable Solution for Vast Swaths of America.” Center for American Progress. March 02, 2017.

<https://www.americanprogress.org/issues/education/news/2017/03/03/414853/vouchers-are-not-a-viable-solution-for-vast-swaths-of-america/>.

³⁹ See for example, Americans with Disabilities Act, Civil Rights Act of 1964, Family Educational Rights and Privacy Act, Title IX of the Education Amendments of 1972, U.S. Constitution, and other laws.

⁴⁰ Rokita, Todd. “Educational Opportunities Act.” <https://www.congress.gov/bill/115th-congress/house-bill/895?q=%7B%22search%22%3A%5B%22Educational+Opportunities+Act%22%5D%7D&r=1>. Scott, Tim.

“CHOICE Act.” <https://www.congress.gov/bill/114th-congress/senate-bill/265/text?q=%7B%22search%22%3A%5B%22tim+scott+education%22%5D%7D&r=3>.

⁴¹ Almazan, Selene, and Denise Stile Marshall. “School Vouchers and Students with Disabilities: Examining Impact in the Name of Choice”, June 2016. https://c.ymcdn.com/sites/copaa.site-ym.com/resource/resmgr/2016_Conference/COPAA_Voucher_paper_final_R6.pdf

According to the Council of Parent Advocates and Attorneys (COPAA), while there are four states that allow students to maintain some rights under IDEA when they accept a voucher, the majority do not.⁴² Sometimes, parents are not even aware they are losing their rights. As Valerie Williams, government relations director for the National Association of State Directors of Special Education and a parent of a child with Down Syndrome, said, “When parents get a voucher, they think they can take it to a private school that will honor the same agreements, laws, and have the same accountability as they had in the public system, and that’s not the case. I don’t think most parents understand that until they run up against a problem and ask about their recourse, and find there is none.”⁴³

Under privatization programs, families of children with disabilities can incur fees associated with educating their children and providing needed services, schools can terminate services and supports for any reason without even discussing the change with the families, and parents are not entitled to the same right to challenge a school’s decision. In short, parents of children with disabilities are robbed of their ability to help make decisions about what their child needs to succeed, and the parent’s role in decision-making about their child’s education is reduced. Additionally, just like any voucher program, vouchers for students with disabilities often do not pay the entire cost of a private school education.⁴⁴ As the Center for American Progress describes, “voucher programs can leave children and families with fewer services, hefty bills, and no opportunity for legal recourse.”⁴⁵

There have been numerous reports of schools receiving vouchers that fail to provide necessary services to students with disabilities. In Ohio, Dragonfly Academy, a school participating in the state voucher program for students with autism spectrum disorder, closed abruptly after allegations that the staff were not certified and students who were supposed to be receiving services were not receiving them whatsoever.⁴⁶ As one parent of a student with autism, Sarah Stratos, described, “My heartstrings were pulled. I gave this school all of my trust.” After her child was removed and placed in another school, she says his behavioral issues were gone.⁴⁷ In addition, private schools serving students under voucher programs for students with disabilities may also be susceptible to fraud through the Medicaid program. In one private school in Florida, administrators were accused of “milking Medicaid of millions, largely for ‘one-to-one therapy’ ... the children rarely, if ever, received.”⁴⁸ A student at this private school “couldn’t get proof that his teachers were certified to teach or that his bus driver had passed a background check.”⁴⁹

Additionally, privatization programs targeting students with disabilities often allow for segregated schools, where only students with disabilities are allowed to attend, but without any protections or due process rights under IDEA. This segregated model disregards more than thirty years of research showing that students with and without disabilities have improved academic, behavioral, social, and

⁴² “School Vouchers and Students with Disabilities: Examining Impact in the Name of Choice.”

⁴³ Williams, Valerie. Telephone interview. March 10, 2017.

⁴⁴ Benner, Meg, and Rebecca Ullrich. "Betsy DeVos' Threat to Children with Disabilities." Center for American Progress. February 2, 2016. <https://www.americanprogress.org/issues/education/reports/2017/02/02/298010/betsy-devos-threat-to-children-with-disabilities/>.

⁴⁵ "Betsy DeVos' Threat to Children with Disabilities."

