



**March 6, 2023**

Dear Members of the Georgia Senate,

We, the undersigned civil rights, education justice, advocacy organizations, and individuals listed below, write to express our serious concerns with SB 233, the Georgia Promise Scholarship Act. This legislation establishes a \$6,000 universal school voucher for eligible students to use for private school tuition or qualified education expenses. Diverting taxpayer dollars to private schools not only destabilizes the public education system where the majority of students are educated but also contradicts the state mandate to offer an adequate public education. Article VIII, Sec. 1 of the Georgia Constitution reads, "The provision of an adequate public education for the citizens shall be a primary obligation of the State of Georgia."<sup>1</sup> The Constitution does not refer to private schools. Yet, SB 233 stands to redirect millions, and potentially billions, of tax-generated dollars for students to attend private schools, which at a minimum, breaks the spirit, if not the letter, of Georgia's Constitution. As the General Assembly debates advancing this legislation, please review and truly consider our most pressing concerns with SB 233.

**The proposed legislation is duplicative and wastes taxpayer dollars**

The passage of SB 233 would duplicate existing school privatization efforts. Students with disabilities and other Georgia K-12 students can access public funds to attend private schools through the Georgia Special Needs Scholarship or Qualified Education Expense Tax Credit school voucher programs. These alternatives are in addition to the existing charter and magnet school choices available for families considering each school option. Federal law also permits families to use 529 college savings plans to pay for K-12 private school tuition, providing another avenue for families to receive tax benefits to access private schools. Given the number of existing school vouchers and public school choice options already available, there is no practical need for the state to develop yet another mechanism for students to access a private school education with public taxpayer-generated resources.

**SB 233 expands an education model with no proven track record of academic success**

SB 233 is an education savings account (ESA), which is one form of a school voucher. The most comprehensive review of school voucher programs concluded that no clear academic advantage exists for students attending private schools with vouchers compared to other students from similar socioeconomic backgrounds.<sup>2</sup> Recent research even suggests that students who use school vouchers have lower achievement rates than comparable students

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<sup>1</sup> "Art. VIII." Justia U.S. Law, <https://law.justia.com/constitution/georgia/conart8.html>

<sup>2</sup> Center on Education Policy. (2016). Keeping Informed about School Vouchers: A review of major developments and research. <https://files.eric.ed.gov/fulltext/ED522161.pdf>; Barrow, L., & Rouse, C. E. (2008). School Vouchers and Student Achievement: Recent evidence, remaining questions. Chicago: Federal Reserve Bank of Chicago. <https://www.chicagofed.org/publications/working-papers/2008/wp-08>



educated in the public school system.<sup>3</sup> Fundamentally, private school voucher programs have failed to produce positive academic results and, in many cases, widened long-standing opportunity gaps among subgroups of students. The state should consider reallocating the proposed voucher funds to research-based strategies that improve and strengthen the public education system. Such investments could support universal pre-kindergarten, personalized learning, more school counselors, and the development and implementation of a culturally sustaining curriculum.

### **SB 233 Drains resources from the public school system into an unaccountable and unregulated system**

SB 233 would provide a \$6,000 school voucher for every eligible student, which is any child who has spent six weeks in a public school, or who is a new pre-K, kindergarten, or first-grade student. This is essentially a universal school voucher for every single child in the public school system, plus many who will never attend. It would effectively allow millionaires to subsidize their child's education with a \$6k private school coupon.

In the absence of a fiscal note, we estimate if just one percent of eligible students were to use this voucher, over \$100 million would be diverted away from the public education system. Yet, participating private schools would not require accreditation or adhere to commonsense fire and safety guidelines, such as those expected in public schools. And while public schools are directly accountable to an elected school board and other levels of oversight, private schools' governance structures operate outside the public view, hiding their operational and employment guidelines and limiting parents and other taxpayers' ability to hold participating private institutions accountable to meet the program's stated goals.

