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Down but Not Out in D.C.: Bi-Partisan, Bi-Cameral Efforts to Continue the Opportunity Scholarship Program

By Vicki E. Murray and Evelyn B. Stacey

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Executive Summary

This June, dozens of students who had used D.C. Opportunity Scholarships graduated from their chosen private high schools. "We stand as examples of just how successful this program can be, and we will fight for its existence," said Georgetown Day School graduate Jordan White, who earned a full scholarship to Oberlin College in Ohio. Her younger sister's future is less clear.¹

Enacted in 2004, the D.C. Opportunity Scholarship Program has helped more than 3,000 students from low-income families do what children of Presidents and Members of Congress have always done: escape one of the country's most expensive, dysfunctional, and dangerous schooling systems.

Talking Points:

- If D.C. public schools were actually performing, students would not need alternatives in the first place. Students should not languish in failing schools waiting for them to improve.
- The D.C. Opportunity Scholarship Program provides low-income students the same chance to attend high-quality schools as children of elected officials in the nation's capital.
- Overall D.C. Opportunity Scholarship students perform a half grade ahead of their public school counterparts in reading. Students using scholarships longer perform more than two grades ahead in reading.
- Elected officials do not sacrifice their children by sending them to failing or unsafe schools. Initiatives like the D.C. Opportunity Scholarship Program should be expanded, not eliminated, so struggling families do not have to sacrifice their children.

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Overall students who have used Opportunity Scholarships, which average \$6,600, to attend private schools perform a half grade ahead of their public school counterparts in reading. Students using them longer perform more than two grades ahead in reading. Little wonder, then, that more than four students applied for every available scholarship for the 2008-09 school year.² Yet instead of expanding the D.C. Opportunity Scholarship Program, President Obama, Secretary of Education Arne Duncan, and some Members of Congress want to end it.³

President Obama has signaled that he is willing to allow the D.C. Opportunity Scholarship Program to continue, but only for current participants. No new students could apply. As it stands now, the program will end after the 2009-10 school year unless Congress acts. Bi-partisan, bi-cameral efforts are currently underway to keep the program open. Initiatives like the D.C. Opportunity Scholarship Program help ensure that no more generations of schoolchildren have to sacrifice their futures trapped in failing schools while the grown-ups bicker about how to make things better.

Introduction

Just about every President and elected official promises to improve our country's public school system—in many cases while sending their own children to private schools. President Obama is no exception.

In spite of his pledge that education reform during his administration would be guided by a “whether-it-works” principle, President Obama, his Administration, and some Members of Congress are attempting to terminate the D.C. Opportunity Scholarship Program contrary to evidence from the U.S. Department of Education that student reading achievement is improving. As this policy paper will detail, the program works and provides participants with better educational opportunities. Instead of abolishing this successful program, lawmakers should expand it and encourage states and localities to embrace similar reforms.

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Background on the D.C. Opportunity Scholarship Program

Many experts consider 2004, the year the D.C. Opportunity Scholarship Program went into effect, a pivotal year for education reform because “this was the year the president of the United States endorsed school choice,” quipped Clint Bolick, then president and general counsel of the Alliance for School Choice. He was not referring to long-time supporter George W. Bush, but “Jed Bartlet, the liberal president on TV's *The West Wing*. . . If even Hollywood recognizes the importance of this educational reform, can the rest of the nation be far behind?” asked Bolick.⁴

The idea of offering scholarships to low-income D.C. public school children was first proposed more than a decade ago and has gained momentum since 1997. The District of Columbia Student Opportunity Scholarship Act of 1997 was first introduced by Sen. Daniel Coats (R-IN). It passed unanimously in both the Senate and the House but in May, 1998,

President Clinton, whose daughter Chelsea attended the prestigious Sidwell Friends school, vetoed the measure.⁵ Then, in 2002, Rep. Richard Arney (R-TX) introduced the District of Columbia Student Opportunity Scholarship Act of 2002, which ran concurrently with a similar bill by Sen. Judd Gregg (R-NH). Both bills died in committee.⁶

In February of the following year, Rep. Jeff Flake (R-AZ) reintroduced the bill as the District of Columbia Student Opportunity Scholarship Act of 2003, but it died in the House Committee of Government Reform that same month.⁷ Also in February 2003, Sen. Gregg introduced the Opportunity for Every Child Act of 2003. It too died in committee.⁸

That summer, Sen. Dianne Feinstein (D-CA) urged greater bi-partisan support on behalf of expanding educational options for low-income D.C. schoolchildren:

Mayor Anthony Williams (D) has proposed a five-year pilot program that would offer low-income parents a choice in where they send their children to school in the District. This proposal has the support of the president of the school board and thousands of District parents...I have never before supported a voucher program... [but] Based on the substantial amount of money pumped into the schools and the resultant test scores, I do not believe that money alone is going to solve the problem...Ultimately this issue is not about ideology or political correctness. It is about providing a new opportunity for good education, which is the key to success.⁹

