

ADVANCEMENT PROJECT

May 12, 2025

Jason Smith
House Ways & Means Committee Chair
1011 Longworth House Office Building
Washington, DC 20515

Richard E. Neal
House Ways & Means Ranking Member
372 Cannon House Office Building
Washington, DC 20515

Dear Chair Smith and Ranking Member Neal,

On behalf of Advancement Project and 94 national, state, and grassroots racial justice, education justice, and other civil rights organizations, we write in opposition to H.R. 833 and S. 292, the Educational Choice for Children Act (“ECCA”), which would create a nationwide private school voucher program in the form of a 100% tax break for the wealthy.

Contrary to what its name implies, ECCA—or any private school voucher program—does not provide “choice” for working- or middle-class families. Nor does it offer benefits to almost any children in Black, Latine, Indigenous, or rural communities. Instead, ECCA gives the wealthy a handout of at least \$100 billion over ten years and funds private schools that exclude countless children. It would decimate the public schools that already struggle with budget shortfalls and leave most students and families worse off.

I. Public Schools Thrive with Adequate Investment

Approximately 90 percent of American students and 94 percent of students of color attend public schools—schools open to everyone.¹ For decades, Black and other communities of color have demanded investments in their chronically underfunded local public schools.² But instead of providing such investment, ECCA would create an annual \$10 billion government handout to corporations, private schools, and the wealthy. To put a finer point, ECCA would cost 55% of the \$18 billion that Congress appropriated for Title I funding for high-poverty schools, but as explained below, would largely benefit the 10% of students not enrolled in public schools.³

Students of color make up the majority (55%) of the 49.6 million students in public schools⁴—schools that welcome and serve all children in local communities for *free*. Public schools provide vital access to education and services for the whole community. They teach children and young people the fundamentals of civic engagement and provide special education services, adult role models, and extracurricular activities. Local public schools also contribute to vibrant communities by providing gathering spaces, polling places, hometown sports teams, and locations to hold adult education classes, health clinics, and other needed community services.

While public schools often fall short of providing access to high-quality liberatory education that working-class Black and other communities of color have long fought for, sustained investment in public schools as well as evidence-backed programs and services improve the lives of students and their families.⁵ Communities know this. That is why efforts to

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privatize or close local public schools face heated opposition campaigns, walkouts, protests, and even hunger strikes.⁶

Folks across the political spectrum oppose private school vouchers.⁷ During the 2024 election, ballot measures to expand vouchers lost across the board—in Kentucky, Nebraska, and Colorado.⁸ And in early 2025, a private school voucher bill in Mississippi was defeated.⁹ Passing ECCA would subvert the clear will of taxpayers and voters across the political spectrum who value their local public schools.

II. School Vouchers Are a Handout to the Wealthy Without Offering Improved Educational Opportunities for Students

Because private schools choose their students, ECCA would fund schools to which low-to-middle-income and working-class Black communities and other communities of color have limited access. Proponents of voucher programs, which were created to avoid the desegregation mandates of *Brown v. Board of Education*, have explicitly stated that the goal of school vouchers is to maintain a discriminatory and unequal system of education.¹⁰ ECCA would promote that discriminatory goal in several ways.

To begin with, ECCA would provide no protections or assurances against discrimination, departing from prior, smaller-scale, federally-funded voucher legislation.¹¹ Private schools routinely discriminate in admissions and treatment of students and families based on disability, LGBTQ+ status, religion, English fluency, race, and other characteristics and are not held to the same standards as public schools, where students and families are legally protected from discrimination based on these characteristics.¹²

In addition, private school voucher laws limit educational access and opportunity more broadly. Unlike public schools, which by law must educate anyone in their communities, private schools routinely set selective enrollment criteria and admit or expel students based on ability to pay, discipline record, academic performance, or for no reason at all. Religious private schools—which account for 77% of private school enrollment nationwide¹³ and would be funded under ECCA—often require students to follow their religious customs, excluding students from other faiths or students whose identities conflict with religious tenets, such as LGBTQ+ students or single-parent-led families.

