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Washington, D.C.'s Voucher Program: Civil Rights Implications (working paper)

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Publication Date

2018-03-05

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WASHINGTON, D.C. VOUCHER PROGRAM: CIVIL RIGHTS IMPLICATIONS

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The District of Columbia has the nation's only school voucher program established and funded by the federal government. In thinking about the federal initiative in an arena that is a top priority of the Trump Administration it is well to assess this effort over the last 15 years. Clearly the advocates had very high hopes that it would be a major solution to the weak educational results for children in schools that were overwhelmingly poor and nonwhite. Unlike most of the voucher programs this one mandated evaluations, but the results of the evaluations the federal government has commissioned have been seriously disappointing. This paper examines the goals of the program, the hopes of its authors and supporters, and the skeptical predictions of its opponents, and what actually happened. During this period the private education sector in the District has declined significantly, there has been little access through vouchers to the strong private schools, and the evidence on academic effects has been seriously disappointing. Although the overall private school sector has a substantial white majority, many of the recipients have ended up in highly segregated schools of concentrated poverty in segregated high-poverty neighborhoods. In spite of strong language on civil rights there has been little oversight of the operation of the program or systematic efforts to monitor and improve the quality of the education. The effort was based on the assumption that any private options would be better by definition. The results show that that is not true. This analysis concludes with consideration of the meaning of this experiment for a possible expansion of the federal role.

The Goals

Congress authorized the nation's first and only federally funded school voucher program with the DC School Choice Incentive Act of 2003. Included as part of the omnibus Consolidated Appropriations Act, 2004, this legislation created the DC Opportunity Scholars Program (OSP) in order to "provide low-income parents residing in the District of Columbia with expanded opportunities for enrolling their children in higher-performing schools."¹ The Act appropriated \$14 million annually to provide tuition scholarships of up to \$7,500 for DC students to attend participating private schools.²

The five-year pilot program generated contentious debate in both houses of Congress. Though support was primarily split along partisan lines, the proposal also drew the support of Sen. Dianne Feinstein (D-CA) and DC's Democratic mayor, Anthony A. Williams. The program was initially proposed as the DC Parental Choice Incentive Act of 2003 (H.R.2556) in the House, where it was considered by the

¹ D.C. School Choice Incentive Act, Pub. L. No. 108-199, §§ 301–313, 118 Stat. 126–134 (2004).

² *Ibid.*

*The author wishes to acknowledge the important contributions of Marie Sneed and the team from the education practice at Hogan Lovells, along with the Washington Lawyers' Committee for Civil Rights and Urban Affairs.

Committee on Government Reform and ordered reported by a one-vote margin.³ Facing the threat of a Democratic filibuster in the Senate, however, Republican congressional leaders inserted the measure into the must-pass spending bill in an effort to aid its passage.⁴ It began without any consensus in a very divided Congress.

The Proponents. Supporters argued that it would improve academic achievement for participating students, often citing poor outcomes in District of Columbia Public Schools (DCPS). Speaking in support of the measure, Rep. Rodney Frelinghuysen (R-NJ) referenced District students' substandard performance in reading, writing, and mathematics, calling the statistics "disturbing."⁵ Rep. Tom Davis (R-VA), who sponsored the original measure in the House pointed to students' low SAT scores as evidence that the system was a "failing institution."⁶ In the Senate, proponents were similarly critical of the academic quality of DC public schools. Sen. Bob Bennett (R-UT) cited District students' "lousy" reading and mathematics scores and "whole gaps in [students'] knowledge of things they don't understand."⁷ Advocates assumed that schools outside the public system would be better by definition. This was a reflection of the strong attack on urban public school systems and teacher unions that took shape in the Reagan Administration and of research on Catholic schools that became very visible in the 1980s.

Beyond placing voucher recipients in higher quality schools, many supporters also asserted that the voucher program would create competition, spurring public schools to improve their academic outcomes. Rep. John Boehner (R-OH), then-chairman of the House Committee on Education and Labor, argued this point in the House, claiming, "When we bring competition into where children can actually go to school, we have seen the public schools do improve."⁸

Voucher proponents claimed that the program would provide choice and opportunity for students from low-income families who otherwise would not have the same options as their wealthier peers. Sen. Feinstein invoked this comparison when arguing for the proposal in the Senate, asking why poor families should not have the same opportunity as affluent ones to "place their child in another setting" if they are not doing well.⁹ Her idea was that the schools would be powerful like those wealthier families could choose. Sen. Judd Gregg (R-NH), then-chairman of the Senate HELP Committee, highlighted the measure's income requirements, stating, "[students] have to be in an extremely low-income category before [they] can qualify for these choice opportunities" and maintaining that the program "[was] not

³ "Actions - H.R.2556 - 108th Congress (2003-2004): DC Parental Choice Incentive Act of 2003." Congress.gov. July 10, 2003. Accessed February 24, 2018. <https://www.congress.gov/bill/108th-congress/house-bill/2556/all-actions>.

⁴ Hsu, Spencer S. "House Approves Vouchers For D.C." *The Washington Post*, December 9, 2003. Accessed February 24, 2018. https://www.washingtonpost.com/archive/local/2003/12/09/house-approves-vouchers-for-dc/013acb73-c2d4-4f3f-8852-87b366062166/?utm_term=.ab52bfe81660..

⁵ 149 Cong. Rec. H7956 (daily ed. Sept. 5, 2003).

⁶ 149 Cong. Rec. H7960 (daily ed. Sept. 5, 2003).

⁷ 149 Cong. Rec. S12115 (daily ed. Sept. 29, 2003).

⁸ 149 Cong. Rec. H12827 (daily ed. Dec. 8, 2003).

⁹ 149 Cong. Rec. S11946 (daily ed. Sept. 25, 2003).

going to be for the wealthy or even for the middle income.”¹⁰ Addressing concerns over the scholarship amount, Sen. Mike DeWine (R-OH) argued that the \$7,500 scholarship amount would fully cover tuition at most DC private schools, citing a survey by the Washington Scholarship Fund that found that average weighted tuition to be \$6,172.¹¹ The secular schools in Washington’s affluent neighborhoods of course had much higher tuitions. On the issue of public funding, supporters emphasized that the measure entailed allocating “new money” for vouchers rather than taking existing funds away from public schools.¹²

Supporters also attempted to address major concerns over accountability, civil rights protections, and public funding. Sen. DeWine assured critics that participating schools would be held accountable through annual reports available to the public and the requirement that the Mayor select an independent entity to evaluate student performance.¹³ Responding to concerns over civil rights protections, Sen. Feinstein asserted that the measure’s nondiscrimination cause would bar discrimination on the basis of race, national origin, sex, and religion by participating schools and the program operator.¹⁴ The assumption was that these provisions would be enforced.

Skeptics at the outset. Accountability, both academic and financial, was one of the primary concerns of the measure’s opponents. Sen. Edward Kennedy (D-MA), the Senate’s most influential education lawmaker, argued that private schools are less accountable for students’ academic performance than public schools because they are not required to hire “highly-qualified teachers” and do not have to provide public report cards.¹⁵ Sen. Dick Durbin (D-IL) expressed similar concerns, noting that teachers in private schools are not required to hold college degrees.¹⁶ Other legislators pointed to the measure’s lack of oversight for taxpayer dollars. Rep. Lacy Clay (D-MO) pointed to cases of fraud and financial mismanagement in state-level programs in Wisconsin, Ohio, and Florida, arguing that voucher programs are susceptible to these abuses.¹⁷

Opponents also worried that the measure would not ensure the same civil rights protections students receive in public schools. Sen. Harry Reid (D-NV) expressed concern over private school enrollment practices, saying that these schools can “pick and choose” their students and may choose to reject students with physical or mental disabilities.¹⁸ Sen. Kennedy contended that many private schools do not have adequate facilities or the trained personnel necessary to serve these students.¹⁹ Others

¹⁰ 149 Cong. Rec. S12168 (daily ed. Sept. 30, 2003).