⁴⁶ “Autism School Abruptly Closes; Parents: Services weren't being provided.” Canton Repository, May 2, 2012. <http://www.cantonrep.com/article/20120504/NEWS/305049923>.

⁴⁷ “Autism School Abruptly Closes; Parents: Services weren't being provided.”

⁴⁸ Maxwell, Scott. "Shuttered 'choice' School: Where's the Accountability?" OrlandoSentinel.com. February 28, 2017. <http://www.orlandosentinel.com/opinion/os-florida-schools-voucher-accountability-20170228-story.html>.

⁴⁹ "Shuttered 'choice' School: Where's the Accountability?"

post-school outcomes when they are educated together with their peers without disabilities.⁵⁰ These segregated models of schooling are flatly inconsistent with the intent of the Congress when enacting the American with Disabilities Act and the Supreme Court’s interpretation of that law, which mandates integration.⁵¹

Traci Arway is a special educator in Ohio responsible for working with private schools on disability issues. It is her job to explain to parents what they are losing when they accept a voucher. She explains, “Genuinely, parents don’t understand that they are not getting their full special education rights, they are not getting their full IEP, when they accept a voucher. I think they are for a lack of a better word, duped, that a private school is better, that the city schools cannot provide what their child needs because that’s what they hear in the news... The reality is quite the contrary once they are in those buildings.”⁵²

In addition to failing to provide the services and supports that students with disabilities need for an equitable education and robbing parents of their rights under IDEA, private schools benefitting from privatization efforts have also come under attack for discriminating against students with disabilities in admissions and disciplinary policies.⁵³ Unlike traditional public schools, most privatization programs allow participating private schools to set their own admissions policies, which can limit student access to certain private schools.⁵⁴ In addition, private schools often use harsh disciplinary practices, which are particularly discriminatory toward students with disabilities.

In 2014, the ACLU filed a lawsuit against Wisconsin and several private schools for failing to provide services and supports for students with disabilities. According to the complaint, “only a meager 1.6 percent of disabled students attend voucher schools, while there are an estimated twenty percent of disabled students in Wisconsin.”⁵⁵ The ACLU complaint alleges that in multiple instances, private schools receiving vouchers knew about students’ disabilities, but failed to provide services to the students. In one instance, a child with Oppositional Defiant Disorder, a type of disability where hostile and defiant behavior is directed toward authority figures,⁵⁶ and a mood disorder was put on a “behavior contract” and later expelled alleging she broke the contract.⁵⁷

In addition to discrimination based on disability status, some private schools receiving vouchers discriminate against other groups of students, including LGBTQ students. North Carolina’s Opportunity Scholarship program, which includes 400 schools, has come under fire for its practices in this area. A 2016 investigation by the *Charlotte Observer* found that “four schools – Bible Baptist Christian in Matthews, Charlotte United Christian in south Charlotte, Lake Norman Christian, and Northside Christian in north Charlotte – note in their handbooks that they reserve the

⁵⁰ SWIFT, “Research Support for Inclusive Education and SWIFT.” Accessed March 18, 2017.

<http://www.swiftschools.org/sites/default/files/Research%20Support%20for%20SWIFT%202017.pdf>

⁵¹ Americans with Disabilities Act of 1990, P.L. 101-336, 104 Stat. 328 (1990); *Olmstead v. L.C.*, 527 U.S. 581 (1999).

⁵² Arway, Traci. Telephone interview. March 9, 2017.

⁵³ Pitre, Shayna. “‘School Choice’—As Long as Your Child Doesn’t Have a Disability,” *The Huffington Post*, July 13, 2014. http://www.huffingtonpost.com/shayna-a-pitre/school-choicetrue-choice-_b_5318677.html.

⁵⁴ “School Choice: Private School Choice Programs Are Growing and Can Complicate Providing Certain Federally Funded Services to Eligible Students.” U.S. Government Accountability Office (U.S. GAO). September 12, 2016. <http://www.gao.gov/products/GAO-16-712>.

⁵⁵ Pitre, Shayna A. “‘School Choice’ -- As Long as Your Child Doesn't Have a Disability.” *The Huffington Post*. May 13, 2014. http://www.huffingtonpost.com/shayna-a-pitre/school-choicetrue-choice-_b_5318677.html.

