



January 19, 2023

Rep. Rick Ladd, Chair

House Education Committee

Re: Opposition to HB 464 and 367

Dear Chairman Ladd and Honorable Members of the House Education Committee,

I am writing to you today to express our strong opposition to HB 464 and HB 367, legislation that would greatly increase the amount of funds directed toward our school voucher program by expanding the eligibility of the program. The bill appears to do so by eliminating the income eligibility among a variety of categories of students.

I urge you not to expand this program for several overarching reasons. First, school vouchers undermine our state's commitment to public education by diverting scarce resources away from our community's schools, the ones we all invest in, and which serve the vast majority of our students, and whose funding model is already one that we still have yet to improve upon. Diverting further money from the Education Trust Fund toward private, home school, and online website programming instead of making our schools stronger is not the right priority for our students. In addition, sending money to institutions who can discriminate against the makeup of their student body using public funds does not live true to the mission of serving all students.

Secondly, private school vouchers do not improve academic achievement and we have no indication that New Hampshire's EFA program is any different yet. There are no studies we are aware of in New Hampshire that indicate a positive trend in achievement under their use. With the program only in existence for 16 months how could we even have a handle on whether it is worth more than doubling the funds spent on this program as the DOE is requesting in their state budget request? In studies conducted in other states, voucher programs have proven ineffective at improving academic opportunities for students. Recent studies of the Louisiana¹, Indiana², and Ohio³ voucher programs have demonstrated that students who used vouchers experience worse academic outcomes than their peers. In addition, studies of long-standing voucher programs in Milwaukee⁴, Cleveland⁵, and the District of Columbia⁶ found that students who received vouchers showed no improvement in reading or math over those not in the program.

Thirdly, this voucher program does not have the Accountability and Standards our public schools do. Our public schools have rigorous minimum academic standards that have oversight from the Legislature and the State Board of Education. These standards are carried out and held to account by locally elected school boards. Our EFA program does not hold up to those accountability standards. For example, the Legislative Oversight committee for the EFA program hasn't met in

almost a year and the approved curriculum is determined by a 3rd party private contractor which is allowed to determine the eligible vendors and what expenses are deemed eligible educational costs.

Specifically, to HB 464, voucher programs like the NH EFA program are particularly harmful for students who are in greater need of resources and yet this bill seems to target those groups for expansion. Here is what we know:

- In small, rural (and property poor) school districts like we have in our state, these schools rely more heavily on state funding and the result is that fixed costs will be spread over a smaller revenue stream. Many of us who support or oppose EFAs agree we need to do more for districts like this, and yet we are diverting precious funds away under these bills.
- Parents with students with disabilities who elect an EFA are required to sign a waiver acknowledging they are giving up certain rights and protections under IDEA.
- Students who are connected to a military family also need unique support that our public schools can and do provide. Private school vouchers would undermine many of the supports that school districts, states, and federal agencies have put in place to meet the unique needs of military-connected students. Military families, by attending a non-public school, would forfeit certain benefits. For example, the Military Interstate Children's Compact is an agreement among states and school districts that "addresses key educational transition issues encountered by military families including enrollment, placement, attendance, eligibility, and graduation."⁷ The compact, adopted by all 50 states and DC, does not extend to non-public schools.
- Our state bullying law only applies to public and public chartered schools, not to private schools. A bullied student could use a voucher to transfer to a private school and be bullied there, but this time with no legal remedies under our anti-bullying law.
- Any student who is eligible for a free and reduced price meal already meets the current income qualifications of this program. This begs the question of how and why the Department crafted these categories.

The final objection we would like to highlight are the costs of this program. The expansion proposals outlined in HB 464 and 367 have the potential to allow the costs of the EFA program to balloon further, as has happened in other states that have undergone similar expansion paths. In 2021 the Department issued extremely low estimates given the expansive qualifications of the EFA program. Unsurprisingly, the program in the first biennium is already more than 300% over the estimated costs, mostly due to the new spending since three quarters of families continue to be those who had already elected a private or other setting for their child. Now, the Commissioner is coming in and asking for at least a doubling of that annual cost according to their budget request to the Governor. If that is their estimate for expanded eligibility proposed in

HB 464, then the DOE requested nearly \$30 million each year of the upcoming biennium to accommodate this bill. An enormous increase if those requested numbers are accurate, which they don't need to be since there is no budgeted cap for the EFA program. In addition, some of the categories that cite geographic boundaries of a school could be read to include an entire municipality not just the students of the school itself. In which case, is the entire K-12 population of Manchester eligible for an EFA if one school in the city falls under one of the bill categories describing geographical regions? If so, the true cost estimates could be much larger.

HB 367's expansion to 500% of the FPL is also very concerning with costs since we do not know the total number of those who already elect to attend private or home schools who would meet the increased income eligibility under this bill. Other states that have marched in a similar direction as proposed in this legislation have seen an explosion of costs. Most recently, Arizona's voucher plan will now cost the state over **\$300 million** annually.

For all the reasons and more outlined in this testimony, we respectfully ask that the committee find both HB 464 and HB 367 Inexpedient to Legislate, so that we can strengthen public education in New Hampshire, not undermine it.

Sincerely,



Megan Tuttle

President

1 Jonathan N. Mills & Patrick J. Wolf, Univ. of Ark., The Effects of the Louisiana Scholarship Program on Student Achievement After Four Years (Apr. 2019).

2 Megan Austin et. al., Russell Sage Foundation J. of the Social Sciences, Voucher Pathways and Student Achievement in Indiana's Choice Scholarship Program (2019).

3 David Figlio & Krzysztof Karbownik, Fordham Institute, Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, and Performance Effects (July 2016).

4 E.g., Patrick J. Wolf, School Choice Demonstration Project, Univ. of Ark., The Comprehensive Longitudinal Evaluation of the Milwaukee Parental Choice Program: Summary of Final Reports (Apr. 2010).

5 E.g., Jonathan Plucker et al., Ctr. for Evaluation & Educ. Policy, Univ. of Ind., Evaluation of the Cleveland Scholarship and Tutoring Program, Technical Report 1998-2004, 166 (Feb. 2006).

6 E.g., U.S. Dep't of Educ., Evaluation of the DC Opportunity Scholarship Program: Impacts Three Years After Students Applied (May 2019); U.S. Dep't of Educ., Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied (June 2018); U.S. Dep't of Educ., Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year (June 2017).

7 Military Interstate Children's Compact Comm'n, Background (last accessed Jan. 13, 2021)