¹¹ 149 Cong. Rec. S12110 (daily ed. Sept. 29, 2003).

¹² 149 Cong. Rec. S12110 (daily ed. Sept. 30, 2003) (Sen. DeWine speaking).

¹³ 149 Cong. Rec. S12121 (daily ed. Sept. 29, 2003).

¹⁴ 149 Cong. Rec. S11945 (daily ed. Sept. 25, 2003).

¹⁵ 149 Cong. Rec. S12175 (daily ed. Sept. 30, 2003).

¹⁶ 149 Cong. Rec. S12165 (daily ed. Sept. 30, 2003).

¹⁷ 149 Cong. Rec. H7970 (daily ed. Sept. 5, 2003).

¹⁸ 149 Cong. Rec. H7970 (daily ed. Sept. 5, 2003).

¹⁹ 149 Cong. Rec. S12175 (daily ed. Sept. 30, 2003).

highlighted the potential for private schools to discriminate in admissions and employment on the basis of religion.²⁰

Though accountability and civil rights were two primary focuses of critics, many representatives expressed additional concerns about funding. Rep. Gene Green (D-TX) argued that the \$7,500 scholarship amount would not cover the full cost of tuition at many private schools, saying that “only those with incomes sufficient to cover the remainder of tuition would be able to truly have a choice, [which would leave] low-income students that much further behind.”²¹ Many opponents argued that the measure would force ailing public schools to compete with private schools for the “same pool of scarce federal education funding.”²² Sen. Mary Landrieu (D-LA) took issue with the characterization of the measure’s \$14 million allocation as “new money,” stating the funding was “still coming from other budgets,” even if it was not from the education budget.²³ This report examines the available evidence on the degree to which the program realized the authors’ hopes.

The Policy

The Congressional action brought school vouchers to Washington, D.C. with the District of Columbia School Choice Incentive Act of 2003, which provided federal funds of up to \$7,500 annually to low-income parents seeking private school education. Congress stopped new admissions to the program for two years, SY 2009-10 and SY 2010-11 when the Democrats gained a temporary House majority, but full activity resumed under the Scholarships for Opportunity and Results (SOAR) Act of 2011. The Opportunity Scholarship Program (OSP) remains active today, awarding \$8,000 plus inflation for grades K-8 and \$12,000 plus inflation for grades 9-12. In both iterations, the voucher law:

- Set family income eligibility at or below 185% of the federal poverty line
- Gave priority to students attending public schools “in need of improvement”
- Directed the use of lotteries if there were more applicants than funds or space available
- Provided for a grant competition to select a private non-profit organization to administer the program
- Mandated an independent evaluation of the impact of the program on student achievement, safety, and parent and student satisfaction.
- Provided \$18-\$20 million each to the DC Public Schools and charter schools systems to offset the loss of funding from student transfers to private schools.

Congressional opponents argued that DC had ample competition in the form of dozens of charter schools and full choice among District of Columbia Public Schools (DCPS) on a space available basis. They decried the use of public funds for religious education, lack of public accountability, the potential for discrimination, and the effect on public schools of the revenue loss generated by student departure.

²⁰ 149 Cong. Rec. H7976 (daily ed. Sept. 5, 2003) (Rep. Barbara Lee (D-CA) speaking).

²¹ 149 Cong. Rec. H7989 (daily ed. Sept. 5, 2003).

²² 149 Cong. Rec. E1761 (daily ed. Sept. 10, 2003) (Rep. Juanita Millender-McDonald (D-CA) speaking).

²³ 149 Cong. Rec. S12110 (daily ed. Sept. 29, 2003).

The Congressional majority addressed potential discrimination by including a provision barring discrimination based on race, color, national origin, religion or sex (other than single sex schools, classes and activities).²⁴ The private schools are free, however, to reject students based on disabilities, need for English as a Second Language, or academic achievement.²⁵ They may apply their usual admissions requirements to OSP applicants, but may also deviate from them for any reason whatever other than those listed in SOAR's anti-discrimination provision. Schools may also require participating students "to abide by any rules of conduct and other requirements applicable to all other students at the school, which would presumably apply to religious instruction and practice."²⁶ There is very little oversight of the program by DC officials so there has been no significant effort to monitor these practices. The program has been limited by the size of the federal appropriation, which has averaged about \$15 million annually. Once students are enrolled they are entitled to the voucher while they remain in private school and their family meets the eligibility requirements. After the program was reactivated a substantial enrollment meant that there were spaces in the following years because of the costs of those already in the system.²⁷ The legislation also provides for annual payments typically of \$18-\$20 million each to DCPS and the charter school sector to offset their enrollment loss and improve educational quality.²⁸

The OSP program has always been controversial at the local as well as the national level. Local government officials split on the desirability of the program. The issues, apart from pro-or anti-voucher belief, are antipathy to federal interference in local matters by imposing a program the city did not request and the D.C. government's desire to keep the extra money flowing for the DCPS and charter school budgets.²⁹

²⁴ D.C. Code §38-1853.08

²⁵ Any private school receiving federal funds directly would be subject to anti-discrimination provisions involving disabilities, but payments are considered assistance to parents, not the schools.

²⁶ The D.C. Human Rights Act, D.C. Code §2-1401.01 et seq., additionally forbids discrimination by educational institutions based, inter alia, on "marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, political affiliation, source of income, or disability," §2-1402.41. However, religiously affiliated institutions may give preferences based on religion and deny services based on homosexuality, D.C. Code §§2-1401.03(b) and 2-1402.41(3). The great majority of participating schools have some religious affiliation. We are unaware of any challenges or complaints of discrimination based on the Human Rights Act.

²⁷ U.S. Department of Education, <https://www2.ed.gov/programs/dcchoice/funding.html>.

²⁸DCPS allocates its funds to local schools in a pool with local tax revenues, while the charter school funding provides competitively based grants for charter facilities and the services of non-profit organizations. Charter grants are administered by the D.C. Office of the State Superintendent. Facilities are for improving the number or quality of seats at "high-quality" charter schools; organization grants are for advancing student outcomes and organizational capacity. <https://osse.dc.gov/node/1296941>

²⁹ See, e.g., Davis, Aaron C. & Portnoy, Jenna, "House Republicans' School Voucher Bill Exposes Rift Between D.C. Mayor, Council," Washington Post, March 7, 2017 https://www.washingtonpost.com/local/dc-politics/house-republicans-school-voucher-bill-exposes-rift-between-dc-mayor-council/2017/03/07/8c7178b4-0357-11e7-b1e9-a05d3c21f7cf_story.html?utm_term=.520753de678e.

Who Applied, Who Enrolled³⁰

As the voucher program opened in early 2004, over 1,800 applicants sought awards. About three-quarters received awards, and about three-quarters of those used the awards to enroll in a private school of their choice. In the following year, with more applicants, only half received awards. Thereafter, the number of applicants dropped sharply, perhaps reflecting the exhaustion of pent-up demand and/or lesser recruitment efforts by the program administration because much of the funding was already committed to students continuing in the program.³¹ In SY 2009-10 and SY 2010-11, the program took no new applications, but continued funding for students already enrolled. With resumption of the full program in early 2011, over 1,000 applicants again sought entry, and again about three-quarters used their award. Thereafter the number of applicants and awards again fell off.