For most families, elite private schools are prohibitively expensive. In 2021, the average private K-12 school cost \$12,790 with the average private high school costing \$15,344 and top boarding schools costing more than \$60,000.¹⁴ Existing state-level voucher programs rarely fully reimburse the cost of tuition, and as a result largely serve students who already are enrolled in private schools or able to afford the difference in cost.¹⁵ In Arkansas, 95% of school voucher recipients did not previously attend public schools and in Arizona, the state's wealthiest families used Education Savings Accounts at five times the rate of the state's poorest families.¹⁶ ECCA would continue this trend because families making up to 300% of the area median income—\$464,100 in the Washington, DC area and \$157,800 in Washington County, Mississippi—would be eligible for private school tuition subsidies.¹⁷

Thus, ECCA provides no assurances that low-to-middle-income families who participate in the program would be able to access private school for free, and accordingly would likely operate as a deep subsidy for families who already have the financial means to pay for private

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school.¹⁸ Moreover, research indicates that many voucher-receiving private schools raise tuition after vouchers are introduced—further putting these schools out of reach for Black, Latine, and other working- and middle-class families.¹⁹

In states that adopted widespread private school voucher programs, fly-by-night private schools have opened to exploit working- and middle-class families who are unable to access more elite private schools. These schools feature teacher-less classrooms and midyear closures that lay bare the predatory landscape that working-class families must navigate when deciding their children’s educational future and where to spend voucher and household funds.²⁰ When these high-risk schools close mid-schoolyear, they not only disrupt the lives of students and their families, they also force public schools to unexpectedly enroll students without the resources to educate them.²¹

III. ECCA Will Siphon Much Needed Money Away from Public Schools, Which Serve the Vast Majority of Students

Beginning in the civil rights era, Congress took the groundbreaking and morally-right steps of endeavoring to provide access to quality education to all students—regardless of race or income—by passing Title VI of the Civil Rights Act; creating Title I funds for high-poverty schools,²² Title III to fund English Language Acquisition for students,²³ the National School Lunch Program,²⁴ free early learning through Head Start;²⁵ and by promising to fund a portion of the cost of educating students with disabilities.²⁶

But in a dramatic backsliding from civil rights era progress, state lawmakers have diverted unprecedented proportions of funding away from public education to private schools, setting off a wave of public school closures across the country that harms rural, working- and middle-class students who rely on public schools, including students living in majority-Black communities.²⁷ When a neighborhood school closes, students must start over again at a new school farther away from home and build new relationships with unfamiliar teachers and staff.²⁸ School closures also have negative academic,²⁹ attendance,³⁰ behavioral, and economic consequences for students.³¹ Furthermore, when the only school in the neighborhood closes, whole communities lose an important gathering place, access to civil, social, and civic services, and representation on and through their local school board.³²

ECCA’s hefty \$10 billion annual price tag comes at the cost of cutting programs that benefit communities across the U.S.—but particularly low-to-middle-income and working-class Black and other families of color. In the current budget reconciliation process, Congress is considering cuts to Medicaid, SNAP, and Pell grants, undercutting public resources that serve students and communities across the country while simultaneously proposing to divert billions in public funding to private schools through ECCA.³³ Thus, ECCA charts a path to the horrifying prospect of returning to the pre-civil rights era landscape of racialized extremes of school funding and other public benefits.

* * *

Rather than committing more than \$10 billion annually for tax breaks for the wealthy, we urge you to invest in working-class Black communities and other communities of color and fund under-resourced public schools instead. Please contact Adaku Onyeka-Crawford, Director of the Opportunity to Learn Project at Advancement Project

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(aonyekacrawford@advancementproject.org) if you have any questions or requests for additional information.

Sincerely,

Advancement Project, joined by:

National Organizations:

11:11 Wellness
All4Ed
Alliance for Educational Justice
Alliance to Reclaim Our Schools
American Association of University Women (AAUW)
American Atheists
American Humanist Association
Americans United for Separation of Church and State
Asian Americans Advancing Justice | AAJC
Brown's Promise
Children's Defense Fund
Clearinghouse on Women's Issues
Coalition on Human Needs
EdTrust
Feminist Majority Foundation
First Focus Campaign for Children
IDRA
In the Public Interest
Integrated Schools
Journey for Justice Alliance
Juvenile Law Center
LatinoJustice PRLDEF
NAACP Legal Defense Fund
National Association of Secondary School Principals
National Center for Learning Disabilities
National Center for Youth Law
National Council of Jewish Women
National Education Association
National Women's Law Center
Parents for Public Schools
People For the American Way
Public Advocacy for Kids (PAK)
Public Funds Public Schools
Service Employees International Union (SEIU)
Southern Education Foundation
Southern Poverty Law Center
State Wide Education Organizing Committee
Teaching for Change

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The Advocacy Institute
The Leadership Conference for Civil and Human Rights
The NEA Foundation
The Secular Coalition for America
Together for Hope
UnidosUS
Union for Reform Judaism

State and Local Organizations:

Faith in Action Alabama
Save Our Schools Arizona
Public Advocates Inc.; California
Catalyst California
San Francisco Education Alliance
Movimiento Poder; Denver, Colorado
Amidon-Bowen PTA; Washington, DC
Coalition for DC Public Schools and Communities
EmpowerEd; Washington, DC
Grassroots DC
School Justice Project; Washington, DC
Families for Strong Public Schools; Florida
Florida Policy Institute
Florida Coalition for Thriving Public Schools
Pastors for Florida Children
Power U Center For Social Change; Miami-Dade, Florida
Illinois Families for Public Schools
Indiana Coalition for Public Education
Step Up Louisiana
Boston Teachers Union
Boston Education Justice Alliance
Citizens for Public Schools; Massachusetts
482Forward; Detroit, Michigan
Michigan Education Justice Coalition
Michigan Transformation Collective
Oakland Forward; Oakland County, Michigan
Communities One Project; St. Louis, Missouri
North Carolina Justice Center
Central Ohio Rank and File Educators
Columbus Education Justice Coalition; Ohio
Honesty for Ohio Education
Integrated Schools Columbus Chapter; Ohio
Policy Matters Ohio
YWCA Columbus; Ohio
412 Justice, Pittsburgh, Pennsylvania
Education Voters of PA; Pennsylvania

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Our City Our Schools and Philly Participatory Research Collective; Philadelphia, Pennsylvania
Bexar County Federation of Teachers Local 1356; Texas
El Paso American Federation of Teachers; Texas
Houston Federation of Teachers 2415; Texas
Northeast Houston American Federation of Teachers; Texas
San Antonio Alliance of Teachers and Support Personnel; Texas
Spring AFT 6626; Houston/Harris, Texas
Texas Appleseed
Texas AFT
Wisconsin Alliance for Excellent Schools
Wisconsin PTA
Wisconsin Public Education Action

CC: Members of the House Ways & Means Committee

Members of the House Education & Workforce Committee

House Leadership

¹ See NAT'L CEN. EDUC. STAT., *Public School Enrollment* (May 2024), <https://nces.ed.gov/programs/coe/indicator/cga/public-school-enrollment>.

² See, e.g., EDUC. TRUST, *School Districts That Serve Students of Color Receive Significantly Less Funding* (Dec. 8, 2022), <https://edtrust.org/press-room/school-districts-that-serve-students-of-color-receive-significantly-less-funding/#:~:text=Across%20the%20country%2C%20districts%20with%20the%20most%20students%20of%20color,than%20districts%20with%20lower%20needs>.

³ State-level universal voucher programs are largely accessed by families whose children are already in private school. See, e.g., Jamie Klinenberg, Jon Valant, & Nicolas Zerbino, *Arizona's 'Universal' Education Savings Account Program Has Become A Handout To The Wealthy*, BROOKINGS (May 7, 2024), <https://www.brookings.edu/articles/arizonas-universal-education-savings-account-program-has-become-a-handout-to-the-wealthy/>.

⁴ See NAT'L CEN. EDUC. STAT., *supra* n.1.

⁵ EDUC. L. CEN., *Money Matters: Evidence Supporting Greater Investment in PK-12 Public Education*. (March 2023), <https://edlawcenter.org/assets/files/pdfs/School%20Funding/Money%20Matters%20Talking%20Points.pdf>.

⁶ See, e.g., Jesse Hagopian, *Seattle Planned to Close Up to 21 Public Schools — Here's How We Stopped Them*, TRUTHOUT (Dec. 17, 2024), <https://truthout.org/articles/seattle-planned-to-close-up-to-21-public-schools-heres-how-we-stopped-them/>; Movimiento Poder, DCIS BAKER STUDENT WALKOUT AGAINST SCHOOL CLOSURES (Nov. 15, 2024), https://www.instagram.com/movimiento_poder/reel/DCZINfvveiM/; 412 Justice, Rally to STOP SCHOOL CLOSURES!! (Sept. 23, 2024), <https://www.instagram.com/412justice/reel/DARySIYNwgb/>; Anna Hoffman, *Columbus parents rally to save their schools*, NBC4 (Jun. 23, 2024), <https://www.nbc4i.com/news/local-news/columbus/columbus-parents-rally-to-save-their-schools/>; Ashley McBride, *Oakland Educators Poised To End Hunger Strike Over School Closures*, OAKLANDSIDE (Feb. 18, 2022), <https://oaklandside.org/2022/02/18/oakland-educators-poised-to-end-hunger-strike-over-school-closures/>; Eve L. Ewing, *The Fight for Dyett: How a Community in Chicago Saved Its Public School*, AM. EDUCATOR (Spring 2019), <https://www.aft.org/ac/spring2019/ewing>.