In July, Rep. Henry Bonilla (R-TX) introduced the District of Columbia School Choice Incentive Act of 2003. The D.C. Opportunity Scholarship Program was authorized as part of that Act, and signed into law on January 24, 2004.¹⁰

Also referred to as the D.C. voucher program, it is the first federal program to provide elementary and secondary education, or K-12, scholarships for low-income D.C. students to attend participating private schools of their parents' choice. Eligible students must live in the District, and their annual family income cannot exceed 185 percent of the federal poverty limit, which was \$34,873 for a family of four in 2004.¹¹

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Originally, the law stipulated that a participating family's annual income could not rise above 200 percent of the federal poverty limit once students entered the D.C. Opportunity Scholarship Program. Scholarship parents, however, grew concerned that even slight increases in their annual income could make their children ineligible for the program.¹² So in 2006, Congress raised the annual income limit for families with children already in the program to no more than 300 percent above the federal poverty limit. As a result of this change, program participants' average annual family income went from \$21,000 in 2006 to approximately \$22,600 in 2007, enabling 70 students to remain in the program who would have otherwise “earned-out.”¹³ The income eligibility limit of 185 percent of the federal poverty level still applies to new applicants.¹⁴

Scholarships are worth up to \$7,500 and can be used for tuition, fees, and transportation to participating D.C.-area private schools.¹⁵ Currently more than 1,715 D.C. Opportunity Scholarship Program students, from families making less than \$23,000, are attending 49 private schools of their choice.¹⁶ The number of scholarships available each year, between 1,700 and 2,000, depends upon annual Congressional appropriations, which have averaged about \$14 million.¹⁷

Opportunity Scholarships average \$6,600, and at a majority of participating private schools (54 percent) tuition is less than the \$7,500 scholarship limit. Since 2004, more than 3,000 students have received scholarships through the D.C. Opportunity Scholarship Program.¹⁸ Yet with more than 7,800 students having applied since the program's inception, demand for Opportunity Scholarships far outpaces supply.¹⁹

“Parental satisfaction is another measure of the D.C. Opportunity Scholarship Program’s success.”

The latest evaluation of the D.C. Opportunity Scholarship Program found, “Positive and statistically significant impacts of the Program on overall student achievement in reading after three years” but “[n]o significant impacts on overall student achievement in math after three years.” Specifically, the evaluation noted, “The overall impact of the actual use of a scholarship is equivalent to 3.7 additional months of learning;” in other words, using a voucher puts students about a half grade ahead of their peers. Students using scholarships for three years, the maximum period for which data are available, the reading impacts “are equivalent to 1.5 or two years of extra learning (14 to 19 months).”²⁰

Parental satisfaction is another measure of the D.C. Opportunity Scholarship Program’s success. Fully 74 percent of scholarship parents gave their child’s chosen school a grade of ‘A’ or ‘B’. After academic quality, Opportunity Scholarship parents identify safety as the second most important factor in choosing their children’s schools. Scholarship parents find their children’s chosen schools safer and more orderly than parents whose children did not win a scholarship through the lottery process.²¹

The Opportunity Scholarship Program is also part of the District’s “three-sector” funding structure, established under the School Choice Incentive Act, which provides funding in equal parts for D.C. public schools, charter schools, and Opportunity Scholarships.²² The Act states that “available educational alternatives to the public schools are insufficient, and more educational options are needed. In particular, funds are needed to assist low-income parents to exercise choice among enhanced public opportunities and private education environments...”²³

The three-sector plan divides approximately \$50 million in annual federal funding among the D.C. Opportunity Scholarship Program, D.C. public district schools, and public charter schools. This funding for the District’s public and charter schools is in addition to their regular annual appropriations.²⁴

Last year, as part of the fiscal year 2009 budget, Congress appropriated \$54 million under the three-sector strategy: \$14 million for the D.C. Opportunity Scholarship Program; \$20 million

for District of Columbia Public Schools improvement; and another \$20 million to expand public charter schools in the District.²⁵ President Obama’s fiscal year 2010 budget increased that amount to \$74 billion: \$42 million to improve the District’s public schools; \$20 million for D.C. public charter schools; and \$12 million for Opportunity Scholarships.²⁶ The 2010 Financial Services, General Government Appropriations Bill passed on July 8, 2009, appropriates \$75.4 million: \$13.2 million for the D.C. Opportunity Scholarship Program; \$42.2 million for District of Columbia Public Schools improvement; and another \$20 million to expand public charter schools in the District.²⁷

Many observers note that giving children from lower-income families the same chance to attend private schools as elected officials’ children in our nation’s capital is a fair and equitable policy goal.²⁸ Sen. Joe Lieberman (ID-CT), Chairman of the Committee on Homeland Security and Governmental Affairs, underscores the urgency of continuing the D.C. Opportunity Scholarship Program, “There are low-income children in the District who can’t wait for their local schools to turn around. Without programs such as this one, their opportunity will be lost forever.”²⁹