D.C. Voucher Program 2004-05 to 2016-17: Applicants, Awards, Awards Used and Total Enrollment³²

Year	Eligible Applicants	Awards	Awards used initial year	% Awards Used	Total enrollment
2004-05	1,848	1,366	1,027	75%	1,027
2005-06	2,199	1,088	798	73%	1,716
2006-07	396	396	328	83%	1,805
2007-08	450	450	384	85%	1,930
2008-09	438	438	336	77%	1,714
2009-10	program	suspended			1,322
2010-11	program	suspended			1,017
2011-12	1,014	1,014	721	71%	1,683
2012-13	536	316	233	74%	1,584
2013-14	718	394	263	67%	1,638
2014-15	517	285	176	62%	1,442
2015-16		285	139	49%	1,244
2016-17		234	99	42%	1,154
2017-18					1,653

³⁰ See especially the 2010 and 2014 evaluations commissioned by the U.S. Department of Education, which provide more detail on some aspects of the voucher program. Since they are so frequently cited in this paper, we will refer to them by their year of issuance, with bibliographic detail in the list of sources. Unlike data on schools, data on students are publicly available almost exclusively from the analysis in evaluation reports, due to privacy and confidentiality constraints.

³¹ 2014 evaluation, p. 13.

³² Sources: for application and awards, 2014 Evaluation, Fig. 4-1, p. 20; for awards used 2014 Evaluation, Fig. 4-2, p. 20; OSP Program Fact Sheets, 2013-14 through 2016-17, <https://servingourchildrenc.org>. For total enrollment: 2004-05 to 2009-10, 2010 Evaluation, p. 3; 2010-11 & 2012-13, EdChoice blog, District of Columbia's Opportunity Scholarship Program Participation, <https://www.edchoice.org/school-choice/programs/district-of-columbia-opportunity-scholarship-program/>; 2011-12, GAO 2013; 2013-14 to 2017-18, OSP Program Fact Sheets, <https://servingourchildrenc.org>. Some applicant figures in the last-mentioned disagree with those reported by the program evaluators; the table reflects the latter.

The number of awards used has dropped off sharply in the last two years for which data are publicly available. Enrollment looked to be dropping sharply also, from a high of 1,683 in SY 2011-12 to 1,154 in SY 2016-17, but the program administration reports a big increase this year – to 1,653.³³ A study predating the enrollment surge attributes the drop-off to competition from charter schools and the DCPS open-enrollment, space-available choice program, as well as fluctuating political support. The authors note the recent introduction of steps to encourage enrollment, including sibling preferences for awards, earlier notification of awards, and easier access for students already attending private schools quite different from the original idea of the program as an escape from public schools.³⁴

To be eligible, applicants must be District of Columbia residents and have an annual household income within 185 percent of the federal poverty level. The 2014 evaluation estimates the number of children meeting eligibility requirements as of 2010 as about 53,000, of whom less than 5 percent have applied under the SOAR Act.³⁵ Among applicants, 48% came from DCPS, 34% from charter schools, and 18% from private schools.³⁶ Preference for awards is given to students attending public “schools in need of improvement” (“SINI”), as designated through federal education law. (This category was defined as those not making the yearly progress requirements under the No Child Left Behind Act, which was repealed in 2015.) Under the more recent SOAR Act, 64% of applicants came from these schools.³⁷ Over 40% lived east of the Anacostia River, in the city’s lowest income neighborhoods with an overwhelmingly African American population.³⁸

Data suggest that among those eligible, applicants may not come from the very lowest income levels, but inconsistency in numbers makes that hard to judge. In the program’s first iteration, from SY 2004-05 to SY 2008-09, 46% of applicant parents had at least some college education and 11% were employed full-time. More recently, under the SOAR Act, 60% of applicant parents had at least some college experience and 26% percent were employed full-time.³⁹ However, at the same time, the average family

³³ <https://servingourchildrendc.org/>.

³⁴ Jordan, Phyllis W. & Long, Kendall “Vouchers in D.C.: Why D.C. Families Aren’t Choosing Vouchers, FutureEd, Georgetown University, August 2017, p. 2, https://www.future-ed.org/wp-content/uploads/2017/08/DC-Vouchers_v8.pdf

³⁵ 2014 evaluation, p. 14.

³⁶ 2014 evaluation, p. 16.

³⁷ 2014 evaluation, p. 15. Years covered are SY 2011-2012 and 2012-13.

³⁸ 2014 evaluation, p. 17. In 2016 the median annual income for families with children in Ward 7 was \$31,000 and in Ward 8 \$25,000, compared to the city average of \$71,000. Kids Count Data Center, <http://datacenter.kidscount.org/data/tables/6749-median-income-of-families-with-children-by-ward?loc=10&loct=21#detailed/21/1852-1859/false/870,573,869,36,868/any/13835>.

³⁹ According to the Bureau of Labor Statistics, average earnings in 2016 for persons with some college but no degree were \$756 per week, which calculates to over \$39,000 a year. https://www.bls.gov/emp/ep_chart_001.htm.

income in the first iteration was reported as \$17,121 per year, and in the second and more recent as \$12,600 per year, far below the average in the city's two poorest wards.⁴⁰

Once an applicant is successful, the award does not guarantee admission to or enrollment in a family's school of choice. As of 2013, in most years only about 75% of awards were used.⁴¹ Thereafter the number fell further, down to 99, or 42% in 2015-16. The fact that a substantial number of the voucher awards were unused indicates that it is a hunting license for a space but provides no assurance of being able to enroll. The student must satisfy a school's individual admission requirements, whatever they are, and families must also contend with transportation when schools are distant, as many are. If tuition and fees are more than the voucher maximum, the family must receive financial aid from scholarship organizations, the school, or pay itself.

Responding to evaluators' questions for not using the awards, parents provided a variety of reasons, principal of which were lack of space at the preferred private schools, the absence of special needs services, and admission to a preferred public charter school. Other reasons appear in the chart below.⁴²

The range of reasons for the high level of non-enrollment by those receiving vouchers suggests that, for instance, applicants do not get sufficient information about whether a space is available and a variety of other important issues.

Reasons Given by Parents for Never Using an OSP Scholarship⁴³

Lack of space	30.7%
Lack of special needs services	21.6%
Child got into a charter school	16.3%
Did not want to leave friends	13.4%
Preferred private school not participating	10.8%
Moved out of DC	8.8%
Transportation issues	7.8%
Did not pass admission test	4.2%
Child did not want to be held back a grade	3.6%
Concerns the work might be too hard	2.9%
Lack of sports	2.9%
Child did not want religious instruction	2.3%
Child did not want to wear a uniform	2.0%
Other	0.7%

⁴⁰ 2009 Evaluation, Table 2-3, p. 21; 2014 Evaluation, p. 15 & Table A-2; *ibid*. The current program administrator requires that applicants submit proof of income for all adults in the financial household. This consists of documentation within three months of receipt of SNAP (food stamps) benefits, or of other sources of income listed in the application, including District and federal tax forms, child support and alimony, social security, SSI disability benefits, pensions, retirement accounts, and veterans' benefits. The data team reviews these but to what extent is unclear. <https://servingourchildrenc.org/wp-content/uploads/2018/01/2018-19-Checklist-English.pdf>.

⁴¹ 2014 evaluation, pp. 19-20.

⁴² From 2010 Evaluation, p. 25. There is no report for later years.

⁴³ 2010 Evaluation, p. 25, Fig. 2-5.

