



Texas Association of Community Schools

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TACS LEGISLATIVE UPDATE

The Texas House Public Education Committee met early this week, and reminded us what a strong and supportive committee it has been. They stood up for the over 5 million public school children and boldly showed that they support public education and oppose vouchers. For the last 4 years, Chairman Jimmie Don Aycock has been a wise, thoughtful, and conscientious leader of this committee. He has been a good friend to public education and we have been extremely fortunate to have him leading the way. He will be dearly missed. Representative Marsha Farney, who is also leaving the legislature, emerged Monday perhaps the fiercest of all advocates for public education in her questioning of voucher proponents. Her departure will also be a loss for Texas children. We hope they will both stay involved and share their wisdom and support.

The interim charge to be discussed at the October 17th hearing was:

“Study ways to increase parental choice in education, and review the successes and failures of school choice programs in other states. Examine the benefits and costs of implementing such a program in Texas. Recommend whether an expansion of school choice in Texas is needed, and suggest ways to ensure that any school receiving public support is held accountable for its academic and financial performance.”

Unlike the one-sided pro-voucher hearing that was held in the Senate Education Committee on September 14th, the House hearing began with a pro-voucher panel of invited guests, followed by a pro-public school (aka anti-voucher) panel. The hearing allowed for expression of divergent views, and all but one of the committee members were staunchly opposed to the vouchers schemes that were introduced. Representative Dwayne Bohac, who sponsored tax credit scholarship legislation last session, was the sole voucher sympathizer on the committee.

The first panelist was Kent Grusendorf, Director of the Center for Education Freedom at the Texas Public Policy Foundation. A former 20-year Texas legislator, he chaired the House Public Education Committee from 2003-2007 where he pushed some of the strongest accountability measures the state has ever seen. This week, Grusendorf claimed that school choice is the most important issue members will address in their legislative tenures. He proposed a system of Education Savings Accounts (ESAs) similar to what Nevada has passed (although their system has yet to be adopted as a result of legal issues). Grusendorf repeatedly stated that ESAs are the magic cure that will increase graduation rates, reduce the pipeline to prison, empower teachers to rise out of the bureaucracy, and improve student learning. He envisions a credit card loaded with taxpayer money that parents can use to “customize curriculum” to the particular needs of their children. ESAs would be available to parents of students who have been in public school or who are just starting out in kindergarten or 1st grade. Funding levels would vary depending on family income levels and special needs.

The second panelist was Randan Steinhauser, Texas Advisor for EdChoice and Executive Director of Texans for Education Opportunity, a newly formed group that supports all forms of “school choice.” She too favors ESAs and has promoted school choice around the country. She discussed the 5 existing ESA programs in Arizona, Mississippi, Tennessee, Florida, and Nevada, and she envisions an ESA program in Texas being run by the Comptroller or a group overseen by the Comptroller.

Jennifer Carr Allmon, Executive Director of the Texas Catholic Conference, spoke about Tax Credit Scholarships and how these funds would enable low-income families to send their kids to currently under-enrolled Catholic schools. In contrast to the first two panelists who would allow a broader group to use vouchers, Ms. Allmon said that the Catholic Bishops are most concerned with providing tax credit scholarships for low-income students who are struggling academically.

Jennifer Dantzer, Executive Director of Including Kids, spoke in support of parents using taxpayer funds for outside resources that assist special needs children. Her nonprofit provides therapy for special needs children and partners with communities and school districts to provide these services.

After the panelists presented their proposals, the committee members pelted them with questions. Marsha Farney listed some of the things private schools can do that public schools are prohibited from doing: requiring birth certificates and vaccinations, refusing students with behavior and attendance problems, drug testing applicants, requiring additional payment, etc. She highlighted these inequities in the “competition.” Alma Allen asked how it was fair that private schools receiving public funds wouldn’t be held to the same accountability standards as public schools. Dan Huberty clarified that the number of kids in “failing schools” is less than a third of the number Grusendorf had thrown around, and suggested that Texas should fix its broken school finance system before it started giving away scarce funds to a competing system. Many legislators asked about how these plans would work logistically, and Representatives Huberty, Aycocock, and others asked whether the voucher proponents were willing to accept the accountability and assessment system under which public schools labor. Each said of course not! In fact, Mr. Grusendorf said that if private schools were placed under the same accountability system “it would guarantee failure of the program.” Chairman Aycocock later reminded Grusendorf that he had been the accountability hawk on testing, and asked what had changed? He replied that ESAs would change everything, but that public schools couldn’t be unshackled until after freedom and choice reigned. Hypocrisy hung heavily in the air. Other panelists replied that private schools administer the Iowa Test of Basic Skills, Stanford Achievement tests, and other nationally normed tests, and that there is no need for private schools to submit to the heavy-handed testing regime that has been forced on our public schools. Wow.