⁵⁶ “ODD: A Guide for Families.” American Academy of Child and Adolescent Psychiatry, 2009.

https://www.aacap.org/App_Themes/AACAP/docs/resource_centers/odd/odd_resource_center_odd_guide.pdf

⁵⁷ Pitre, Shayna A. “‘School Choice’ -- As Long as Your Child Doesn't Have a Disability.”

right to refuse admission to a student who identifies as lesbian, gay, bisexual or transgender.”⁵⁸ And according to its handbook, Raleigh Christian Academy considers “homosexuality, lesbianism and bisexuality” grounds for expulsion.⁵⁹ Many of these schools also use books that teach deeply offensive, inaccurate, and discriminatory theories including that “the KKK helped fight a decline in morality and that gay people have no more claims to special rights” than child molesters or rapists.⁶⁰

Finally, privatization programs often discriminate against students based on religion. As the Freedom from Religion Foundation describes, “vouchers almost entirely benefit existing private schools with overtly religious missions, which integrate religion into every subject.”⁶¹ For instance, 100 percent of the schools that are participating in the Wisconsin Parental Choice program for the 2017-2018 school year are religious schools.⁶² Whether covertly or overtly discriminating, students who do not share the religious affiliation of the school may be left behind or encouraged to return to public schools where discrimination based on religion is prohibited.

From these examples, it is clear that a voucher strategy is not designed to help all students. Joseph Manko, a principal at Liberty Elementary in Baltimore, where more than 90 percent of students are eligible for free or reduced meals, describes this bluntly, “These private schools are 15,000 dollars a year... I think really the beneficiaries of a voucher program are going to be mostly affluent families. They’ll get a \$2,000-\$3,000 subsidy in the form of a voucher that will serve as a scholarship to go to a school that their child is already attending... Those aren’t my kids. And I think just based on the country that’s not a lot of people’s kids now. We have a lot of impoverished children. And those are the kids that need the most support, but those are not the kids that benefit from a program like this.”⁶³

Real Choice for Students and Families

Privatization efforts provide a false sense of choice for many students and families. A more effective vision of school choice includes supporting strong, high-quality public schools that truly benefit all students and communities. While many of them are far from perfect, and the work to improve them should never end, public schools have a historic role in bringing communities together and providing opportunities for all students to have a place to learn and grow. Increasing our investment in struggling public schools and ensuring strong accountability through ESSA will help make the vision of a high-quality public school for every child a reality—including by

⁵⁸ Stone, Rachel, and Jane Little. "Some Schools Get State Money, Deny Gay Enrollment." *Charlotte Observer*. August 12, 2016. <http://www.charlotteobserver.com/news/local/article95390197.html>.

⁵⁹ Wagner, Lindsay. "Private Christian Schools Receiving Taxpayer-funded School Vouchers Continue to Exclude Students on the Basis of Religion and Sexual Identity." A.J. Fletcher Foundation. January 27, 2017. <http://ajf.org/private-christian-schools-receiving-taxpayer-funded-school-vouchers-continue-exclude-students-basis-religion-sexual-identity/>.

⁶⁰ Fitzsimon, Chris. "More Taxpayer Funding for Voucher Schools That Openly Discriminate against LGBT Students and Parents." *NC Policy Watch*. July 27, 2016. <http://www.ncpolicywatch.com/2016/07/27/more-taxpayer-funding-for-voucher-schools-that-openly-discriminate-against-lgbt-students-and-parents/>.

⁶¹ "The Case Against Vouchers." Freedom From Religion Foundation. <https://ffrf.org/faq/state-church/item/28823-the-case-against-vouchers>.

⁶² "The Case Against Vouchers."

⁶³ Manko, Joseph. Telephone Interview. March 10, 2017.

addressing the very real challenges we face when it comes to the gap in performance for low-income students, students of color, students with disabilities, and those learning English.