After initial enrollment, some students drop out mid-year or year end, transferring to DCPS or a charter school. The evaluators' survey found that as of SY 2008-09, of the respondents who had initially enrolled in a private school since the OSP program's start, 55% were still in private school.⁴⁴ Reasons cited to the authors of the 2010 evaluation were similar in substance and distribution to those in the chart above: the child's admission to a charter school, lack of space, moving out of DC, transportation, and lack of special needs services, and various personal concerns.⁴⁵

Reasons Given by Parents for Not Continuing to Use an OSP Scholarship⁴⁶

Child got into a charter school	21.8%
Lack of space	18.5%
Moved out of DC	15.2%
Transportation issues	13.7%
Lack of special needs services	12.3%
Preferred private school not participating	8.5%
Lack of sports	7.6%
Concerns the work might be too hard	6.2%
Did not want to leave friends	4.3%
Child did not want to be held back a grade	3.8%
Child's public school teachers are better	3.3%
Did not pass admission test	1.4%
Child did not want to wear a uniform	1.4%

The characteristics of the participating students changed somewhat between the program's two iterations. They have been almost exclusively minority group members: in more recent years about 85% African American and almost all the rest Hispanic, and in earlier years 95% African American and 10% Hispanic (apparently some Hispanic parents were also reported as black). About 15% are students with disabilities; the nature and extent of disabilities is not reported. In the earlier group, 7.5% had a learning or physical disability. Two-thirds of the more recent group attended a school officially declared as in need of improvement, but only about one-third of the earlier group.⁴⁷

The D.C. Private School Sector and Participating Private Schools

D.C. private schools are a varied lot, high-priced and low-priced, highly selective and easily accessible, accredited and not, secular and religious, early childhood, special education, Montessori, Afro-centric, international, and more. They are located throughout the city. Their total number is somewhat

⁴⁴ 2010 Evaluation 2010, pp. 26-27. Of the remaining respondents, 27% were in DCPS or, apparently, an out-of-DC public school and 18% in charter schools (for a total of 100%). The survey only covered students still in grades K-12 in the District, so would not include any who had aged out.

⁴⁵ 2010 Evaluation, p. 26. As with initial non-use, no information is available for subsequent years.

⁴⁶ 2010 Evaluation, p. 26.

⁴⁷ 2017 Evaluation, pp. 4-5 & Table A-2; 2009 Evaluation, Table 2-3, p. 21.

uncertain. The District has no official central source for private school data, and the count varies greatly from one source to another, as does their scope, particularly the inclusion of early childhood and/or special education schools.⁴⁸

But all sources indicate that the total number of private schools has decreased since the OSP program began. The 2014 evaluation found 109 in SY 2004-05, and 95 in SY 2012-13.⁴⁹ Currently, from our own research there are at least 82 DC private schools, including 13 early childhood, 10 special education, and 59 that offer at least one grade from first through twelfth. However, there are certainly more since early childhood centers that enroll 5 year olds and small inner city private schools do not always have websites or participate in surveys. Complete figures for total private school enrollment are equally hard to determine, but the best available indicate a decline of several thousand students since SY 2004-05. Federal data show a decline of 2,400 students.⁵⁰

The decline in both enrollment and the number of schools is attributable to a number of factors:

- The expansion of charter schools, which are a tuition-free, citywide choice alternative to DCPS, from 63 in SY 2005-06 to 114 in SY 2017-18.⁵¹
- The great recession beginning in 2008, which cut into the ability of families at many income levels to pay tuition, including voucher participants, since they are responsible for costs over the voucher amount.
- The substantial expansion of neighborhood enrollment in DCPS schools in affluent and gentrifying areas, where the kind of families who had previously selected private schools decided to try DCPS schools.⁵²
- The expansion of pre-kindergarten slots in DCPS and charter schools, encouraging early childhood parents to enter the public school lottery at the earliest level, where they are more likely to get seats at the most desirable schools as well as forgo the need to pay tuition.⁵³

⁴⁸ The numbers reported in the 2014 OSP evaluation appear to be the most complete, but end as of SY 2012-13. They do not differentiate among early childhood, special education, and K-12 schools. For example, for 2011-12, the 2014 OSP evaluation reports a total of 95 private schools. Including early childhood and special education schools, the NCES Private School Survey lists 61; the School Chooser directory lists 56; we were able to find 84 in various sources combined. For 2015-16, NCES lists 50 schools, the Great Schools website 75, and we have found 82.

⁴⁹ 2014 evaluation report, p. 7, Fig. 2-1.

⁵⁰ Based on the NCES Private School Survey, the UCLA Civil Rights Center estimates a decline of about 2,400.

⁵¹ These numbers exclude schools that serve adults only (1 in SY 2005-06 and 6 in SY 2017-18). Derived from DC Public Charter School Board, "DC Public Charter Schools: 2005-2006," and the PCSB website, <http://www.dcpccb.org/find-a-school>.

⁵² Our comparison of "in-boundary" statistics found that between SY 2006-07 and SY 2016-17, the neighborhood enrollment in 28 such schools increased by 2,755 students. Not all would have chosen private schools in the landscape of a decade ago, but personal observation says many would have. 2016 median income figures for families with children in Wards 2, 3, and 6, which include most of these schools are \$189,000 \$216,000 and \$122,500 respectively. Kids Count Data Center, <http://datacenter.kidscount.org/data/tables/6749-median-income-of-families-with-children-by-ward?loc=10&loct=21#detailed/21/1852-1859/false/870,573,869,36,868/any/13835>.

- The conversion of seven Catholic Archdiocese schools to charter status in 2008, dropping their religious identity and practices, with about 550 students going with them.⁵⁴

The number of schools participating in the OSP program since its establishment has likewise decreased, from a high of 68 in the second year, SY 2005-06, falling to 49 in SY 2015-16 and the low of 47 in SY 2016-17. However, except for the two years when the program took no new students, the number of schools was stable at 51-53 in the interim years.

Total D.C. Private Schools and OSP Schools SY 2004-05 to SY 2018-19⁵⁵

Year	Number of private schools	Number of OSP schools
2004-05	109	57
2005-06	104	68
2006-07	104	62
2007-08	102	53
2008-09	90	41
2009-10		53
2010-11		48
2011-12	95	53
2012-13	95	52
2013-14		52
2014-15		51
2015-16		49
2016-17		47
2017-18		47
2018-19		47

OSP schools generally constituted a little over half of the private schools in the District identified by the 2014 evaluation, but it should be noted that early childhood and special education schools are disproportionately non-participating. Neither are likely to attract voucher applicants. The former end at kindergarten, and only that one year is voucher-eligible, while most of the latter specialize in services to

⁵³ Admission to all DC charter schools and out-of-boundary seats at DCPS schools is by lottery; no special circumstances need be pleaded.

⁵⁴ This was about half of their pre-conversion enrollment. These students were joined by over 800 more initially enrolling as charter school students. Smarick, Andy, "Catholic Schools Become Charter Schools: Lessons from the Washington Experience," Seton Education Partners, undated, https://www.setonpartners.org/assets/PDFs/Seton_DC_Case_Study_FINAL_r.pdf. It is not known how many may have come from other private/parochial schools in the District.

⁵⁵ Total private schools as reported in 2014 Evaluation; total OSP schools SY 2004-05 to SY 2012-13 from 2014 Evaluation, and from SY 2013-14 to SY 2017-18 from Serving Our Children Program Fact Sheets, <https://servingourchildrenc.org/our-program/document-library/>.

students with fairly severe disabilities. They are therefore expensive, and families can seek placements paid by the city when DCPS or charter schools are not serving their students satisfactorily. The five that do participate enroll only a handful of OSP students. For the last several years, the 42 OSP schools in the K-12 group have represented about three-quarters of all remaining private schools with those grades.

Individual private schools have joined and departed over the history of the program, though a substantial core has participated throughout. Of the 68 schools participating in SY 2005-06, 25 are no longer in the program. Only eight of these are definitely open, four of which are early childhood schools, which can enroll OSP-paid students only in their final kindergarten year.⁵⁶ Six, four of them Catholic, closed altogether, and four more are probably closed.⁵⁷ The remaining seven are Catholic schools that converted to public charter status in 2008. The loss of more than a third of the initial schools created a problem of continuity.