Yet instead of expanding the D.C. Opportunity Scholarship Program, President Obama, Secretary of Education Arne Duncan, and some Members of Congress have tried to end it.³⁰

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The Program Works

On April 3, 2009, the latest annual evaluation of the D.C. Opportunity Scholarship Program was publicly released. Lead investigator Patrick Wolf explained that Opportunity Scholarship students demonstrated reading gains amounting to 3.7 months of additional learning overall, increasing to 19 months for students who were in the program longer. Parents of Opportunity Scholarship students “viewed private schools as safer, more orderly, and more disciplined,” Wolf added.³¹

Thomas Stewart, who conducted evaluations of participating families, found that the D.C. Opportunity Scholarship Program led to “increased involvement by parents because of increased involvement by private schools” to engage them. Another program evaluator, Grover “Russ” Whitehurst, urged policymakers to review the data before making decisions about the future of the program, stating, “It would be good if people who oppose vouchers—regardless of the evidence—would say why they really do oppose them.”³² He also urged program supporters not to overstate research findings, which showed that in math there was no statistical difference between the performance of Opportunity Scholarship students and public school students who did not receive scholarships.

Leading education expert Jay P. Greene, head of the Department of Education Reform at the University of Arkansas, who was not an official evaluator, reviewed the D.C. Opportunity Scholarship Program final report along with the extensive body of research on scholarship programs, which totaled 18 programs in 11 states, including the District of Columbia. He notes that there is more rigorous scientific research on such scholarship

programs “than any other education policy.”³³ Friedman Foundation senior fellow Greg Forster concurred, adding, “If evidence were going to decide the [D.C. Opportunity Scholarship] debate, there wouldn’t be a debate any more.”³⁴

There have been more than 200 scientific analyses of the effects on public schools from expanding choice and competition. A “sizable majority of these studies report beneficial effects of competition across all outcomes,” according to researchers from Columbia University Teachers College. These benefits include improved student achievement, graduation rates, school efficiency, teacher salaries, and smaller class sizes.³⁵ Likewise, in their analysis of more than 100 scientific studies, SUNY Stony Brook political scientists found that while not all studies conclude that parental choice raises student achievement, “it is significant to note that the best ones do, and that [we] did not find any study that documents any significantly lower performance in choice schools.”³⁶

Neither this body of scholarly evidence nor the latest findings from the D.C. Opportunity Scholarship Program, however, have deterred opponents, including Sen. Dick Durbin (D-IL), Assistant Senate Majority Leader and Chairman of the Senate Appropriations Subcommittee on Financial Services and General Government. He is identified as the author of the provision inserted into the House version of the omnibus spending bill passed in January ending the program, more than three months *before* the official program evaluation was publicly released. The month *after* its public release in May, Sen. Durbin wrote in the *Washington Post* that “the Education Department’s recent report could not show that voucher students are performing better than their public school counterparts.”³⁷ Elsewhere, Greene penned a scathing response, “Is He Stupid or Lying?”³⁸

On July 8, 2009, Sen. Durbin inserted language into his subcommittee’s spending bill requiring participating private schools to administer the same tests as the D.C. public schools—even though those private schools already administer nationally norm-referenced tests. Moreover, the public school tests fail to meet No Child Left Behind standards. Sen. Durbin’s spending bill also mandates the secretary of education to assess the quality of all participating Opportunity Scholarship private schools.³⁹ Such unprecedented micromanagement of private schools by a government agency drew opposition from Sen. Mary Landrieu (D-LA) and Sen. Diane Feinstein (D-CA), among others; however, a motion to prevent Sen. Durbin’s mandates resulted in a tie so they remain intact.⁴⁰

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The credibility of other opponents is also being called into question, including that of the country’s largest teachers union, the National Education Association. In March, almost one month *before* the program evaluation was publicly released, the NEA sent a letter to Democratic Members of Congress asserting, “The D.C. voucher pilot program, which is set to expire this year, has been a failure. Over its five year span, the pilot program has yielded no evidence of positive impact on student achievement.”⁴¹

In May, NEA representatives refused to participate in a special Senate hearing where the principal investigator of the D.C. Opportunity Scholarship Program presented the evaluation team's findings.⁴² Then, in June, nearly two months *after* the evaluation's findings were released, the NEA reiterated its March claim—verbatim—in a letter to U.S. Senators stating that “the D.C. voucher pilot program, which is set to expire this year, has been a failure. In fact, over its five year span, the pilot program has yielded no evidence of positive impact on student achievement.”⁴³ Such deception is being blasted by both top education researchers and leading media outlets, who now say the NEA has lost virtually all credibility in serious education reform policy debates.⁴⁴

The results of the D.C. Opportunity Scholarship Program corroborate a substantial and growing body of empirical evidence that shows students and public schools benefit from school choice, contrary to the claims repeated by special-interest groups and some elected officials.⁴⁵ Such corroboration only adds fuel to growing outrage over efforts to end the D.C. Opportunity Scholarship—in spite of the President's pledge that education reform during his administration would be guided by a “whether-it-works” principle.