⁷ See, e.g., Alec MacGillis, *Conservatives Go to War — Against Each Other — Over School Vouchers*, PROPUBLICA (Jul. 1, 2024), <https://www.propublica.org/article/rural-republicans-school-vouchers-education-choice>.

⁸ See Bruce Schreiner, *Kentucky voters defeat a measure intended to allow tax dollar support for private school education*, ASSOC. PRESS (Nov. 5, 2024), <https://apnews.com/article/kentucky-election-school-choice-constitutional-amendment-b3acdf8fdb770b82e0263d27cedc2cc4>; Aaron Sanderford, *Nebraska voters reject state funding for*

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- students attending private K-12 schools, NEB. EXAMINER (Nov. 5, 2024), <https://nebraskaexaminer.com/2024/11/05/nebraska-voters-reject-state-funding-for-students-attending-private-k-12-schools/>; Erica Breunlin, *Amendment 80 fails: Right to school choice won't be added to Colorado's constitution*, COLO. SUN (Nov. 7, 2024), <https://coloradosun.com/2024/11/07/amendment-80-results-colorado/>.
- ⁹ See Torsheta Jackson, *Private School Vouchers for Students in D or F Districts Die in Mississippi House*, MISS. FREE PRESS (Feb. 17, 2025), <https://www.mississippifreepress.org/private-school-vouchers-for-students-in-d-or-f-districts-die-in-mississippi-house/>. However, in early 2025, universal voucher laws passed in Texas and Tennessee following years of being defeated only after billionaires poured unprecedented sums into campaigns to unseat representatives who opposed vouchers. See, e.g., Liz Crampton & Andrew Atterbury, *What's Breaking Up The Texas Republican Party? School Vouchers*, POLITICO (May 22, 2024), <https://www.politico.com/news/2024/05/22/texas-republican-primary-school-vouchers-choice-00159219>; Jaden Ediaon & Jasper Scherer, *In Historic First, Texas House Approves Private School Voucher Program*, TEX. TRIB. (Apr. 17, 2025), <https://www.texastribune.org/2025/04/17/texas-house-school-vouchers-public-education-funding/>; Marta W. Aldrich, *School Voucher Supporters Get Wins, Losses From Tennessee's Republican Voters*, CHALKBEAT (Aug. 2, 2024), <https://www.chalkbeat.org/tennessee/2024/08/02/republican-primary-voters-deliver-wins-losses-on-school-vouchers-2024/>; Sarah Grace Taylor, *Lee Wins Long-Sought Universal School Voucher Plan in Tennessee*, NASHVILLE BANNER (Jan. 31, 2025), <https://nashvillebanner.com/2025/01/31/tennessee-school-voucher-bill/>.
- ¹⁰ See, e.g., SOUTHERN EDUC. FOUND., *A History of Private Schools and Race in the American South* (2016), <https://southerneducation.org/publications/history-of-private-schools-and-race-in-the-american-south/>.
- ¹¹ For instance, the D.C. Human Rights Act applies to the D.C. voucher law passed by Congress, without any vote of DC residents or elected representatives. See D.C. Code § 38–1853.08 *et seq.*
- ¹² See, e.g., Zeke Hartner, *Rockville Catholic school's hairstyle policies face scrutiny for racial discrimination*, WTOP (July 8, 2021), <https://bit.ly/30t0oQB>; Kimberly Quick, *Second-Class Students: When Vouchers Exclude*, CENTURY FOUND. (Jan. 11, 2017), <https://tcf.org/content/commentary/second-class-students-vouchers-exclude/>.
- ¹³ See Katherine Schaeffer, *U.S. Public, Private And Charter Schools In 5 Charts*, PEW RES. CEN. (Jun. 6, 2024), <https://www.pewresearch.org/short-reads/2024/06/06/us-public-private-and-charter-schools-in-5-charts/#:~:text=During%20the%202021%2D22%20school,school%20students%20attended%20secular%20institutions.>
- ¹⁴ See Melanie Hanson, *Average Cost of Private School*, EDUC. DATA INITIATIVE (Aug. 29, 2024) <https://educationdata.org/average-cost-of-private-school>. In fall 2021, 4.7 million K-12 students were enrolled in private school. See NAT'L CEN. EDUC. STAT., *Private School Enrollment* (May 2024), <https://nces.ed.gov/programs/coe/indicator/cgc/private-school-enrollment>.
- ¹⁵ See EDUC. TRUST, *Fact Sheet: Vouchers Are Not the Solution for Educational Improvement*, <https://edtrust.org/wp-content/uploads/2024/10/Who-Really-Benefits-from-School-Voucher-Programs-FINAL.pdf>.
- ¹⁶ *Id.*
- ¹⁷ Kristin Blagg & Moriah Macklin, *Analyzing the Distribution of Benefits under the Educational Choice for Children Act*, URB. INST. 3 (May 2025), <https://www.urban.org/sites/default/files/2025-05/Analyzing-the-Distribution-of-Benefits-under-the-Educational%20Choice-for-Children-Act.pdf>.
- ¹⁸ EDUC. TRUST, *Who Really Benefits from School Vouchers* (Mar. 2025), <https://edtrust.org/wp-content/uploads/2025/03/Vouchers-Fact-Sheet-V5.pdf>.
- ¹⁹ See, e.g., Jason Fontana & Jennifer L. Jennings, *The Effect of Taxpayer-Funded Education Savings Accounts on Private School Tuition: Evidence from Iowa* (Apr. 2024), <https://edworkingpapers.com/sites/default/files/ai24-949.pdf>.
- ²⁰ See, e.g., Eli Hager, *Arizona Regulators Closed a Failing Charter School. It Reopened as a Private Religious School Funded by Taxpayers*, PRO PUBLICA (Dec. 31, 2024), <https://www.propublica.org/article/arizona-private-school-vouchers-no-transparency>
- ²¹ See *id.*
- ²² See Elementary and Secondary Education Act, Title I-A, 20 U.S.C. 6301, *et seq.*
- ²³ See *id.*, Title III, 20 U.S.C. 6812, *et seq.*
- ²⁴ See The Child Nutrition Act of 1966, 42 U.S.C. 1771.
- ²⁵ See The Head Start Act, 42 U.S.C. 9801, *et seq.*