The city's Archdiocese schools, all of which participated in the voucher program, had struggled for some years with falling enrollment, rising costs, and deteriorating facilities. In 1997 eight of them, joined later by four others, were organized into a consortium with centralized governance, a central unit to handle administrative functions and common systems and practices aimed at upgrading teacher and school leadership quality and otherwise raising student achievement. But enrollment decline continued, related to the city's population loss and expanded competition from tuition-free charter schools and expanded choice within DCPS, as did financial shortfalls, projected to amount to \$56 million over the next five years.

Outside philanthropy and an influx of voucher students were insufficient to maintain the consortium schools. Their 2,100 students -- more than 70% of whom were not Catholic -- were mostly low income, and tuition had been set accordingly. Leaders concluded that philanthropic contributions had reached their maximum. As of 2007, 811 students, had vouchers, but the law limited payments to customary tuition plus fees, or about \$4,500 for the Archdiocese schools.⁵⁸ Meanwhile, the District governments Uniform Per Student Funding Formula for local revenues in FY 2009 provided a minimum of \$11,879 per student plus additional per student allocations at many grade levels and for students identified to receive special education and English as a Second Language services. Additional Title I federal funding was available for economically disadvantaged students and IDEA and Medicaid funding for special education services.⁵⁹ Becoming charter schools required giving up their explicitly religious identity but provided an increase of more than 160% in funding for struggling schools.

⁵⁶ See also the discussion in the 2014 evaluation report, Evaluation of the DC Opportunity Scholarship Program, Year 1 Report, October 2014, U.S. Department of Education, NCEE 2015-4000, p. 6.

⁵⁷ They are not in a current telephone book, have no websites, and website references that refer to them are old or undated.

⁵⁸ The discussion of the Catholic school conversions summarizes a much more detailed account in Smarick (undated).

⁵⁹ District of Columbia Government, FY 2009 Proposed Budget and Financial Plan, Agency Budget Chapters Part 2, June 9, 2008, p. D-38. Annual per student funding is available in annual budgets on the website of the District's Chief Financial Officer, <https://cfo.dc.gov/page/budget-and-revenue>.

Little information exists as to the quality of education in the OSP or other private schools either on their own or as compared to DCPS and charter schools. Standard metrics, notably schoolwide testing data, graduation rates, and attendance rates are not available for either the OSP schools, or other schools in the private sector. This is a notable contrast to some state voucher programs that require similar testing for voucher and public schools. The DC Code requires that the Board of Education conduct a complete census of school-age children, either obtain accreditation reports or approve private schools for purposes of compulsory attendance and also requires that all schools, including private and parochial report enrollment and attendance to the State Superintendent (“OSSE”).⁶⁰ However we can find no evidence of even this minimal level of government oversight outside of the area of early childhood and the special education students that enroll students with disabilities at District government experience.⁶¹ The oversight that the lawmakers perhaps assumed would operate does not exist and information about the program has been minimal outside of the evaluation studies.

In any event, accreditation is optional. The SOAR act requires that participating OSP schools tell parents their accreditation status, but does not require that they be accredited.⁶² As of 2012, 38 of 53 OSP

⁶⁰ D.C. Code §38-204 states “The Board, or its designee, shall conduct annually, or as frequently as may be found necessary or desirable, a complete census of all minors 3 years of age or more who permanently or temporarily reside in the District. The census record shall be amended from day to day as changes of residence occur among minors within the age group, as other persons come within or leave the age group, and as other persons within the age group become residents of or leave the District. The census record of minors shall give the full name, address, sex, and date of birth of each minor, the school attended by him or her and, if the minor is not at school, the name and address of his or her employer, if any, and the name, address, telephone numbers, if any, and occupation of each parent or guardian.” §38-202(d) mandates that “The Board shall, pursuant to subchapter I of Chapter 5 of Title 2, issue rules to establish requirements to govern acceptable credit for studies completed at independent or private schools and private instruction, to govern the selection and appointment of appropriate staff members to carry out the provisions of this chapter under the direction of the Superintendent of Schools” §38-205 mandates that “By October 5 of each year, each public, independent, private, and parochial school shall report to the Office of the State Superintendent of Education the name, address, sex, and date of birth of each minor who resides permanently or temporarily in the District who is currently enrolled in their school. By the 5th of every month thereafter, each school shall report any changes in enrollment, including withdrawals, to the Office of the State Superintendent of Education.” 203(a) provides “An accurate daily record of the attendance of all minors covered by § 38-202 and this section shall be kept by the teachers of each educational institution. “Educational institution” is specifically defined in § 38-201(2)(2A) as “ a school in the District of Columbia Public Schools system, a public charter school, an independent school, a private school, a parochial school, or a private instructor. The Board of Education no longer exists. Although no replacement entity is named in these sections, the Office of the State Superintendent generally took over the Board’s state functions. There is a State Board of Education, with limited powers that do not include oversight of private schools.

⁶¹ The Office of State Superintendent has responded to D.C. Council inquiries that “OSSE does not directly collect this data” but obtains what is available from the Association of Greater Independent Schools and the Archdiocese of Washington. E.g., OSSE FY 2017 Performance Oversight Responses, p. 25.
http://dccouncil.us/files/user_uploads/budget_responses/sse_Part1.pdf.

These sources do not include many schools, including some of the OSP schools. OSSE does regulation and enforcement in early childhood schools, and it as well as DCPS and charter schools from which students are placed in private special education schools conduct monitoring of those schools.

⁶² Layton, Lyndsey, & Brown, Emma, “Quality controls lacking for D.C. schools accepting federal vouchers” Washington Post, Nov. 17, 2012.

https://www.google.com/search?q=quality+controls+lacking+washington+post&rlz=1C1PRFC_enUS631US631&og

schools were accredited, three had accreditation in progress, and ten were not accredited.⁶³ As of 2017, 39 of the 47 OSP schools are accredited and eight report accreditation in progress.⁶⁴

An investigation by the *Washington Post* in 2012 found that the program had “offered some children a crucial path out of troubled city schools.” However, the investigation also found that the participating OSP schools “are subject to few quality controls and offer widely disparate experiences.” They “don’t have to disclose the number of voucher students they enroll or how much public money they receive, and many declined to release such information to the *Post*.” A spokesman for then House Speaker John Boehner stated that “parents – when provided appropriate information – will select the best learning environment for their children.”⁶⁵ But the only information that schools must report is the percentage of teachers of core subjects with at least a bachelor’s degree and whether or not they are accredited.⁶⁶ *Post* reporters visiting schools found one two-room school in a “soot-stained storefront” and another whose only bathroom “had a floor blackened with dirt and a sink coated in grime.” The then program manager, from the Children and Youth Investment Trust Corporation, acknowledged that quality control, being outside of their authority, is a “blind spot.” The basic assumption is that anything that is private is adequate or even an improvement for children and that parents have excellent capacity to select schools with no quality controls in spite of strong and consistent evidence from school choice research that parents have limited information and the most disadvantaged parents have the least.⁶⁷

The extent of religious affiliation among OSP schools has been fairly consistent since the start of the program, and Catholic schools have been a strong plurality among them, 40% or more. About two-thirds have been religiously affiliated or oriented, and of those about two-thirds have been Catholic, a few Christian, and a scattering among Protestant denominations and other religions. In the OSP program’s second year, of 58 schools listed in the program directory, 40 were religiously affiliated, of which 28 were Catholic, 5 Christian, 5 Presbyterian, Quaker or Baptist, and one each were Adventist and

[=quality+controls+lacking+washington+post&aqs=chrome..69i57.23369j1j4&sourceid=chrome&ie=UTF-8;](#)

Matthews, Jay, “Why Private School Vouchers Have No Future,” *Washington Post*, Nov. 21, 2012.

https://www.washingtonpost.com/local/education/why-private-school-vouchers-have-no-future/2012/11/21/5d212dfe-329e-11e2-bfd5-e202b6d7b501_story.html?utm_term=.3bcd78bbd5b4

⁶³ Children and Youth Investment Trust Corporation, Participating School Directory, D.C. Opportunity Scholarship Program, May 2013 (retrieved through the WayBack Machine). Information for two schools is unavailable.