Current Status of the Program

President Obama has signaled that he is willing to allow the D.C. Opportunity Scholarship Program to continue, but only for current participants. No new students could apply. As it stands now, the program will end after the 2009-10 school year unless Congress acts. Supporters of the D.C. Opportunity Scholarship Program contend that it should be judged on the evidence. They also note that if D.C. public schools were actually performing, students would not need alternatives in the first place.

But as students like Ronald Holassie, who attends Archbishop Carroll High School using an Opportunity Scholarship, know, D.C. public schools fail on that measure. During the recent “Preserving School Choice for All” hearing in the Senate Committee on

Homeland Security and Governmental Affairs, Ronald responded to the defense of the D.C. public school system by Sen. Roland Burris (D-IL) with a simple question: “Public schools did not get bad over night, and they're not going to get better over night. So why not have the Opportunity Scholarship [Program], which will give children... a high quality education they can't receive right now?”⁴⁶

Indeed, even those fully committed to improving the D.C. public school system know that change will take time and recognize the consequences of continuing to keep students in failing schools.

Last year, for example, Chancellor Michelle Rhee testified about efforts to close the achievement gaps in District of Columbia Public Schools (DCPS). She described a culture “driven more by politics and adult concerns than by the needs of children,” and that the leading objection she encounters to reform is that efforts are moving too quickly. “But our

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students have been waiting since long before 1954 for a just, challenging, and equal system of public education,” was Chancellor Rhee’s response, adding that as of the 2006-07 school year:

...only nine percent of our entering freshmen graduate from college within nine years of beginning high school...one-third of our schools have proficiency rates below 20 percent in either reading or math. In other words, four out of five students in those schools—about 14,000 children—were not even meeting the most basic level of proficiency. In a district that is 81 percent African-American, this is one of the greatest institutionalized injustices imaginable. The old ways of addressing this longstanding injustice have not been working. No matter how difficult, the solutions to this problem must be radical and unprecedented.⁴⁷

Even Education Secretary Arne Duncan admitted recently that the D.C. public school system “has had more money than God for a long time, but the outcomes are still disastrous.”⁴⁸ At around \$18,000, D.C. public schools ranked first nationally in total per-pupil spending for the 2005-06 school year, the most recent year data are available from the U.S. Department of Education and the Census Bureau. In 2009 dollars, that works out to \$19,710.⁴⁹ Current data indicate spending could be significantly higher.

The District now spends \$1.3 billion on K-12 education, according to budget figures obtained by Andrew Coulson, director of the Cato Institute Center for Educational Freedom.⁵⁰ In March, a public school official informed him that enrollment was nearly 49,000 students, for an average per-pupil expenditure of more than \$26,000. In June, however, District officials released a lower, revised enrollment figure of almost 45,000 students. If that figure includes the 2,400 special education students placed in private schools by the District, per-pupil expenditures amount to \$27,400.⁵¹ If not, then D.C. public schools’ average spending amounts to almost \$29,000 per-pupil—\$6,000 greater than the average Opportunity Scholarship student’s entire annual family income.⁵²

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In its latest evaluation, D.C. public school officials report that “less than 15 percent of our students met nationally recognized standards of proficiency in reading and mathematics, placing them last in the nation. Just over half of our students graduate from high school.”⁵³ More than two out of three D.C. public schools are failing, and data from the U.S. Department of Education also indicate that the D.C. public school system is one of the most dangerous nationwide.⁵⁴

Thus, public schools in the nation’s capital rank first in spending and worst in achievement. Against this backdrop, elected officials in D.C. have publicly stated their intention to evaluate the Opportunity Scholarship Program based on findings from required annual program evaluations. The actions of some officials, however, have sparked growing local and

national controversy over what is increasingly considered a politicized campaign to end the program, as the timeline illustrates:⁵⁵

January 15, 2009: President-elect Obama publishes an open letter to his daughters explaining, “In the end, girls, that's why I ran for President: because of what I want for you and for every child in this nation. I want all our children to go to schools worthy of their potential—schools that challenge them, inspire them, and instill in them a sense of wonder about the world around them. I want them to have the chance to go to college—even if their parents aren't rich.”⁵⁶