However, it is not only about strong investments. While the ESSA and IDEA create a firm foundation of transparency, accountability, and support and improvement of struggling schools, the promise of the law will only be fulfilled with strong leadership, dedication, and hard work from local communities. The only way to ensure real school choice for parents and families is for all public schools, including neighborhood schools, career and technical education programs, dual and concurrent enrollment programs, magnet schools, and charter schools to be held to the following core principles:

- **Civil Rights Protections are Not Optional:** Any school receiving federal funds must be subject to the full array of civil rights protections and cannot be allowed to discriminate against any student on the basis of race, sex, national origin, religion, disability, immigration status, gender identity, or sexual orientation. Schools should not be able to require or encourage a parent or child to waive the rights provided to them.
- **Accountability and Transparency are Essential:** Any school receiving federal funds must be held to high standards for the quality of instruction students receive and accountable for every child's learning. An important part of accountability is transparency in what schools are doing to support teaching and learning, and how students are benefiting from the instruction they receive. As publicly funded institutions, all stakeholders including parents, business, and community leaders deserve transparency regarding school outcomes.
- **Community and Parental Involvement are Key to Student and School Success:** Parents, families, and communities are an integral part of children's learning environment. Schools should be welcoming and engaging for parents, and communities should supplement and improve educational opportunities for students.

A High-Quality Neighborhood Public School

Strong neighborhood public schools provide the key foundation for our public education system. Parents tend to prefer schools that are close to home, are easily accessible, and do not require parents and children to travel long distances.⁶⁴ In order to achieve this vision, all levels of government and local communities must work together to ensure that each public school has the resources and support necessary for all students to succeed, including low-income students, English learners, students of color, and students with disabilities. They must ensure that public schools are inclusionary and effective in supporting students' academic learning and developing non-academic skills. For example, community schools, which bring family resources, health and social services, and other community agencies into the school, can be a particularly effective way to address the needs of students and families.⁶⁵

While education is primarily state and locally funded, the federal government, through the ESSA and IDEA, plays an important role in ensuring that no child falls through the cracks. In particular,

⁶⁴ Glazerman, Steven and Dallas Dotter. "Market Signals: Evidence on the Determinants and Consequences of School Choice from a Citywide Lottery." June 2016. <https://www.mathematica-mpr.com/our-publications-and-findings/publications/market-signals-evidence-on-the-determinants-and-consequences-of-school-choice-from-a-citywide>.

⁶⁵ NEA, Community Schools: All Together Now!" Accessed March 20, 2018, <http://www.nea.org/home/66319.htm>.

ESSA requires states to develop and implement accountability systems that take into account multiple measures of school performance, so parents and taxpayers can make informed decisions about their schools. ESSA also focuses federal resources towards schools in which all students—or any subgroup of students, including students with disabilities, English learners, students of color, and low-income students—are struggling. It requires states, school districts, and schools to implement evidence-based interventions and supports to improve student outcomes. Effective implementation of the law includes strong stakeholder engagement in the development of ESSA plans, in addition to strong federal oversight to ensure that states are held accountable for their performance and compliance with the law.

Unlike the privatization efforts described above, public schools must provide supports for students with disabilities under the IDEA. Effective implementation of this law includes training for teachers in providing accommodations and research-based instruction, implementing universal design for learning into their curriculum, and organizing the school using models that support the needs of all children. In addition, it may include implementing a multi-tiered system of supports for children, including screening, evidence-based academic and behavioral support, early intervention for struggling students, progress monitoring, and ongoing data-based decision making. Under IDEA parents are full partners, with the teachers and other staff at their child’s school, in determining what supports and services their child needs. Notably, in the rare event that a public school is unable to provide the supports and services a child needs, the school and parents may determine the best placement for the child is a private school. In this case, the school district pays the full cost of tuition for the child to attend the private school at no cost to the family, and the child and parents maintain their rights under IDEA. Fewer than 5 percent of students with disabilities are being provided this option under IDEA.⁶⁶

Strong public schools welcome students from all backgrounds, including all races, ethnicities, and religions. Strong public schools provide effective language instruction programs to provide English learners with the skills they need to succeed academically. Finally, family engagement is a key pillar of any effective school system. Strong public schools engage in two-way communication with parents and break down barriers to family participation and student success. The local community must be a partner in solving local educational challenges, and strong school leaders work to build these partnerships and invite the community into the school and decision-making process.