⁶⁴ Serving Our Children, Participating School Directory, D.C. Opportunity Scholarship Program, December 2016, <https://servingourchildrenc.org/wp-content/uploads/2017/11/2018-2019-School-Directory-Final.pdf>.

⁶⁵ Layton, Lindsey & Brown, Emma,, “Quality Controls Lacking for D.C. Schools Accepting Federal Vouchers,” *Washington Post*, November 17, 2012. https://www.washingtonpost.com/local/education/quality-controls-lacking-for-dc-schools-accepting-federal-vouchers/2012/11/17/062bf97a-1e0d-11e2-b647-bb1668e64058_story.html?utm_term=.97391cfcc81d.

⁶⁶ *Ibid*.

⁶⁷ Fuller, Bruce, Elmore, Richard & Orfield, Gary. *Who Chooses? Who Loses; Culture, Institutions, and the Unequal Effects of School Choice*. New York: Teachers College Press, 1996;

Islamic. In 2012, twenty of 33 were Catholic; three Christian; six were Episcopal, Presbyterian or Baptist, one Adventist and one Islamic.⁶⁸

As of 2018, 47 private schools participate, 43 of which have been there from the beginning. As a group, they are fairly similar to the larger private school sector to which they belong.⁶⁹ About two-thirds of the voucher schools have some religious affiliation, compared to a little over half of the total private sector excluding special education schools.⁷⁰ Of the 30 OSP schools with religious affiliation, 19 are Catholic, six mainline Protestant (Episcopal, Presbyterian, and Quaker), while three describe themselves as Christian, the remaining two being Jewish and Adventist. The websites of the mainline Protestant schools say little or nothing of religion; the rest emphasize it as part of their mission and teaching.⁷¹

According to information in the OSP directory of the 47 schools participating in 2017-18, 15 have ESL programs, 37 have learning disability services, 23 offer services for students with physical disabilities, and 28 have wheelchair access. The extent and quality of the services is not reported. Before and/or afterschool care, a critical service for working parents, is available at 38 of the schools; whether there is an additional charge is not reported. General admissions requirements are also listed: Most (38) require an interview, 36 require a letter of recommendation, 32 do testing, ask for an essay, and only three set a minimum grade-point average.⁷²

Close to 40% of both OSP and private schools in general are located west of Rock Creek Park, where all neighborhoods are affluent; fewer than 20% east of the Anacostia River, the location of the city's poorest neighborhoods. Year 2016 median income for families with children in Wards 2 and 3, which are mostly west of the Park were \$189,000 and \$216,000 respectively; in Wards 7 and 8, east of the River, the figures were \$31,000 and \$25,000 respectively. The city average is \$71,000.⁷³ A little over 40% of the schools are in the area in between, where neighborhood income levels vary, but many are lower middle income, though more and more are rapidly gentrifying.

⁶⁸ Derived from the NCES Private School Survey, <https://nces.ed.gov/surveys/pss/pssdata.asp>, and the Great Schools D.C. School Chooser.

⁶⁹ Statistics in the remainder of this sections are derived from the U.S. Department of Education, National Center for Educational Statistics, Private School Survey for 2011-12 and 2015-16, <https://nces.ed.gov/surveys/pss/pssdata.asp>; Great Schools DC & Fight For Children, D.C. School Chooser 2012-2013 (2012); the Great Schools website (2018), https://www.greatschools.org/washington-dc/washington/schools/?st=private&sort=school_name_asc; U.S. Department of Education, National Center for Educational Statistics, Common Core of Data, 2011-12, <https://nces.ed.gov/ccd/pubschuniv.asp>; D.C. Office of the State Superintendent of Schools, School Year 2016-17 Equity Reports, <https://osse.dc.gov/page/2016-17-school-year-equity-reports>.

⁷⁰ Private special education schools enroll hundreds of District students placed there by the District government, which pays the tuition and presumably must be secular.

⁷¹ Derived from the Great Schools website <https://www.greatschools.org/> and individual school websites.

⁷² Serving Our Children, Participating School Directory, D.C. Opportunity Scholarship Program, December 2016, <https://servingourchildrenc.org/wp-content/uploads/2017/11/2018-2019-School-Directory-Final.pdf>.

⁷³ Kids Count Data Center, <http://datacenter.kidscount.org/data/tables/6749-median-income-of-families-with-children-by-ward?loc=10&loct=21#detailed/21/1852-1859/false/870,573,869,36,868/any/13835>.

In minority student enrollment in SY 2016-17, the OSP schools are a close reflection of the larger private school sector.⁷⁴ As groups, both are about 56% white, about 28% black, about 7% Hispanic, with total minority enrollment around 44%. Minority statistics for the private sector are very different from those in the DCPS and charter sectors. Public sector schools combined are only 11% white, with a larger percentage in DCPS than in charter schools. Of their 89% minority enrollment, the public sector schools are 69% black, 16% Hispanic, and 4% other minorities, with charter schools enrolling higher percentages of blacks and lower percentages of Hispanics than do DCPS schools.

D.C. Enrollment by Race/Ethnicity in OSP, Private, and Public Schools, 2016-17⁷⁵

Sector	% White	% Black	% Hispanic	% Other	Total	% Minority
OSP schools	55%	29%	7%	9%	100%	45%
All private	57%	27%	7%	9%	100%	43%
DCPS	14%	61%	20%	4%	100%	85%
Charter schools	6%	80%	11%	3%	100%	94%
Public sector	11%	69%	16%	4%	100%	89%
All sectors	18%	62%	15%	5%	100%	82%

The percentages of schools, total students, and black or Hispanic students by different levels of minority enrollment are almost identical as between the OSP and all private schools in the District, but again are very different from the public sector schools. Despite greater sector-wide levels of integration in private schools, including the OSP schools, over half their black and Hispanic students are enrolled in schools that are over 90% minority, and most of these are in schools that are 99-100% minority, a category the Civil Rights Project defines as apartheid schools. Note that these statistics do *not* show the level of minority enrollment experienced by the OSP students themselves, only that of all students and of black and Hispanic students regardless of OSP support. Information about where the OSP students attend by race is not available.

The contrasts among the sectors are unsurprising, given that somewhere between 50 and 55 percent of the District’s white students are in private schools, compared to about 7 percent of its black and Hispanic students. The statistics are changing due to a recent rapid increase in the District’s white population and number of school-age children in both public and private sectors. Estimates based on

⁷⁴ For a small number of schools, both participating and not, data on minority enrollment are unavailable. Statistics on minority enrollment exclude these schools and their students.