February 25, 2009: The \$410 billion omnibus spending bill is passed by the House of Representatives. A provision inserted by House Democrats requires it be approved by the D.C. City Council and Congress before it will be reauthorized.⁵⁷ The author of that provision is later identified as Sen. Dick Durbin (D-IL), who sent his children to private schools.⁵⁸ However reasonable this requirement sounds on the surface, this provision is the result of partisan efforts beginning last summer to end the program. In June 2008, Delegate Eleanor Holmes Norton (D-DC) began planning “to phase out the...D.C. Opportunity Scholarship Program,” instructing Opportunity Scholarship officials that “the program would be killed by Congress” and that it was “on its last legs,” so “it was important to start telling families that the vouchers would not be continued indefinitely.”⁵⁹ In his statement accompanying the omnibus spending bill, Appropriations Chairman Rep. David R. Obey (D-WI) did just that by instructing D.C. Public Schools Chancellor Michelle Rhee to “promptly take steps to minimize potential disruption and ensure smooth transition” for Opportunity Scholarship students who will have to return to public schools.⁶⁰ No reauthorization hearing had been scheduled at that time, and the public release of the official program evaluation is not due for nearly two months.

March 4, 2009. Commenting on the status of the D.C. Opportunity Scholarship Program, Education Secretary Arne Duncan tells reporters, “I don't think it makes sense to take kids out of a school where they're happy and safe and satisfied and learning...I think those kids need to stay in their school.” Secretary Duncan, however, reaffirmed his opposition to vouchers, stating, “I don't think vouchers ultimately are the answer...We need to be more ambitious. The goal shouldn't be to save a handful of children. The goal should be to dramatically change the opportunity structure for entire neighborhoods of kids.”⁶¹ Nearly 20 years ago, then-Mayor Marion Barry reacted similarly to a modest school choice proposal, declaring, “Nobody ought to mess with our public schools.” At that time, D.C. public schools superintendent Floretta D. McKenzie also spoke of “a mandate for continued improvement of the D.C. public schools.”⁶² Secretary Duncan will repeat his goal of dramatic change numerous times over the next several months, prompting responses such as this one from Cato Institute Executive Director David Boaz: “Duncan says that he wants to ‘help all those kids . . . by . . . coming back with dramatically better schools.’ But he ran the Chicago schools for seven years, and he was not able to make a single school good enough for Barack and Michelle Obama to send their own children there.”⁶³

March 5, 2009: Dennis Van Roekel, president of the country's largest teachers union, the National Education Association, issues a letter about the D.C. Opportunity Scholarship Program to “the Democrats in the House and Senate” stating: “We expect that Members of

Congress who support public education, and whom we have supported, will stand firm against any proposal to extend the pilot program. Actions associated with these issues WILL be included in the NEA Legislative Report Card for the 111th Congress.”⁶⁴ (original emphasis)

March 10, 2009: President Obama delivers his first major address on education before the U.S. Hispanic Chamber of Commerce. “Our basic premise is that the status quo and political constituencies can no longer determine how we proceed on public education reform in this country,” declared Obama. Secretary of Education Arne Duncan, he continued, “will use only one test when deciding what ideas to support with your precious tax dollars: It’s not whether an idea is liberal or conservative, but whether it works.”⁶⁵

March 10, 2009: Later that same day, the Senate joins the House in ending the D.C. Opportunity Scholarship Program in the summer of 2010. Before passing the \$410 billion omnibus spending bill, the Senate voted down an amendment by Sen. John Ensign (R-NV) that would have removed the provision inserted by House Democrats, authored by Sen. Dick Durbin (D-IL), requiring reauthorization of the D.C. Opportunity Scholarship Program, effectively ending the program in the summer of 2010.⁶⁶ Sen. Ensign pointed to a poster-size picture of two scholarship students attending Sidwell Friends School, where President Obama sends his daughters. “We’re talking about real children here,” Sen. Ensign said before his amendment was struck down. Sen. Durbin replied that the reauthorization requirement is routine procedure.⁶⁷ Sen. Joe Lieberman (ID-CT) countered that House Appropriations Chairman Rep. David R. Obey’s (D-OH) directive suggesting that “students in the program should begin to pack their bags,” is anything but routine.⁶⁸ Sen. Lieberman also noted that unauthorized appropriations in recent years totaled as much as \$170 billion. “Why then,” asked Lieberman, “are we singling out the \$14 million dedicated to provide school choice to low-income students in the District of Columbia?”⁶⁹ He added, “As Chairman of the Homeland Security and Governmental Affairs Committee I am committed to holding hearings this spring that will allow us to fairly evaluate the voucher program.”⁷⁰

Sen. Dianne Feinstein (D-CA) voted against the amendment, but reiterated her support for the program, stating, “I have supported the pilot program that provides vouchers on a pilot basis in Washington, D.C., since its inception five years ago. I believe I was the deciding vote.” She added:

So far, [the] preliminary evaluation...has shown some academic gains in reading and math. When these students entered the program, they were performing in the bottom third in reading and math tests in D.C.'s public schools. Last year's evaluation...showed that the reading test scores of ...88 percent of students receiving a scholarship were higher by the equivalent of two to four months of additional schooling...I am prepared to continue to support this if the comprehensive evaluation, due this spring, shows that the program has value and students are improving...I believe the debate over the D.C. Voucher Program is an important one. It is a valid one, and we should discuss it and debate it on this floor. But this bill is not the place to do it. If I were to vote yes and others were to vote yes, it would kill this [omnibus spending] bill, and we all know that. Simply stated, the House will not accept it. So I believe the debate is for another time. I regretfully will have to vote no on this amendment.⁷¹

March 11, 2009: One day after his “whether-it-works” pledge, and three weeks prior to the public release of the program evaluation, President Obama signs the \$410 billion dollar omnibus spending bill with the Durbin Amendment ending the D.C. Opportunity Scholarship Program after the 2009-10 school year. White House Press Secretary Robert Gibbs indicated the president may want to salvage the program—but only for students currently receiving Opportunity Scholarships. “It wouldn't make sense to disrupt the education of those that are in that system,” Gibbs explained.⁷² He reiterated the president’s position that vouchers are not a long-term solution.⁷³ Gibbs offered no official explanation about the disruptive effects to the roughly 45,000 other District of Columbia Public School students who must now remain in unsafe schools where less than two of every 10 children is functionally literate in reading and math, and around half drop out.⁷⁴ Reason Foundation education policy director Lisa Snell observes, “Right now the president’s education plan is rife with inconsistencies. He is willing to spend more on Pell Grants (vouchers) for adults to attend college, but opposes them for children.”⁷⁵

April 2, 2009: Republican Leader John Boehner (R-OH) joined by five Republican House leaders urge Secretary of Education Arne Duncan not to withhold scholarship funds for the 2009-2010 school year. “At a time when our Nation is facing an economic recession and families are making financial sacrifices,” they write, “we should not eliminate educational opportunities for D.C. low-income families. Every child deserves a chance to succeed and to achieve the American dream.”⁷⁶

April 3, 2009: The anticipated evaluation of the D.C. Opportunity Scholarship was publicly released with little fanfare late on a Friday. In a meeting with *Washington Post* editors and reporters prior to the release Education Secretary Arne Duncan declared, “Big picture, I don’t see vouchers as being the answer.”⁷⁷ Yet the evaluation found that overall students using Opportunity Scholarships now perform a half grade ahead of their public school counterparts in reading. Students using them longer perform more than two grades ahead in reading.⁷⁸ Secretary Duncan’s official response that “these results do not warrant continuation of the program” sparks a national controversy.⁷⁹ The *Washington Post*, for example, fired back:

The ink was barely dry on the latest study of D.C. school vouchers when Education Secretary Arne Duncan announced that he is ready to pull the plug on the program...We had hoped that Mr. Duncan, who prides himself in being a pragmatist interested in programs that work, would have a more open mind...it’s perplexing that Mr. Duncan, without any further discussion or analysis, would be so quick to kill a program that is supported by local officials and that has proven popular with parents. Unless, of course, politics enters the calculation in the form of Democratic allies in Congress who have been shameless in their efforts to kill vouchers.⁸⁰

Charges of foul play intensify when it is revealed that a team of Education Department advisors received preliminary results in November 2008.⁸¹ Those charges prompted subsequent demands for an explanation from Secretary Duncan.⁸² Grover J. “Russ” Whitehurst, program evaluator and former director of the U.S. Department of Education’s Institute of Education Sciences (IES), denied that Secretary Duncan “sat on the evidence or was willfully ignorant of it.” Yet Whitehurst criticized Duncan’s handling of the evaluation

release, stating, “There is, however, substantial reason to believe that the secretary didn’t want to draw attention to the report,” explaining that:

It was released on a Friday, whereas IES stopped releasing reports on Fridays several years ago when an important report just happened to come out on that day and critics accused the agency of trying to bury it. And there was no department press release or press briefing, which typically occur for important reports, including previous annual reports from this evaluation.⁸³

April 6, 2009: Education Secretary Arne Duncan issues a letter from the U.S. Department of Education’s Office of Innovation and Improvement rescinding scholarships to children from 200 families.⁸⁴ His rationale is that it is not in students’ best interest to enroll them in a program that may not exist next year. Duncan also explains that the “recent evaluation results do not warrant continuation of the program as a long-term solution to the problems of D.C. Public Schools.”⁸⁵ However, addressing the immediate needs of low-income parents, not the problems of the public schools, is the express purpose of the Act establishing the D.C. Opportunity Scholarship Program.⁸⁶ Secretary Duncan’s “presumed dead” strategy is derided in the press and fuels skepticism that special-interest politics, not educational evidence, is driving the fate of the D.C. Opportunity Scholarship Program, especially since the Senate had not yet had a chance to hold hearings on the results of the official program evaluation.⁸⁷ In July, a majority of the D.C. City Council petitioned Duncan to reconsider.⁸⁸

