



## Position Statement: Title III of the CHOICE Act (116<sup>th</sup> Congress)

**ISSUE:** Title III of S. 145, the “Creating Hope and Opportunity for Individuals and Communities through Education” (CHOICE) Act, establishes a voucher program for the children of military personnel who live on military installations. The National Association of Federally Impacted Schools (NAFIS) and the Military Impacted Schools Association (MISA) oppose this legislation.

### **GENERAL DISCUSSION:**

- Supporting military families is a top priority for our school districts and they are well-equipped to meet their students’ needs. Public schools with experience educating children of military personnel understand their unique challenges, particularly related to parental deployment and mobility. School districts with significant numbers of military-dependents offer the academic and emotional supports necessary to support this unique population, including educational programs, counseling, and other programs specifically designed for military students. Schools educating a few military-connected students may not be well-equipped to provide similar services, including peer support.
- Military children will, on average, attend between six and nine schools from grades K-12<sup>1</sup>. The high mobility rate of this population makes the implementation of a voucher impractical for both students and school districts. The legislation does not specify whether the family or the school district has authority over the funds, whether the funds are disbursed in a lump sum or on a daily basis, or how unused portions of the voucher would be credited when the family moves. The tracking and accountability of funds would be cumbersome, particularly for students moving mid-school year.
- The Impact Aid program provides funding to public school districts based on the number of military-connected children enrolled, those living on and off the installation. Reducing these funds because of students leaving to participate in a voucher program could reduce the ability of public schools to provide a high-quality education to the students they serve.
- Families already have the option to homeschool or choose an alternative school for their children, whether they reside on or off a military installation. Additionally, the Impact Aid program is significantly underfunded. The Federal government should not create a new program, at the expense of taxpayers, when funding for current obligations, including Impact Aid, is not being met.
- The Military Interstate Children’s Compact is an agreement among the 50 states that “addresses key educational transition issues encountered by military families including enrollment, placement, attendance, eligibility and graduation.”<sup>2</sup> Students leaving their assigned school to attend a private school with this voucher would not necessarily be covered by the provisions of the Compact, since it applies only to public schools.

---

<sup>1</sup> National Military Family Association: <http://www.militaryfamily.org/get-info/military-kids/education/>

<sup>2</sup> Military Interstate Children’s Compact Commission: <http://mic3.net/pages/About/about.aspx>

- Private school voucher programs offer little accountability to taxpayers because they usually do not require participating private schools to comply with the same teacher standards, curriculum, reporting, and testing requirements as public schools. Private schools that receive voucher students do not enforce all Federal civil rights laws, adhere to religious freedom protections provided under the First Amendment of the U.S. Constitution, or face the same public accountability standards that all public schools must meet, including those in Title IX, IDEA, and ESEA<sup>3</sup>.
- Students with disabilities who elect to use a voucher to attend a private school forfeit their due process rights under the Individuals with Disabilities Education Act (IDEA). By accepting a voucher, the family waives the procedural safeguards in IDEA. In addition, there are no guarantees that the private school would pick up the difference in cost between the voucher and the cost of educating students, including students with disabilities, leaving the remainder up to the family.

**SPECIFIC PROGRAM CONCERNS:**

- **ELIGIBLE MILITARY STUDENTS** covered by this legislation are those who attend public schools and currently live on military installations selected to participate in the voucher program. In most cases, families are not forced to live on military installations; they choose to do so because it offers more convenience, sometimes better housing quality, or the quality of the schools, etc.
- The bill does not delineate the criteria that would be used to select the installations for the pilot program. More specifically, we are concerned about the data that would be used to demonstrate certain public schools serving military-impacted communities are not meeting students' needs. Many NAFIS/MISA school districts are blue ribbon schools. The presumption is that alternative institutions are better equipped to meet the educational needs of students than public schools.
- **ADJUSTMENT FOR INFLATION.** The voucher amounts are increased automatically each year based on the Bureau of Labor Statistics' CPI for all Urban Consumers. Despite the Federal government's obligation to federally impacted communities, there has never been a provision in Impact Aid to ensure that funding levels reflect increases in average per-pupil spending. Such a provision would allow payments for federally connected school districts to reflect real cost increases.
- **REPORTS.** The focus of this bill is on ensuring a high-quality education for children of military personnel. However, the report required under this legislation provides no way determining whether the program has a positive effect on the performance of participating students. As such, there is no way to evaluate the program's effectiveness.
- **AUTHORIZATION OF APPROPRIATIONS.** Ten million dollars is authorized for each of the five years of the pilot program. Consider that Impact Aid has not been fully funded since 1969 and current funding levels are meeting only 59 percent of need. A \$50 million investment in the Impact Aid program over five years would go a long way toward restoring the erosion of funds, ease the burden on local taxpayers and ultimately benefit all students, including military connected students, in the school district.

---

<sup>3</sup> National Coalition for Public Education (NCPE) letter to Senate HELP Committee, January 26, 2015