Community Collaboration

Achieving this vision takes a clear understanding of community-based problems and potential solutions. In Pittsburgh, Pennsylvania, the community recognized that students were not prepared for the digital age. Community leaders decided a collaborative approach was needed, and brought together more than 250 organizations representing early learning centers, afterschool programs, non-profits, major employers, and civic leaders. These stakeholders teamed up to improve students’ educational opportunities through the Remake Learning network. The network works together to leverage new technologies and improve digital learning practices to educate 21st century citizens. For instance, in one project, kindergarten teachers partnered with local artists to expand digital opportunities for young children. In another collaboration, the Carnegie Library of Pittsburgh partnered with various museums and artists in the area to provide a safe space for teens to explore

⁶⁶ U.S. Department of Education, “38th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act,” November 2016. <https://www2.ed.gov/about/reports/annual/osep/2016/parts-b-c/38th-arc-for-idea.pdf>

various learning experiences in filmmaking, photography, music composition, and design.⁶⁷ In *Remake Learning's* manual, executive director of the Mozilla Foundation Mark Surman says, “one way to tackle systems change like this is with open, collaborative networks: humans connected to each other bringing their own ideas and solving their own part of the problem. Networks lend themselves to this kind of change in part because no one institution has the mandate or resources to take on massive, systemic issues like transforming education.”⁶⁸

High-quality schools can also improve economic conditions in local communities. At Sunnyside High School outside of Yakima, Washington, where almost 90 percent of students are eligible for free lunch,⁶⁹ graduation rates have soared from 60 percent to more than 90 percent in just five years.⁷⁰ The school credits its success to high expectations, trust, and leadership. Angela Carrizales, a former Sunnyside teacher and currently director of teaching and assessment at the district office, describes, “We look at massive amounts of data to really truly get definitively where we are regarding any issue that we might face. We look at attendance records, we look at any data point that might see what the health or illness of our building might be and then we build steps to success. We are always improving. Even if we’ve built a system that is pretty solid, we are always looking at achieving a better reality.”⁷¹

Real Choice within the Public School System

Within our public school systems, options representing real choice are well established. However these options must still adhere to the core principles that all public schools follow, must provide students the services and support they require, and cannot ignore or eliminate a child’s or their parent’s rights. In short, they operate within the accountable and transparent framework of the law. These options include career and technical education programs, dual enrollment programs, magnet schools, and high-quality public charter schools.

Career and Technical Education

High-quality career and technical education (CTE) programs offer students and families options to explore a wide range of career pathways as part of, and interwoven with, mainstream school academic programs. In particular, CTE programs that provide instruction in in-demand industries and occupations help students receive important workplace skills that will prepare them for college or careers after high school graduation. Increasingly successful CTE programs are being offered in fields such as information technology, engineering, healthcare, and finance—fields that both pay well and afford students a great degree of choice in the direction of their careers.

In Los Angeles and other areas across the country, school districts have developed “linked learning” programs that follow a carefully designed structure and provide students with skills in both workplace and academic areas. The strategy includes multiple “pathways” in which students take a sequence of CTE courses with a particular theme combined with rigorous academics. These programs have been very successful in helping meet the needs of employers as well as students and families.

⁶⁷ "Remake Learning Playbook." Remake Learning. Accessed March 14, 2017.

<http://remakelearning.org/playbook/case-studies/#labs-at-clp>.

⁶⁸ "Remake Learning Playbook."

⁶⁹ "Sunnyside School District Annual Report." February 10, 2016.

<https://www.flipsnack.com/sunnysideschooldistrict/sunnyside-school-district-annual-report.html>.

⁷⁰ "Sunnyside School District Annual Report."

⁷¹ Carrizales, Angela and Ryan Maxwell. Telephone interview, March 14, 2017.

Linked learning does not just work in urban areas. In Porterville Unified School District, a small rural school district in California's Central Valley, linked learning has been successful in increasing high school graduation rates and preparing students for college or a career. According to a report by SRI International, students who participate in a certified Linked Learning pathway in California earn more credits during four years of high school, are less likely to drop out, more likely to graduate, and report more confidence in their life and career skills.⁷²

Even in the most remote areas, career and technical education is a viable strategy. In the Kayenta Unified school district in the Navajo Nation, students are provided with the opportunity to learn relevant skills in agricultural science that will prepare them to pursue future careers as veterinarians, which are sorely needed in the community. Jasmine Blackwater, a student in the program, said "the program gave her a strong sense of purpose." She later went on to study at Stanford University and is planning to return back to serve Navajo Nation after graduation. Students in the program boast a 100 percent graduation rate, outperforming the state by 22 percentage points.⁷³