April 10, 2009: Education Secretary Arne Duncan tells *Science* magazine that his daughter “goes to Arlington [Virginia] public schools. That was why we chose where we live, it was the determining factor. That was the most important thing to me. My family has given up so much so that I could have the opportunity to serve; I didn’t want to try to save the country’s children and our educational system and jeopardize my own children’s education.”⁸⁹

April 21, 2009: Senators Joe Lieberman (ID-CT) and Susan Collins (R-ME), Chairman and Ranking Member of the Senate Homeland Security and Governmental Affairs Committee, write to Education Secretary Arne Duncan: “By preventing new scholarships from being awarded, you are effectively ending a program before Congress has had the opportunity to consider reauthorizing it. Therefore, we respectfully request that you consider reversing your decision.”⁹⁰

April 22, 2009: An editorial by Education Secretary Arne Duncan entitled “School Reform Means Doing What’s Best for Kids” is published in the *Wall Street Journal*. In it Duncan calls for an “honest assessment of key issues.” Duncan notes that parents of children in failing schools want “effective options...charters, non-charters or some other model.” He adds, “For the first time in decades we...have national teacher-union leaders more committed to change than ever before...The only open question is whether or not we have the collective political will to... [pursue] what works best for kids, regardless of ideology.” Secretary Duncan fails to mention the D.C. Opportunity Scholarship Program.⁹¹

April 29, 2009: A bi-partisan coalition of 14 Senators sends a letter to Education Secretary Duncan urging him not to end the Opportunity Scholarship Program for new students. They remind him that the Senate Committee on Homeland Security and Governmental Affairs plans to hold a hearing to review the evaluation’s findings. It also stated that Senator

Majority Leader Harry Reid (D-NV) had promised time for a full floor debate of the program's reauthorization.⁹²

April 29, 2009: That same day, Committee on Oversight and Government Reform Ranking Member Rep. Darrell Issa (R-CA) stated in a letter to Duncan, "I am puzzled by the timing of the release of the positive OSP [Opportunity Scholarship Program] evaluation; just three weeks after Congress *de facto* killed the program on March 11. It is highly possible that Congress might not have terminated the OSP if my colleagues, not to mention the White House, had known that this positive evaluation was about to be issued." Rep. Issa also requests a timeline of who knew what and when.⁹³

May 6, 2009: More than 2,000 D.C. parents, students, and local elected officials rallied in Freedom Plaza before hand-delivering a petition to D.C. Mayor Adrian Fenty with more than 7,000 signatures from District residents who want the program continued.⁹⁴ As former D.C. Mayor Anthony Williams later testified before a special Senate committee hearing on the Opportunity Scholarship Program, "These families presented a petition with over 7,400 signatures – all D.C. residents who not only support the program, but want it reauthorized and strengthened. What is a better measure of success than the desire of parents?"⁹⁵

May 6, 2009: Later that day, an anonymous administration official tells the press that the president wants to set aside \$12.2 million for the 2010-11 school year so the more than 1,700 current Opportunity Scholarship students can finish their education at their chosen private schools. No new students, however, will be admitted to the program. The following day the president releases his official proposal in the fiscal year 2010 budget.⁹⁶ Over the next several weeks, three of the country's top five newspapers editorialize in support of the D.C. Opportunity Scholarship Program: *USA Today*, the *Wall Street Journal*, and the *Washington Post*, with a combined circulation of more than five million readers. President Obama and Education Secretary Duncan's home-town paper and U.S. top 10 daily, the *Chicago Tribune*, also writes in support of the program.⁹⁷

May 13, 2009: As promised, Sen. Joe Lieberman (ID-CT) and Sen. Susan Collins (R-ME), convene "The D.C. Opportunity Scholarship Program: Preserving School Choice for All" hearing before the Senate Committee on Homeland Security and Governmental Affairs.⁹⁸ Principal program investigator Patrick J. Wolf testified that "of the 11 other federal education programs evaluated, only three produced statistically significant improvements akin to what the voucher program has produced." Wolfe added that "a typical student who entered the program in kindergarten would, by the time of graduation from high school, be reading 2 1/2 years ahead of peers who didn't receive scholarships." Following compelling testimony from D.C. opportunity Scholarship students, Sen. Roland Burris (D-IL) asks Chairman Lieberman, "Where are all the public school [representatives]?" Sen. Lieberman explains D.C. Mayor Adrian Fenty, D.C. Public Schools Chancellor Michelle Rhee, and representatives from the two teachers unions, the National Education Association and the American Federation of Teachers, were invited to testify. They were, however, conspicuously absent from the hearing.⁹⁹ Sen. Lieberman later observed, "There are some powerful forces allied against this program. . . We happen to have the facts on our side. We also have justice on our side."¹⁰⁰

