



TO: The Honorable Members of the Pennsylvania Senate
FROM: Concerned Education Stakeholders and Advocates
SUBJECT: Senate Bill 733 – Education Opportunity Account Scholarships (EOASs)
DATE: June 7, 2021

On behalf of the undersigned organizations, we respectfully urge all members of the Pennsylvania Senate to **vote no on Senate Bill 733, which would create a tuition voucher program for students with special needs costing taxpayers almost \$600 million.**

SB 733 is the latest attempt to establish an education voucher program in the commonwealth. Changing the name of tuition vouchers to, “education savings accounts” or “education opportunity account scholarships” or tying the voucher program to specific populations of students does not change or hide the real ideological intent of the proposal. EOASs are just a new and worse iteration of school vouchers that will siphon precious taxpayer resources from public schools, and send those resources to private schools, higher education institutions and other private educational services organizations that are not accountable to the public for their decisions or results. SB 733 will lessen educational opportunities for students, while leading to funding cuts and higher local property taxes.

Most importantly, SB 733 gives the false impression of seeking to help students with special needs. In truth, this proposal will have a negative impact on this student population as a result of its implementation and the resulting funding cuts to public schools. Nonpublic schools are not governed by the Individuals with Disabilities in Education Act (IDEA) which guarantees students with disabilities and their parents with significant rights, services and protections related to the student’s education. The bill expressly prohibits the commonwealth or its agencies from regulating an educational program in a nonpublic school. This effectively means the state would be prohibited from requiring a nonpublic school receiving state education resources to comply with IDEA or state regulations governing special education even though those resources would be allocated under the proposed voucher program to provide educational supports and services to students with disabilities. Ultimately, families and students are more vulnerable without these protections.

What’s more, the potential financial impact of SB 733 on school districts could easily total almost \$600 million based on estimated program utilization. This estimate does not account for students with 504 plans who don’t have an IEP, or children diagnosed with a medical disability. Additionally, SB 733 would create an incentive for parents to have their children identified as gifted in order to access a voucher.

As a result, SB 733 diminishes support for public education. Funds from the proposed voucher are authorized to be spent on services beyond K-12 education such as: higher education tuition and textbooks, 529 college savings plans, private financial management firm fees, fees for college entrance exams, postsecondary course prep, and costs associated with an industry certification. In a bit of pure irony, the voucher can also be spent on “services under contract from a public school.” – services the student would likely already have access to without a voucher.

SB 733 would undermine Pennsylvania’s responsibility to ensure every student in every community has equal access to public education. School districts in Pennsylvania are already underfunded and this legislation requires that state money for EOAS vouchers be deducted from a school district’s subsidy. The bill calculates the voucher by taking 90 percent of all state revenue provided to a school district, including property tax relief money, transportation subsidy and pension reimbursement, and dividing by a school district’s average daily membership (ADM) to calculate the base voucher amount. For students with disabilities, the base voucher amount would then be multiplied by either 1.51, 3.77, or 7.46 depending on the severity of the student’s disability.

It is truly stunning that after decades of debates on property taxes and pensions, that a voucher proposal would seek to further erode local taxpayer relief and ultimately the state’s pension reimbursement to districts by including those payments in the initial voucher calculation. Further, the bill requires resident school districts to provide transportation to nonpublic schools but fails to deduct transportation funding from the base calculation. The bill creates a transportation double-dip whereby a voucher will include a portion of a district’s transportation subsidy, but the non-public entity isn’t responsible for paying for it.

SB 733 also fails to establish consistent academic accountability for the voucher program. The bill does not require the use of Pennsylvania’s state assessment system. It gives participating students the choice of whether to use the state assessment system or a nationally-normed assessment which will effectively prevent a true comparison and analysis of the voucher program’s effectiveness. And while test results must be reported to PDE, the department is only allowed to post the results after the third year of test and graduation data is reported.

At each step of analysis, SB 733 demonstrates its own deficiency. The bill should be seen for what it truly is -- the latest attempt by voucher proponents to establish a footprint in state statute for a more expansive tuition voucher program in the future, regardless of the damage it causes to students, schools and taxpayers. SB 733 is simply ideology wrapped in bad policy. There are far more pressing problems within public education that deserve the attention of policymakers, namely helping schools and communities recover from the pandemic. We urge you to focus your time and energy on these very real challenges and reject SB 733.

Sincerely,

The Arc of Pennsylvania

AFT – Pennsylvania

Allies for Children

Delaware Valley Americans United for the Separation of Church and State

Disability Rights Pennsylvania

Education Law Center

Education Voters of Pennsylvania

Keystone Research Center

Leaders for Educational Accountability and Reform Network (LEARN)

NAACP Media Area Branch Education Committee

Pennsylvania Association of Career and Technical Administrators (PACTA)

Pennsylvania Association of Intermediate Units (PAIU)
Pennsylvania Partnerships for Children (PPC)
Pennsylvania Association of Pupil Services Administrators (PAPSA)
Pennsylvania Association of Rural and Small Schools (PARSS)
Pennsylvania Association of School Administrators (PASA)
Pennsylvania Association of School Business Officials (PASBO)
Pennsylvania Budget and Policy Center (PBPC)
Pennsylvania Principals Association
Pennsylvania School Boards Association (PSBA)
Pennsylvania State Education Association (PSEA)
Philadelphia Federation of Teachers – Local 3
Public Citizens for Children and Youth (PCCY)
Public Interest Law Center
SEIU– 32BJ