Dual Enrollment and Other Advanced Coursework

Dual enrollment programs, advanced coursework, and early college high schools are an important part of a high-quality system of choices for parents. These programs can help students receive college credit while they are still enrolled in high school, making them more prepared for college after graduation. This can decrease the already skyrocketing cost of higher education by allowing some students to meet certain graduation requirements in higher education while in high school. In places such as Plevna, students supplement their brick and mortar coursework with advanced coursework online, allowing students to take advantage of economies of scale. In Colorado, students in grades 9-12 are able to take free college level courses through the state's concurrent enrollment program. Research has shown students who participated in concurrent enrollment were 23 percent more likely to enroll in college immediately following high school graduation and 9 percent less likely to take remedial coursework.⁷⁴

Magnet Schools

A recent Government Accountability Office report found that our schools are increasingly segregated by race and income.⁷⁵ One strategy that can mitigate this segregation is high-quality magnet schools. Magnet schools are public schools that assist in voluntary or involuntary desegregation efforts by focusing on particular areas, such as STEM or the arts. Magnet schools are also subject to the same civil rights laws as other public schools. Unlike private schools, which often lead to more segregation by race and income,⁷⁶ magnet schools can mitigate some of the issues with neighborhood schools such as boundaries that often lead to more segregation.

⁷² "Linked Learning." ConnectEd: The California Center for College and Career. Accessed March 14, 2017. http://www.connectedcalifornia.org/linked_learning.

⁷³ Gewertz, Catherine. "Educator's Pre-Veterinary Program Sends Navajo Students to College." Education Week Leaders To Learn From. December 7, 2016. <https://leaders.edweek.org/profile/clyde-mcbride-director-career-and-technical-education/>.

⁷⁴ "Research on Dual and Concurrent Enrollment Student Outcomes." The National Alliance of Concurrent Enrollment Partnerships. Accessed March 14, 2017. <http://www.nacep.org/research-policy/research-studies/>.

⁷⁵ "K-12 Education: Better Use of Information Could Help Agencies Identify Disparities and Address Racial Discrimination." U.S. Government Accountability Office (U.S. GAO). May 17, 2016. <http://www.gao.gov/products/GAO-16-345>.

⁷⁶ Mathis, William J., and Kevin G. Wellner. Do Choice Policies Segregate Schools? March 2016. <http://nepc.colorado.edu/files/publications/Mathis%20RBOPM-3%20Choice%20Segregation.pdf>

Connecticut has taken strides to develop a robust magnet school system to provide parents with high-quality public school choices and address persistent segregation. They have employed both inter-district and intra-district strategies for the state's 84 magnet schools.⁷⁷

Karen Taylor is the parent of 5th grade twins who have been attending magnet schools since pre-kindergarten in Hartford. She says, "My kids are keenly aware it is an incredible benefit to attend a school that has people from all walks of life... Magnet schools expose students to a broader range of options for career choices and lifestyles." Karen feels fortunate to have this choice, which she says "uses public money to benefit the greater good, which is what public money is supposed to do."⁷⁸ While many magnet schools are successful in bringing together a diverse student body, it is important to note that there is also research suggesting magnet schools may not always be successful in their original mission or provide parents with the real choice to attend a diverse school. The latest federal study of magnet school programs found that 57 percent of newly founded magnet programs were making progress in combating racial isolation, while another 43 percent were experiencing an increase in segregation."⁷⁹ In order to improve access to diverse magnet schools, states and local communities must prioritize statewide magnet schools, provide free transportation, and avoid competitive admissions criteria such as a GPA or test scores.

High-Quality, Accountable Charter Schools

Public charter schools are meant to offer educators flexibility in how they meet the needs of their students in exchange for strong accountability. In addition, charter school developers are to share the best practices they learn from experimenting with additional flexibility with other public schools in order to improve the entire public school system for all students. Charter schools can be viable options for some parents and students, but as with every school, parents need to be able to make an informed choice and have access to high-quality, accountable schools.

As public schools, charter schools receive public funding and are subject to the requirements of the ESEA and IDEA. The federal government specifically supports charter schools through the Charter Schools Program (CSP), which provides seed funding for charter schools to start, expand, and replicate. Congress went further in ESSA, requiring strong accountability practices and transparency requirements for charter schools that receive federal CSP funding. As part of this program, Congress required new transparency for parents, stronger accountability and charter school authorizing practices, and key protections to ensure that charter schools serve the most disadvantaged students, including students with disabilities and English learners.

