



Senator P.K. Martin IV
Chairman, Committee on Education and Youth
324-B Coverdell Legislative Office Building
Atlanta, GA 30334

Senator John Wilkinson
Vice Chairman
324-B Coverdell Legislative Office Building
Atlanta, GA 30334

Dear Chairman Martin and Vice Chairman Wilkinson:

Southern Education Foundation (SEF) is writing to express our serious concerns with Senate Bill 386 and its proposed expansion of the Georgia Special Needs Scholarship. We oppose all school vouchers and other proposals intending to divert taxpayer dollars toward private schools. Increasing the scope of the Georgia Special Needs Scholarship demonstrates a continued violation of the state's constitutional mandate to fund public education adequately and with a high level of priority. Article VIII, Section I of the Georgia State Constitution states, "The provision of an adequate public education for the citizens shall be a primary obligation of the State of Georgia."¹ Yet, by positioning the state to lose millions of dollars in tax revenue and districts to lose as much in per-pupil funding as public schools in Georgia fail to demonstrate significant improvements, SB386 perpetuates unequal opportunities for the state's public school students and may result in diminished academic outcomes.

SEF believes expansion of the Georgia Special Needs Scholarship would not only financially circumvent the public school system and harm all students in the state, but also disproportionately impact historically underserved students. It would create a parallel education system – one public and one private – while simultaneously contributing to the underfunding of the current public school system. As the Georgia General Assembly considers expanding the Georgia Special Needs Scholarship with SB386, please review our most serious concerns, listed below.

1. No academic benefits exist for students who use vouchers to attend private schools over students who attend neighborhood public schools.

A review of the most comprehensive forms of school voucher programs concluded that no clear advantage exists for students attending private schools with vouchers. In fact, in some states, participation in voucher programs had negative effects on student achievement, with students enrolled in the Louisiana Scholarship Program increasing their chances of failing math by 50 percent² and students in Indiana using vouchers to attend private schools consistently scoring

¹ "Constitution of the State of Georgia." Georgia State Senate.
<http://www.senate.ga.gov/Documents/gaconstitution.pdf>.

² Abdulkadiroğlu, Atila, Parag A. Pathak, and Christopher R. Walters. "Free to Choose: Can School Choice Reduce Student Achievement?" *American Economic Journal: Applied Economics* 10, no. 1 (2018): 175–206.
<https://doi.org/10.1257/app.20160634>.

lower on reading and math tests than their public school peers.³ In their short lifespan to date, private school voucher programs have failed to produce results and, in many cases, widened long-standing opportunity and achievement gaps between different groups of students. As such, we believe that fully funding public education in Georgia and providing students in disadvantaged subgroups with the resources they need to demonstrate improved educational outcomes would be a more appropriate use of taxpayer dollars.

2. The proposed legislation is redundant, and funnels taxpayer dollars to unaccountable and unregulated private schools.

Expanding the Georgia Special Needs Scholarship to include students with 504s in addition to students with Individualized Education Plans (IEPs) will have a sizeable fiscal impact on the state. The Georgia Special Needs Scholarship already costs over \$33 million, and 10 percent of students statewide are eligible to receive it.⁴ Estimates show that nearly 3 percent of Georgia's students in FY2020 are eligible for a 504 without an IEP, a marked increase from 1.6 percent four years ago.⁵ Expanding the program's eligibility to include more students will inevitably result in the diversion of more public funds toward private schools during a time where the state consistently fails to update the over 30 year-old Quality Basic Education formula to what it truly costs to educate Georgia's students. If SB386 passes, the expanded scholarship program would cost public school districts \$74 million over the next two years.⁶

Additionally, the Individuals with Disabilities Education Act (IDEA) already includes a provision that entitles students with disabilities to an education at a private school of their choice with the full cost of tuition covered if their neighborhood public school is unable to meet their unique needs.⁷ Any scholarship operated by the Special Needs Scholarship and the proposed amendments in SB386 that does not pay the full cost of tuition would force families to pay the difference in tuition. Passage of SB386 would not only force participating children with disabilities to forgo a free private education for a subsidized one, but it would also require participating families to choose between federally-guaranteed civil rights protections and protections not mandated in private schools.

Furthermore, private schools do not face the same requirements as public schools related to state approved academic accountability, publicly reported budgets or performance outcomes required of public schools, and do not adhere to requirements for transparency of open meetings and records laws as public schools. Section 20-2-2115(d) of the original Georgia Special Needs

³ Dynarski, Mark. "On Negative Effects of Vouchers." Brookings.edu. The Brookings Institution, July 12, 2017. <https://www.brookings.edu/research/on-negative-effects-of-vouchers/>.

⁴ "Georgia Special Needs Scholarship Program." EdChoice. <https://www.edchoice.org/school-choice/programs/georgia-special-needs-scholarship-program/>.

⁵ Owens, Stephen. "Potential Voucher Expansion Leaves Students and Parents at a Loss." Georgia Budget and Policy Institute, February 28, 2020. <https://gbpi.org/2020/potential-voucher-expansion-leaves-students-and-parents-at-a-loss/>.

⁶ Ibid.

⁷ Individuals with Disabilities Act Statute: 20 U.S.C. 1412(a)(10)(B). <https://www.law.cornell.edu/uscode/text/20/1412>.

Scholarship Act says that the implementation of the Act will not expand the regulatory authority of the state or other agencies on participating private schools⁸, effectively barring the state from overseeing the practices of educational institutions receiving public funding. SEF believes that accountability and evaluation should be a requirement, rather than an option, for a group of schools diverting taxpayer dollars away from public schools.

3. The troubling history of educational choice in Georgia makes vouchers an inherently inequitable means for improving the education system.

The origin of educational choice 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 engulfed 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.⁹ 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.¹⁰ 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. While offering the illusion of educational choice, school vouchers in Georgia over the last 59 years contributed heavily to the development of a segregated and inequitable education system.

We appreciate the opportunity to offer feedback on SB386 as you introduce the bill for consideration in the legislature. We once again urge you to be mindful of the harmful effects passage of this bill will have for Georgia’s public schools, and we implore you to consider pathways rooted in investments in public education as you consider improvements to the state’s 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 reach out to me at fjones@southerneducation.org, or (404) 991-6777. Thank you, and we look forward to hearing from you soon.

Sincerely,



Fred Jones

Director of Government Affairs and Public Policy
Southern Education Foundation

⁸ “Georgia Special Needs Scholarship Act.” Georgia General Assembly, 2007. <http://www.legis.ga.gov/Legislation/20072008/75438.pdf>.

⁹ “Tradition of Segregation & Resistance in the Deep South States.” Southern Education Foundation. <https://www.southerneducation.org/publications/traditionofsegregation/>.

¹⁰ 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>.