⁷⁵ Derived from the U.S. Department of Education, National Center for Educational Statistics, Private School Survey for 2011-12 and 2015-16, <https://nces.ed.gov/surveys/pss/pssdata.asp>; Great Schools DC & Fight For Children, D.C. School Chooser 2012-2013 (2012); the Great Schools website (2018), https://www.greatschools.org/washington-dc/washington/schools/?st=private&sort=school_name_asc; U.S. Department of Education, National Center for Educational Statistics, Common Core of Data, 2011-12, <https://nces.ed.gov/ccd/pubschuniv.asp>; D.C. Office of the State Superintendent of Schools, School Year 2016-17 Equity Reports, <https://osse.dc.gov/page/2016-17-school-year-equity-reports>

the NCES Private School Survey show the white percentage of private school enrollment increasing, from close to 49% ten years ago to 54% two years ago;⁷⁶ our research based on website data found 58%

OSP and All D.C. Private Schools by Level of Minority Enrollment, 2016-17⁷⁷

	Schools		All Students		Black & Hispanic Students	
	OSP	All Priv	OSP Sch	All Priv	OSP Sch	All Priv
0-20% minority	11%	12%	14%	17%	2%	4%
20-40% minority	30%	29%	44%	44%	21%	22%
40-70% minority	11%	12%	20%	19%	18%	17%
70-90% minority	4%	5%	1%	2%	3%	4%
90-98% minority	11%	8%	5%	4%	12%	11%
99-100% minority	34%	35%	16%	15%	43%	42%
	100%	100%	100%	100%	100%	100%

DCPS and D.C. Charter Schools by Level of Minority Enrollment, 2016-17⁷⁸

	Schools		All Students		Black & Hispanic Students	
	DCPS	Charter	DCPS	Charter	DCPS	Charter
0-20% minority	-	-	-	-	-	-
20-40% minority	6%	-	7%	-	2%	1%
40-70% minority	12%	9%	16%	10%	9%	7%
70-90% minority	11%	10%	10%	10%	10%	9%
90-98% minority	18%	10%	17%	10%	19%	15%
99-100% minority	53%	70%	50%	70%	61%	68%
	100%	100%	100%	100%	100%	100%

currently. At the same time, our research found that the percentage of whites in private schools appears to have dropped in the last five years from 59% to 51%, even as their number rose. Meanwhile, the number of whites in DCPS and charter schools has also risen, in DCPS from about 4,700 to 6,700, and in charter schools from about 1,000 to about 2,200. The Asian enrollment is distributed more like the white enrollment.

Findings of a recent paper from the Shanker Institute, using standard statistical measures of school segregation, and based on NCES private school data from SY 2011-12 are consistent with the SY 2011-12 analysis above. The paper sought to present a more comprehensive picture of segregation in the District by including private schools. In the private sector almost a quarter of the “typical” black

⁷⁶ UCLA Civil Rights Project, calculations from U.S. Dept. of Education private school data, 2015

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

student's peers were found to be white, compared with only 3.5% in the public sector.⁷⁹ These findings are largely a result of the fact that private schools were estimated to serve 57.5% of the District's white students, who were 56.5% of all private school enrollment while the remaining 42.5% of the white students constituted only 7.6% of all public sector enrollment in SY 2011-12.⁸⁰ The conclusion is that the District has a strong degree of segregation within both sectors but it is modestly lower in the private sector. The voucher program is so small that it has very little impact on the overall pattern.

In considering the sectors as a whole, white students will have some minority group classmates in any of the three sectors. Minority group students, particularly blacks, are more likely to have more white classmates in private than in public schools and more in DCPS than in charter schools – but chances are low in all three, and highly dependent on enrollment in a small number of schools, as the next section demonstrates.

Where OSP Student Go to School

Data on the number of OSP students at each participating school is publicly available for only one year: SY 2011-12.⁸¹ Our analysis for this year shows that the students are clustered in schools with high or even exclusively minority enrollment, in schools whose tuition is below the SOAR tuition cap, in schools that are religiously affiliated, in schools outside of the city's most affluent neighborhoods, where the elite private schools are located.⁸²

Students participating in the voucher program are virtually all minority group members: typically 85% are black and almost all the rest Hispanic.⁸³ As of 2012 the numbers and percentages of black and Hispanic students only in the three sectors were:

⁷⁹ Di Carlo, Matthew & Wysienska-Di Carlo, Kinga. Public and Private School Segregation in the District of Columbia, Albert Shanker Institute Research Brief, September, 2017, <http://www.shankerinstitute.org/resource/dcsegregation>. Data were taken from the NCES Common Core of Data (CCD) and the Private School Survey (PSS) for SY 2011-12.

⁸⁰ The number and distribution of white student enrollment are changing rapidly. NCES Private School Survey data only four years later indicate that 50% of D.C. white students are now in private schools and 50% in the public sector. They are now 53.6% of private school enrollment and 10.4% of public sector enrollment. Derived from *ibid.*, p. 5, Table 1 and UCLA Civil Rights Project computations from NCES 2015 private school survey. Our independent research, reported above, using private school websites in addition to the PSS survey, found that 55% of white students are in private schools.

⁸¹ U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program, September 2013, GAO-13-805, Appendix III, pp. 52-53.

⁸² Data used to calculate tuition-voucher gaps is from the OSP directory for SY 2012-13; religious affiliation is from the NCES Private School Survey 2011-12, the Great Schools website, https://www.greatschools.org/washington-dc/washington/schools/?st=private&sort=school_name_asc, and the websites of individual schools.

⁸³ 2017 Evaluation, pp. 4-5 & Table A-2; 2009 Evaluation, Table 2-3, p. 21.

OSP, All D.C. Private, DCPS and D.C. Charter Students by Level of Minority Enrollment in Their Schools, 2011-12⁸⁴

Level of minority enrollment	OSP students	All Private school students	DCPS students	PCS students
0-20% minority	108	2,393	-	-
20-40% minority	73	5,325	2,837	-
40-70% minority	153	3,522	3,576	1,204
70-90% minority	209	767	4,957	2,193
90-98% minority	162	329	5,331	3,519
99-100% minority	978	2,456	27,651	22,321
TOTAL	1,683	14,792	44,352	29,237
0-20% minority	6%	16%	-	-
20-40% minority	4%	36%	6%	-
40-70% minority	9%	24%	8%	4%
70-90% minority	12%	5%	11%	8%
90-98% minority	10%	2%	12%	12%
99-100% minority	58%	17%	62%	76%
TOTAL	100%	100%	100%	100%

Almost 70% of OSP students are concentrated in private schools with 90% or higher minority enrollment and a full 58% are in schools with 99-100% minority enrollment. The level of racial/ethnic isolation of OSP students is not much better than that in DCPS – 84% and 62%.

Although over half the participating schools have tuitions above the voucher cap, only 15% of OSP students enrolled in them, the same as in earlier years of the program⁸⁵. A full 85% are in the remaining lower-tuition schools. The tuition at most schools above the cap is many thousands of dollars more than the voucher program provides. Apparently the gap is a formidable barrier to eligible student enrollment. We do not know how the gap is managed by these families with very low reported incomes or how private schools choose to distribute aid or subsidies to families to cover the gap.

Over three-quarters of OSP students are clustered in schools that are religiously affiliated, a proportion similar to that in the early years of the program.⁸⁶ This factor correlates to a considerable extent with the amount of tuition charged. Tuition levels at half the religiously affiliated schools fall below the voucher maximum and half above. Among these, tuition at most of the Catholic, Christian and Islamic

⁸⁴ U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program, September 2013, GAO-13-805, Appendix III, pp. 52-53.

⁸⁵ 2010 Evaluation, p. 18.

⁸⁶ *Ibid.*

schools is below the cap or not far above. The exceptions are five Catholic schools. At the remaining religiously affiliated schools – Episcopal, Presbyterian, and Jewish – tuition ranges from \$10,000 to

OSP Students and Schools Above and Below OSP Tuition Cap, 2011-12

Schools that are:	No. of Students		No. of Schools	
Above tuition cap	258	15%	30	57%
Below tuition cap	1,425	85%	23	43%
Total	1,683	100%	53	100%

\$27,120 above the voucher maximum. Most of the non-religiously affiliated schools similarly charge tuition in this range. Many religious schools charge less for members of the congregation running the school.⁸⁷ We do not know what practices may exist in religious schools with normal tuition above the voucher amount.