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- ²⁶ See The Individuals With Disabilities Education Act (“IDEA”), 20 U.S.C. 1400 *et seq.* IDEA included a Congressional commitment to fund 40% of the average per-pupil expenditure for covered students in public elementary and secondary schools. To date, Congress has never come close to funding 40%. See NAT’L. CEN. FOR LEARNING DISABILITIES, *Invest in Everyone: IDEA and the Importance of Full Funding*, <https://ncld.org/invest-in-everyone-idea-and-the-importance-of-full-funding/>.
- ²⁷ See Jessica Alcantara & Laura Petty, *Project 2025’s Plan to Eliminate Public Schools Has Already Started*, TIME (Jul. 22, 2024), <https://time.com/7001264/project-2025-public-school-closure/>; Danielle Marie Greene-Bell & Francis A. Pearman, *Racialized Closures and the Shuttering of Black Schools: Evidence from National Data*, 94 HARVARD EDUC. REV. 187, 201 (“average majority Black school was more than three times as likely to close as the average Majority non-Black school”).
- ²⁸ See, e.g., Denisa R. Superville, *When a Community Loses Its Schools*, EDUC. WEEK (June 6, 2017), <https://www.edweek.org/leadership/when-a-community-loses-its-schools/2017/06>.
- ²⁹ See, e.g., Matthew F. Larsen, *Does Closing Schools Close Doors? The Effect Of High School Closings On Achievement And Attainment*, 76 ECON. OF EDUC. REV. (Jun. 2020), <https://www.sciencedirect.com/science/article/abs/pii/S0272775718305922?via%3Dihub>.
- ³⁰ See, e.g., Matthew P. Steinberg & John M. MacDonald, *The Effects Of Closing Urban Schools On Students’ Academic And Behavioral Outcomes: Evidence From Philadelphia*, 69 ECON. OF EDUC. REV. 25 (Apr. 2019), <https://www.sciencedirect.com/science/article/abs/pii/S0272775718302693?via%3Dihub>.
- ³¹ See, e.g., Jeonghyeok Kim, *The Long Shadow of School Closures: Impacts on Students’ Educational and Labor Market Outcomes*, Working Paper No. 24-963 at 25, (May 2024), <https://edworkingpapers.com/sites/default/files/ai24-963.pdf>.
- ³² See, e.g., Mara Casey Ticken & Trevor Ray AULDRIDGE-REVELES, *RETHINKING THE SCHOOL CLOSURE RESEARCH: SCHOOL CLOSURE AS SPATIAL INJUSTICE*, 89 AM. Educ. Res. Assoc. 831 (Dec. 2019), <https://journals.sagepub.com/doi/epub/10.3102/0034654319877151>.
- ³³ See, e.g., EDUC. TRUST, *The Next Threat to Education: Congress’ Budget Reconciliation* (Apr. 14, 2025), <https://edtrust.org/rti/the-next-threat-to-education-congress-budget-reconciliation/#p12>.