



**LEAGUE OF WOMEN VOTERS®  
OF OHIO**

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**League of Women Voters of Ohio**

**Background Information on League Opposition to Amended Sub. HB136**

Please contact your representative in the Ohio House and urge him/her to oppose Am. Sub. HB136 (Huffman). This bill would create a new voucher program, the Parental Choice and Taxpayer Scholarship Savings Program (PACT) (Sections 3310.21-38 ORC), and would revise the Educational Choice Scholarship Pilot Program (Section 3310.02 ORC).

Currently Ohio has four scholarship (voucher) programs that provide public funds to support eligible students at eligible private schools: the Jon Peterson Special Needs Scholarship Program, the Autism Scholarship Program, the Educational Choice Scholarship Program, and the Cleveland Scholarship and Tutoring Program.

The new PACT program would extend the number of tax-supported vouchers for students to attend eligible private schools to students who attend any school district in Ohio (regardless of their report card rating) and to families whose income is less than \$95,000. It would also allow eligible students currently attending private schools to be phased-into the program, which would expand the state's obligation to educate students who never attended public schools.

**The LWVO opposes HB136 based on LWVO positions.**

- The League believes that public money should be spent only on public schools that are accountable and responsive to tax payers and comply with standards that ensure a high quality education. Nonpublic schools are not accountable to

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the taxpayers through elected boards of education; are not required to “open their books” to ensure that the schools are fiscally responsible and that public funds are being spent to serve a public purpose; are not required to serve all students; and are not required to comply with the same operating, teacher licensure, performance, and accountability standards as public schools.

- In addition, Am. Sub. HB136 would divert public funds to private schools (and increase Ohio’s obligation to educate students in private schools) when state funding for public schools will decrease by \$1.8 billion over the biennium (HB 153 – Amstutz), and many school districts are cutting programs, laying-off teachers, and preparing to ask voters to increase local taxes to support schools.

The League believes that public education is the cornerstone of our democratic government and prepares students to be active and informed citizens in our society. That is why securing and financing a high quality public education system based on meeting standards, accountable to the public, and available for all students, is so important.

## **BACKGROUND and DETAILS**

HB136 was introduced in the Ohio House by Representative Matt Huffman on March 1, 2011. The House Education Committee, chaired by Representative Stebelton, has received testimony on the bill over the past months. The committee accepted on May 11, 2011 a substitute bill, which included substantive changes, and amended the bill again on September 14, 2011 to remove a provision establishing the Special Education Scholarship Program. This provision was removed because a similar provision, the Jon Peterson Special Needs Scholarship Program, was adopted in HB153 (Amstutz), the biennial budget. The House Education Committee has reported the bill out favorably and the Ohio House can now consider the bill.

Am. Sub. HB136 creates a new voucher program, the Parental Choice and Taxpayer Scholarship Savings Program (PACT), which would greatly expand the use of public funds to support private schools in Ohio. The bill does the following:

- Extends the number of tax-supported vouchers for students to attend eligible private schools to students who attend any school district in Ohio (regardless of their report card rating) and to families whose income is less than \$95,000. The program would start in the 2012-13 school year.
- Allows eligible students currently attending private schools to be phased-into the program.
- Establishes savings accounts for the voucher students, and allows parents to bank a portion of the private school tuition in the accounts if tuition is less than the voucher amount.
- Counts the private school student in the resident school district's enrollment, and then deducts the tuition payment from the amount of state aid that the school district of residence receives. The bill prevents the aggregated amount deducted from a school district to exceed a district's state aid funding.
- Requires students participating in PACT to take all state assessments, but does not require students to pass the state assessments to continue in PACT.

**The League opposes Am. Sub. HB136 based on the following positions:**

State Education Standards (Adopted January 1984; updated May 1995) LWVO supports:

- The use of state education standards as a method of “requiring a general education of high quality.”
- Compliance with the same state standards by all chartered schools.
- LWVO supports a funding system for public elementary and secondary education that is accountable and responsive to the taxpayers. LWVO believes that public funds should be used only for public schools. (Adopted May 1994)

**The League has the following problems with Am. Sub. HB136:**

- Am. Sub. HB 136 would divert limited state funds to participating private schools at a time when school districts are struggling to balance budgets and save education programs after losing \$1.8 billion in state funds as a result of HB153

the biennial budget. (“We Deserve a Better Business Plan: An Assessment of Ohio’s New Biennial Budget.” By Wendy Patton, Policy Matters Ohio, August 1, 2011. [www.policymattersohio.org](http://www.policymattersohio.org).)

- Private schools are not responsive or accountable to elected boards of education. They follow missions that might or might not serve the public interest, and are not required to “open their books” to ensure that the private schools are fiscally responsible and that public funds are being spent to serve a public purpose.
- Eligible students currently enrolled in eligible private schools could opt to be phased-into PACT, thus expanding the state’s obligation to educate students who never attended public schools, at a time when overall state funding for school districts has decreased, and school districts are struggling to maintain the quality of their education programs.
- Am. Sub. HB 136 does not require private schools that accept public funds to participate in Ohio’s accountability system for schools and be ranked along with other schools, or comply with all state education standards including academic, performance, and operating standards, or meet the requirements outlined in Chapter 3323 of the Ohio Revised Code, the Education of Children with Disabilities.

Although participating private schools are required to administer all state assessments to students receiving the vouchers and report the results to parents, students are not required to pass the state assessments to continue in PACT, and private schools are not required to participate in Ohio’s ranking system for schools. The results of studies comparing the achievement of students using vouchers and those not using vouchers have been mixed with no definitive evidence that voucher students perform better than similar students attending traditional public schools. Policy makers and parents should have better information about the quality of private schools if these schools accept state funds.

- Am. Sub. HB136 does not require participating private schools in PACT to accept all students. A system of public schools was established in Ohio to ensure that all students would have access to education programs that prepare them for

continuing education, careers, and citizenship. PACT, as with other voucher programs in Ohio, allows private schools to take public funds, but does not require private schools to accept all students. If this bill passes the public commitment to support public schools will be weakened as commitment and state resources are diverted to support private schools and private interests, at the expense of the students who remain in public schools.

- If the bill is passed private schools will have a steady income from the state to operate. Over the past ten years enrollment in private schools in Ohio had been declining (Legislative Service Commission 129<sup>th</sup> General Assembly Red Book, Education, p. 29), but, according to the Ohio Department of Education, Ohio's voucher programs have become a "life-line" for private schools, some of which are receiving over half of their operating funds from the state. (State Board of Education, Select Committee on Urban Education, September 12, 2011, presentation by Eric Bode, Executive Director of Quality School Choice and Funding.)

The line between public and private schools is blurring as the state provides more tax support to serve private interests, but fails to require accountability in return for the public support. According to a report published in 2007 by Achieve, Inc. and McKinsey & Company ("Creating a World-Class Education System in Ohio"), Ohio's education system is a "patchwork of multiple systems" that expose students to "market risk" from "...bad schools because no attempt is made to shut down poor providers or to limit entry of the school market based on past performance." (p. 67) This report recommends that Ohio establish a choice system that has "...a set of entry rules, operating rules, and exit rules that provide universal accountability while allowing local flexibility." (p. 69).

Am. HB136 complicates Ohio's patchwork education system even more without improving it, and merely expands the use of public funds to benefit private interests.