

Opponent Testimony on House Bill 11
Jan Resseger, Heights Coalition for Public Education
Ohio House Primary and Secondary Education Committee, April 25, 2023

Chairman Bird, Vice Chair Arthur, Ranking Member Robinson, and members of the House Primary and Secondary Education committee: I strongly oppose Ohio House Bill 11, an education savings account school voucher program. I was educated in the public schools in Havre, Montana, where as in small towns and rural areas across the Ohio, school choice is not a viable option. Since 1976, I have lived in Cleveland Heights, Ohio, where my now-adult children were privileged to be educated in the public schools from Kindergarten through high school.

Fifty million students across the United States today are being educated in our nation's *universally available, publicly accountable and publicly funded* schools—an institution with the capacity to balance *the needs of each particular student* and family with the community's obligation to create *a system that, by law, protects the rights* of all students. Our challenge as a society is to keep on improving access, equity and academic excellence in the public schools that serve 50 million of our nation's children and adolescents; the public schools are the only educational institution where fulfillment of these promises is possible.

The education savings account vouchers in HB 11 seem particularly dangerous because the program lacks sufficient regulation to prevent the misuse of public funds in homeschooling and in non-chartered non-public schools. Further, as in all voucher programs, there would be no way to ensure that students paying for their education with public dollars would not be excluded due to their race, religion, or sexual orientation.

[The Legislative Service Commission](#) estimates the Backpack Bill, House Bill 11, would cost \$1.3 billion in its first year of operation. I believe that, rather than diverting the state's already limited tax revenues to accommodate individual parents' educational choices, the Legislature should prioritize the needs of Ohio's chronically underfunded public schools that serve 1.6 million of our state's students by fully funding the phase-in of the Fair School Funding Plan and ensuring that according to the plan's original design, Disadvantaged Pupil Impact Aid is phased in at the same speed as the rest of the plan.

In a new report, [The Fiscal Consequences of Private School Vouchers](#) Samuel E. Abrams, the director of the National Center for the Study of Privatization in Education at Columbia University's Teachers College and his colleague Steven J. Koutsavlis, address what it costs the public schools as states siphon out money for privatized educational choice: "The claim that it costs less to educate students with private school vouchers than in public schools ignores numerous realities. Voucher programs shift key expenses to parents; often subsidize private tuition for families who would never have enrolled in public schools; do not dilute fixed costs for public education systems, and concentrate higher-need, more-costly-to-educate students in already underfunded public schools." "As states transfer millions of dollars to private hands, there are fewer available state resources for projects that serve the public good, from mass transit to public parks, libraries, and schools." And yet, "Voucher programs, even with significant expansion during the last one to two decades, still serve only a small percentage of the nation's children."

In [State Policymakers Should Reject K-12 School Voucher Plans: Proposals Would Undermine Public Schools](#), the Center on Budget and Policy Priorities also recently examined what our society loses when states create voucher plans that make publicly funded school vouchers available to unregulated private schools: "While public schools must adhere to federal civil rights protections, students using vouchers to attend private schools can be explicitly or implicitly denied opportunities based on their race and ethnicity, gender presentation, and disability... Siphoning public dollars to fund private schools does not guarantee that all students will be admitted and adequately supported at private schools."

In [School Vouchers: There Is No Upside](#), Michigan State University Professor Josh Cowen, who has been conducting voucher research for more than two decades, enumerates what current research demonstrates about serious damage wrought by the widespread expansion of vouchers across the states: "First, vouchers mostly fund children already in private school... Second... Although a few tiny studies from the late 1990s and early 2000s showed small gains in test scores for voucher users, since 2013, the record is dismal... Third... the typical private school in line for a voucher handout isn't one of the elite private schools... The typical voucher school is what I refer to as a sub-prime provider... The fourth pattern is related: kids flee those sub-prime schools... Fifth comes the

issue of transparency and oversight... If we're going to use taxpayer funds on these private ventures, we need to know what the academic results are... Finally... Imagine you simply knew that written into the legislation for voucher programs is the explicit right of private schools to turn down any child they wanted to reject so long as something about that child varied from the school's so-called 'creed.'" Here is a [summary of Cowen's research comparing public school achievement levels with the collapse in academic achievement](#) after students carrying vouchers have been enrolled in private schools.

In *Consumed*, a powerful analysis of the problems which ensue when public institutions are transformed by marketplace thinking, the late political philosopher, Benjamin Barber contrasts the results when individualist thinking undermines support for the public institutions: "Freedom is not just about standing alone and saying no. As a usable ideal, it turns out to be a public rather than a private notion... (N)owadays, the idea that only private persons are free, and that only personal choices of the kind consumers make count as autonomous, turns out to be an assault not on tyranny but on democracy. It challenges not the illegitimate power by which tyrants once ruled us but the legitimate power by which we try to rule ourselves in common. Where once this notion of liberty challenged corrupt power, today it undermines legitimate power... It forgets the very meaning of the social contract, a covenant in which individuals agree to give up unsecured private liberty in exchange for the blessings of public liberty and common security." (*Consumed*, pp.119-123)

Barber continues: "Citizens cannot be understood as mere consumers because individual desire is not the same thing as common ground and public goods are always something more than an aggregation of private wants.... (W)hat is public cannot be determined by consulting or aggregating private desires... The consumer's republic is quite simply an oxymoron... Public liberty demands public institutions that permit citizens to address the public consequences of private market choices... Asking what 'I want' and asking what 'we as a community to which I belong need' are two different questions...." (*Consumed*, p. 126)

Barber concludes: "Privatization is a kind of reverse social contract: it dissolves the bonds that tie us together into free communities and democratic republics. It puts us back in the state of nature where we possess a natural right to get whatever we can on our own, but at the same time lose any real ability to secure that to which we have a right. Private choices rest on individual power... personal skills... and personal luck. Public choices rest on civic rights and common responsibilities, and presume equal rights for all. Public liberty is what the power of common endeavor establishes, and hence presupposes that we have constituted ourselves as public citizens by opting into the social contract. With privatization, we are seduced back into the state of nature by the lure of private liberty and particular interest; but what we experience in the end is an environment in which the strong dominate the weak... the very dilemma which the original social contract was intended to address." (*Consumed*, pp. 143-144)

I oppose Ohio House Bill 11 because I believe expanding publicly funded private education choice will undermine the public schools which are universally available and accessible. While the state cannot protect the rights of children in private schools or ensure that the education that children will experience will be in the public interest, the public schools are required by law to meet all children's needs and protect their rights.

In the FY 2024-2025 biennium, full funding of the Fair School Funding Plan should be the Ohio Legislature's top budgetary priority.