Bi-Partisan, Bi-Cameral Efforts to Continue the Program

On May 21, 2009, the Preserving D.C. Student Scholarships Act of 2009 was introduced in the House by Republican Leader John Boehner (R-OH), Oversight & Government Reform Committee Ranking Republican Darrell Issa (R-CA), Ranking Member on the House Armed Services Committee Howard P. “Buck” McKeon (R-CA), and Ranking Republican on the Education and Labor Committee at the time, to expand opportunities for low-income D.C. children to attend high-quality schools.¹⁰¹ Similar to the current program, priority for awarding scholarships is given to students in failing schools and those from low-income families. Scholarships can be used for tuition, fees, and transportation. Scholarships would be worth up to \$8,000 for K-8 students and up to \$12,000 for high school students. Those amounts would be annually adjusted for inflation, and \$14 million would be appropriated for scholarships for each of the next five fiscal years beginning in 2010.

“This program is popular, effective, and has made a difference for thousands of low-income children in our nation’s capital for the last five years. Ending it at the behest of powerful special interests would be shameful,” said bill sponsor House Republican Leader John Boehner (R-OH).¹⁰² Bill co-sponsor Committee on Oversight and Government Reform

Ranking Member Darrell Issa (R-CA) agreed, noting that the “reasons to continue funding the D.C. Opportunity Scholarship Program are convincing. It’s working for students and it’s wanted by parents. . . Choice of schools shouldn’t be limited to those who are fortunate enough to come from an affluent family – every child deserves the chance to unlock their limitless potential.”¹⁰³ “Allowing the D.C. Opportunity Scholarship Program to be eliminated would be a grave injustice to the children in the program and to the many more who hope to one day benefit from it as well,” added co-sponsor Rep. McKeon (R-CA).¹⁰⁴

At the time of publication, bi-partisan talks are nearly completed on a Senate bill to continue the D.C. Opportunity Scholarship Program.¹⁰⁵ Sen. Lieberman and Sen. Collins have also sent a letter to Majority Leader Reid urging him to place the bill on the Senate Calendar once it is introduced since the Committee has already held hearings on the issue.¹⁰⁶

Conclusion

The D.C. Opportunity Scholarship Program is a proven success in improving student achievement and providing low-income students with a low-cost alternative to the D.C. public schools, one of the country’s most expensive, dysfunctional, and dangerous schooling systems.

Applying the same standards Education Secretary Arne Duncan used to end the D.C. Opportunity Scholarship Program, the District’s public school system should be shut down; not the successful scholarship program that parents want and students desperately need.

“This program is popular, effective, and has made a difference for thousands of low-income children in our nation’s capital for the last five years. Ending it at the behest of powerful special interests would be shameful.”

There is no good policy reason to discontinue the scholarship program, but apparently political reasons abound. By playing politics with needy children, as liberal commentator Juan Williams put it, President Obama and Secretary Duncan say a great deal about themselves.

During the Clinton Administration, Wisconsin choice advocate and state Representative Annette Polly Williams (D-Milwaukee) quipped, “The president shouldn’t be the only person who lives in public housing who gets to send his kids to private schools.”¹⁰⁷ Washington, D.C., and all state governments, should establish full educational choice for all as a matter of basic civil rights. That will happen in due time, but if recent events are any indication, equal educational opportunity will happen in spite of this administration, not because of it.

About the authors:

Vicki E. Murray, Ph.D., is Independent Women’s Forum Senior Fellow and Women for School Choice Project Director. She is also Education Studies Associate Director at the Pacific Research Institute in Sacramento, California. Evelyn B. Stacey is PRI Education Studies Policy Fellow.

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⁴⁷ “Mayor and Superintendent Partnerships in Education: Closing the Achievement Gap,” Testimony of Michelle Rhee, [District of Columbia Public Schools] Chancellor, Meeting of the Committee on Education and Labor, U.S. House of Representatives, July 17, 2008, pp. 2 and 4, http://www.k12.D.C.us/chancellor/documents/House%20Committee%20on%20Education%20and%20Labor%20July%202017_FINAL.pdf.

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⁵⁰ Coulson's per-pupil spending figure is \$26,555 (\$1,291,815,886 / 48,646 students enrolled). See Andrew J. Coulson, "Vouchers V. District with 'More Money than God'," Cato@Liberty.org, Cato Institute, March 12, 2009, <http://www.cato-at-liberty.org/2009/03/06/vouchers-vs-the-district-with-more-money-than-god/>. Coulson excludes more than \$190 million in charter school, child care, infant care, early education, college and workforce readiness, and adult education programs. His figure does include special education funding. For the 2006-07 school year, there were 8,431 D.C. public school students enrolled in special education. See Mary Levy, "Per Student Cost Figures for the District of Columbia Public School System," Washington Lawyers' Committee for Civil Rights & Urban Affairs, November 2007, p. 4, http://www.21csf.org/csf-home/DocUploads/DataShop/DS_86.pdf.

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