OSP Students and Schools by Religious Affiliation, 2011-12

Schools that are:	No. of Students		No. of Schools	
Religiously affiliated	1,282	76%	32	60%
Not religiously affiliated	401	24%	21	40%
Total	1,683	100%	53	100%
Number of schools:	Religious		Non-religious	
Above tuition cap	16		14	
Below tuition cap	16		7	
Total	32		21	

The District’s most affluent areas have traditionally been concentrated west of Rock Creek Park, with some also in close-in Capitol Hill, while the least affluent neighborhoods are located at the opposite side of the city, east of the Anacostia River. Only 12% of the OSP students attend the 18 private schools west of the Park, while about one-third attend the 12 schools east of the River. Over half go to school in-between. The level of tuition shows why. Tuition at every school west of the Park, except for one now closed, was higher than the voucher maximum; only three are anywhere close, with the amount not covered for the rest ranging from \$6,850 to \$27,120. Tuition at most schools east of the River is covered by the voucher amount. Nine of the 23 schools in between Rock Creek and the Anacostia have tuition well beyond voucher funding, but all the rest charge less than the voucher maximum.

⁸⁷ No information is available on the practices of D.C. church-affiliated schools in particular.

OSP Students and Schools by D.C. Section, 2011-12

Schools that are:	No. of Students		No. of Schools	
West of Rock Creek Park	201	12%	18	34%
East of the Anacostia River	532	32%	12	23%
In between	950	56%	23	43%
Total	1,683	100%	53	100%

Outcomes

According to the legislative findings and floor debates, the purpose of the voucher program is to equalize educational opportunity for low-income students, to let students receive a higher quality education through escape from low-performing public schools, improve DC’s public schools through competition, and to increase parental involvement in their children’s education. The law mandated assessment of test performance in reading and mathematics on a nationally normed test,⁸⁸ improvement of parent and student satisfaction, high school graduation and college admission rates, school safety.

The evaluation teams compared academic achievement of voucher students after several years in the program with that of control groups using rigorous research techniques. Control groups here consisted of applicants who did not receive awards;⁸⁹ the baseline measures were not statistically different for the two groups. The difficulty of assessing results is, of course, increased by the exit of students from the program and of schools from participation. The findings as to long-term impact at the end of the earlier part of the program (SY 2004-05 through SY 2008-09):

- “Overall reading and math test scores were not significantly affected by the Program....”
- “No significant impacts on achievement were detected for students who applied from SINI (schools in need of improvement) 2003-05 schools,” for male students, or “those who were lower performing academically when they applied.”
- “The program may have improved the reading but not math achievement” of three other subgroups, students *not* from SINI schools, female students, and “those who were initially higher performing academically,” but “the impact estimates for these groups may be due to chance after applying a statistical test to adjust for multiple comparisons.”⁹⁰
- “The Program significantly improved students’ chances of graduating from high school,” (p. xv)

⁸⁸ The test used by DCPS and charter schools, the D.C. CAS, was not nationally normed, so evaluation test results cannot be compared to those of public sector schools, only to the control groups.

⁸⁹ Agreement to participate in the testing, regardless of the receipt of an award, is a condition of application. See the program application, Section H: Agreement and Certification. <https://servingourchildrenc.org/wp-content/uploads/2016/12/Online-Application-How-To-Guide.pdf>.

⁹⁰ 2010 evaluation, p. xix.

During the two-year stoppage of new awards, data collection also ceased. Although it was resumed after enactment of the SOAR legislation, only one year's results have been published. The findings:

- “After one year, the OSP had a statistically negative impact on the mathematics achievement of students offered or using a scholarship. Mathematics scores were lower for these students a year after they applied to the OSP (by 5.4 percentile points for students offered a scholarship and 7.3 percentile points for students who used their scholarship), compared with students who applied but were not selected for the scholarship.”
- “Reading scores were lower (by 3.6 and 4.9 percentile points, respectively) but the differences were not statistically significant.”
- There were no significant achievement impacts for students applying from low-performing (SINI) schools, and achievement impacts for those from higher performing schools were negative for both mathematics and reading.⁹¹

In short, the best evidence available to this point shows that in terms of the test score measures emphasized by advocates and incorporated in the legislation, there are no significant net benefits from the effort even though families who chose and follow through over the years are likely to be strongly committed.

As to parent and student satisfaction, the rubric for safety, the program in earlier years “raised parents’, but not students’, ratings of school safety and satisfaction,” while there was no statistically significant impact on general satisfaction after the program’s resumption for either parents or students.⁹² Since parental involvement in their children’s education.

How has the District of Columbia private school sector changed in the last decade? The number of schools in the entire sector, as well as that participating in the voucher program, has declined in the face of increasing competition from charter schools and DCPS schools in affluent neighborhoods plus rising costs and declining enrollment in Catholic Archdiocese schools. Total private school enrollment has both decreased and become whiter, while white enrollment in the public sector has also increased, reflecting a significant population increase.

Effectively, how broad is the choice for DC voucher students? The constraints of affordability, transportation, needs for services such as special education and ESL, and admissions requirements and practice limit the choice considerably. In SY 2011-12, the one year where OSP student enrollment by school is available, students are clustered in low-tuition, religiously affiliated schools in low-to middle income neighborhoods. Few are enrolled in the elite high-tuition schools in affluent neighborhoods.

Do participating students receive significant benefit from the program – academic achievement, safety/security, as compared with students in DCPS and charter schools? Evaluations of both phases of the OSP program found no significant effect on academic achievement. Graduation numbers were significantly higher for the earlier group; without knowing graduation standards, it is hard to assess this,

⁹¹ 2017 evaluation, p. xiii.

⁹² 2010 evaluation, p. xv; 2014 evaluation p. xiii.

finding, but it seems likely in view of the level of family motivation and involvement that participation entails. Most families seem sufficiently satisfied to keep their children in the participating private schools, but statistically satisfaction differs little if at all from that of families who did not receive awards and remained in their DCPS or charter schools.

Do participating students experience a greater or lesser degree of racial and ethnic integration than those in DCPS and charter schools? As a group, participating OSP students experience a greater degree of integration, but not much above the very low bar set by DCPS and charter schools. In the one year where OSP enrollment by school is available, 70% of participating students were enrolled in schools considered racially isolated – 90% or more minority, and a full 58% were in all-minority schools.

What information and data not currently available are needed to answer these questions and better evaluate the worth of the program? At the least, identification of all private schools and basic statistics required by law but unavailable, such as their enrollment and attendance, OSP enrollment data by school, quality measures.

What might a federal government voucher program look like? The D.C. program is funded completely by federal funds with the added attraction for local schools of funds they would have had for the private school students they do not enroll – a feature not typical of existing state/local programs. The cost of a nation-wide voucher program would be considerable even without such payments. Would a federal program even cover the cost of private school tuition and fees, or – like special education – would it become a largely unfunded mandate on state and local government? If the program followed the pattern of the D.C. system, student access would be largely limited to low-tuition schools, many with religious missions. Parents seeking an exit from public schools would sometimes face the issue of placing their children in a school whose basic mission is teaching a religion different from their family's faith. Participating schools would pick their students, free to reject students who are low-achieving, and those with disabilities or limited English. Accountability would consist of parent choice, without standards for student performance and little data or other information by which to judge quality. As studies of other state and local voucher programs have found, achievement of participating students would be about the same as their demographically similar public school peers.

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