### **SB 233 can be used to discriminate against Georgia's most vulnerable student populations, especially those with disabilities**

Private schools that accept school vouchers can restrict access to students based on ability status, LGBTQ status, religion, or personal characteristics such as style of hair. For students with disabilities who choose to receive a scholarship through the proposed Georgia Promise Scholarship Act, their federally guaranteed protections, such as a right to due process, authorized in the Individuals with Disabilities Education Act (IDEA), would not apply. In many cases, parents are unaware that their child will lose these protections upon acceptance of a scholarship. This is a long-standing challenge for families who have a child with an active learning disability. Last year, the Government Accountability Office (GAO) recommended the U.S. Department of Education review the process states undertake to inform parents about the

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<sup>3</sup> Mills, J., & Wolf, P. (2019). The Effects of the Louisiana Scholarship Program on Student Achievement after Four Years. University of Arkansas. <http://www.uaedreform.org/wp-content/uploads/Mills-Wolf-LSP-Achievement-After-4-Years-final.pdf>; Mills, J. N., Egalite, A. J., & Wolf, P. J. (2016). How has the Louisiana Scholarship Program Affected Students? A comprehensive summary of effects after two years. New Orleans, LA: Education Research Alliance for New Orleans



changes in special education rights when students move from public to private schools.<sup>4</sup> GAO determined the lack of communication from states about a student's loss of rights as they transition from public to private schools as one of five high-priority action items for the U.S. Department of Education to investigate.

**The troubling history of school vouchers has contributed to the inequality in Georgia's education system today**

The origin of school vouchers in Georgia can be traced back to the civil rights era and, in many ways, was the chief catalyst of the preservation of school segregation. In 1961, legislators enacted the first school voucher law in the state, which provided grants for students to attend private schools. In 1962, as battles to adhere to federal desegregation court orders spread through the South, Georgia responded by spending over \$218,000 to finance the scholarships of more than 1,500 students in private schools – nearly 100 percent of whom were white.<sup>5</sup> During this period, the state also provided grants for white teachers willing to teach in private schools while simultaneously making the teaching profession inaccessible to people of color, leaving many public schools without experienced or qualified educators. One consequence of this trend manifested in data showing that in 2014, Georgia was one of three states nationwide with more than 45 districts with open desegregation orders.<sup>6</sup> While offering the illusion of educational choice, school vouchers in Georgia over the last 60+ years contributed heavily to the development of a racially isolated education system.

We appreciate the opportunity to offer feedback on SB 233. We once again urge you to be mindful of the harmful effects the passage of this bill will have on Georgia's public schools, and we implore you to oppose this legislation. We believe there are much better ways to improve our education system. If you have any questions or would like to schedule a meeting regarding the contents of this letter, please do not hesitate to contact Fred Jones of the Southern Education Foundation at [fjones@southerneducation.org](mailto:fjones@southerneducation.org). Thank you, and we look forward to hearing from you soon.

Signed,

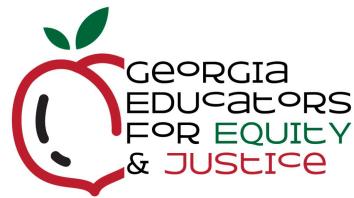
**Organizations Opposing SB 233**

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<sup>4</sup> United States Government Accountability Office, *Priority Open Recommendations: Department of Education*, [GAO Report](#) (Washington, D.C.: June 28, 2022).

<sup>5</sup> "Tradition of Segregation & Resistance in the Deep South States." Southern Education Foundation. <https://www.southerneducation.org/publications/traditionofsegregation/>.

<sup>6</sup> Qiu, Yue, and Nikole Hannah-Jones. "School Desegregation Orders." A National Survey of School Desegregation Orders. ProPublica, December 23, 2014. <https://projects.propublica.org/graphics/desegregation-orders>.



## Avondale ACTION

### Individuals Opposing SB 233

Alyssa Cogswell, Senate District 32

Brooke Casey

Betty Anderson, Macon, GA

Rev. Diane Dougherty, Avondale Estates, GA

Jamie Hogan, Athens, GA, Senate District 10

Jennifer Geib, Atlanta, GA Senate District 36

Jennifer Lee, Atlanta, GA, Senate District 36

Laura Judge, Marietta, GA, Senate District 52

Melissa Amerault, Marietta, GA



Melissa O'Shields, Avondale Estates, GA  
Meredith Levens, Atlanta, Georgia  
Myah Dixon, Buford, GA, Senate District 45,  
Nicole Balejsik, Woodstock, GA, Senate District 56,  
Pat Turner, Americus, GA  
Scott Riley, Avondale Estates, GA, Senate District 42  
Suzy McCullough, Macon, GA, Senate District 25  
Thomas E. Fonner, Macon, GA