However, states also have the flexibility to allow the existence of charter schools and determine the characteristics and requirements of public charter school systems, including how schools are held accountable and the range of flexibility to craft their own curriculum, hiring practices, school structures, and make other choices different from other schools in the public school system.

States with high-quality charter school sectors prioritize strong accountability. For example, Massachusetts has only one authorizing board that upholds rigorous standards for approving and renewing school charters and prioritizes transparency to make sure that parents have the information

⁷⁷ Klein, Rebecca. "Connecticut Makes Rare Progress On School Segregation As America Moves Backwards." The Huffington Post. May 15, 2015. http://www.huffingtonpost.com/2015/05/15/connecticut-school-desegregation_n_7269750.html.

⁷⁸ Taylor, Karen. Telephone interview. March 8, 2017.

⁷⁹ "Magnet Schools." UCLA Civil Rights Project. Accessed March 15, 2017. http://www.magnet.edu/files/pdf/ma_fact-sheet.pdf.

they need to choose a school. In turn, the authorizing board is held to high standards by the state.⁸⁰ Darren Burris is a teacher at a charter school in Boston. He explains, “From a policy perspective, Massachusetts has very strong charter law. The process by which you are authorized as a school, and the steps you have to take in the review process before your charter is even approved are extremely rigorous. It creates an environment where the bar for an initial entry is extremely high due to the application requirements, and even once your application is approved, the ongoing review is intense.”⁸¹

Other state charter school laws, however, hold neither their authorizers nor charter schools to clear standards for performance or transparency. In these states, low-quality charter schools, including for-profit and virtual charter schools, are able to flourish with very little regard for performance. Notably, virtual charter schools often have significantly weaker student outcomes than traditional public schools.⁸² This is an unacceptable situation for parents, families and students that should not be taken lightly.

As with public schools, it is critical that charter schools adhere to the same fundamental principles described above for all public schools. They must be held to high standards, serve all students, including students with disabilities and English learners, and they must be transparent and accountable to ensure that parents are provided with the necessary information to make informed decisions for their children. In order for charter schools to be truly equitable, they must commit to serve all students, and serve them well.

An Excellent Public School for Every Child

Every child in this country deserves a choice to attend an excellent public school. But in order for this to happen, defenders of privatization programs need to let go of their misguided ideas that take us backwards and siphon away critical taxpayer resources. In rural areas such as Plevna, Montana and Meteese, Wyoming, communities are concerned that privatization has the potential to do serious harm to the public school at the center of their community. In places such as Ohio, vouchers present a threat to the bedrock principles of public schooling. As David Romick, a 29 year veteran teacher in the Dayton Public Schools system describes, “I have to characterize a national school voucher program, at least if it looks like it does in Ohio, as something that could potentially begin down the path of dismantling public education in America.”⁸³

Privatization programs and efforts are not the answer. In reality, the best option for students and families is a strong public school in their community that offers all children access to a high-quality education. In all areas of the country, but especially in rural areas, reforms such as high-quality digital learning and family and community engagement can really move the needle for students. In more urban areas such as Boston and Hartford, high-quality, accountable public charter schools and magnet schools have helped students and families find the school that works best for them, while working to solve societal problems, including persistent segregation. And in high schools, career

⁸⁰ Section 89, Massachusetts State Law. Accessed March 14, 2017.

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section89>.

⁸¹ Burris, Darren. Telephone interview. March 14, 2017.

⁸² Center for Research on Education Outcomes, “Online Charter School Study,” 2015.

<https://credo.stanford.edu/pdfs/OnlineCharterStudyFinal2015.pdf>

⁸³ Romick, David. Telephone interview. March 10, 2017.

and technical education and dual or concurrent enrollment provide students and families with a choice to get a head start on college and a career.

Privatization proposals represent false choices that ignore the needs of students and families. Such programs, as proposed and implemented, lack accountability and transparency, force students and families to give up their rights, and make it harder to educate students in public schools. Instead, parents deserve real public school choices when it comes to their children's education, including the choice to attend a high-quality neighborhood public school.