Excellent arguments against sending taxpayer dollars to private schools were presented by Representatives Aycocock, Alma Allen, Harold Dutton, Marsha Farney, Mary Gonzalez, Dan Huberty, Ken King, and Gary VanDeaver. Representative Joe Deshotel was not present; Rick Galindo was mostly quiet; and Dwayne Bohac (who is from the same area in Houston as Senator Bettencourt and Lieutenant Governor Dan Patrick) alone argued in favor of vouchers. Representative Bohac encouraged school choice advocates to be brave and keep fighting, in response to which Representative Dutton pointed out that true bravery would be to focus on improving our struggling inner city schools instead of abandoning them and handing taxpayer money over to wealthy families.

The next panel included Thomas Ratliff, Vice Chair of the Texas State Board of Education, Reverend Charles Foster Johnson of Pastors for Texas Children, and Dr. Luis Huerta, of Teachers College at Columbia University in New York. Thomas Ratliff suggested that legislators focus on options that are good for all kids, not a select few. He compared traditional public schools to charters as a way to look at how choice has performed so far in Texas. On most measures, traditional public schools outperform charters, so he concluded that we don’t need more choice, just better choice. He acknowledged that not all traditional schools are good and not all charters are bad, but traditional schools are not getting credit for the good work they are doing. He also noted the inconsistency in the arguments of voucher proponents, who require drug testing for food stamp recipients, but resist accountability for families who would be receiving much larger sums of taxpayer money for education.

Reverend Charles Foster Johnson reminded us all of the moral responsibility to educate all children. He was drawn into a heated discussion with Representative Bohac who asserted that schools should be run like businesses and will improve with competition, like the neighborhood dry cleaner or grocery store. Reverend Johnson told Representative Bohac that children are not commodities, and that we are not “customers or clients” of public schools. We are citizens engaged in the public and common good of investing in society. Their exchange left Representative Bohac frustrated and Reverend Johnson shining with virtue. All those years of delivering sermons prepared Reverend Johnson well for his discussion with Representative Bohac and we are proud and honored to have him fighting alongside us for public schools.

The last speaker on the second panel was Dr. Luis Huerta. He cited peer-reviewed studies published in respected journals that refute unfounded claims made by voucher advocates. He refuted findings that private schools are more effective than public schools. He argued that there is not proof that private schools are more efficient or cost effective than public schools, especially when they get special needs students. And he showed that choice doesn’t improve access or equity. The choice is

given to schools about whom to admit, not to parents seeking educational options. He also said that gathering data on the success of voucher programs is very difficult since most voucher laws prohibit oversight of the programs. He reminded the committee that public schools are designed to accept divergent views and create civically engaged members of society that fuel a democracy. Private schools don't always share those goals and don't offer students (especially special needs students who are most often served by vouchers) protections under the law, that are required by public schools. There was a lengthy discussion about whether it is ethical for voucher proponents to use research that specifically advises against its use to promote vouchers. Representative Mary Gonzales made sure to ask about what is valid research, in light of the many "studies" voucher advocates cite.

There was a lot of public testimony from both pro and anti-voucher individuals and organizations. Perhaps most noteworthy were the home-school groups and parents who strongly oppose vouchers for home-schoolers. They have enjoyed great freedom from any and all regulations and have no desire to be regulated by the state. Texas PTA also testified and said that 80% of their members oppose vouchers.

The hearing ended uneventfully, but everyone watching could tell that the battle lines had been drawn. Lieutenant Governor Patrick has announced that school choice is his number one priority- the civil rights issue of our time. Meanwhile, the House remains committed to supporting public schools, and opposing school choice. Issues of finance and accountability are also sure to emerge and may be offered in exchange for concessions on this and other issues. The future of public education hangs in the balance. Will our schools be funded? Will they be abandoned for yet another competing model of education? Will the accountability system be loosened or further tightened? Stay tuned for the next episode of "Can the Schools Live to Fight Another Day?"

We will keep you posted!

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