

**H.R. 2556, SCHOOL CHOICE IN THE DISTRICT OF
COLUMBIA: OPENING DOORS FOR PARENTS
AND STUDENTS**

HEARING
BEFORE THE
COMMITTEE ON
GOVERNMENT REFORM
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

ON

H.R. 2556

TO PROVIDE LOW-INCOME PARENTS RESIDING IN THE DISTRICT OF COLUMBIA, PARTICULARLY PARENTS OF STUDENTS WHO ATTEND ELEMENTARY OR SECONDARY SCHOOLS IDENTIFIED FOR IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING UNDER TITLED I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, WITH EXPANDED OPPORTUNITIES FOR ENROLLING THEIR CHILDREN IN HIGHER-PERFORMING SCHOOLS IN THE DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES

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JUNE 24, 2003
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SCHOOL CHOICE IN THE DISTRICT OF COLUMBIA: OPENING DOORS FOR PARENTS AND STUDENTS

TUESDAY, JUNE 24, 2003

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 2:02 p.m., in room 2154, Rayburn House Office Building, Hon. Tom Davis (chairman of the committee) presiding.

Present: Representatives Burton, Mica, Ose, Davis of Virginia, Platts, Putnam, Schrock, Miller of Michigan, Murphy, Carter, Janklow, Blackburn, Waxman, Kucinich, Clay, Watson, Van Hollen, and Norton.

Staff present: Peter Sirh, staff director; Melissa Wojciak, deputy staff director; Keith Ausbrook, chief counsel; Scott Kopple, deputy director of communications; Mason Alinger and Victoria Proctor, professional staff members; Teresa Austin, chief clerk; Joshua E. Gillespie, deputy clerk; Shalley Kim and Jason Chung, legislative assistants; Brien Beattie, staff assistant; Phil Barnett, minority chief counsel; Rosalind Parker, minority counsel; Anna Laitin, minority communications and policy assistant; Earley Green, minority chief clerk; Jean Gosa, minority assistant clerk; and Cecelia Morton, minority office manager.

Chairman TOM DAVIS. The committee will come to order.

The condition of District of Columbia Public Schools has concerned me since I first came to the Congress and became chairman of the District of Columbia Subcommittee in 1995. While we've made strides since then, the D.C. College Access Act and the establishment of charter schools, for example, the condition, quality, and improvement of the educational opportunities in the Nation's Capital should remain a constant concern for all of us.

In 1995, Congress enacted the District of Columbia School Reform Act, which set up the framework for the District to make major progress in selected areas of education reform. About 8 years have passed since enactment of this legislation, but the school system has not shown the rate of improvement I think we would have liked.

We're not here to disparage the District's school system. We're here to lend a helping hand to students who are stuck in underperforming schools. Too many students are leaving 3rd grade unable to read. These are children who will never have another shot at 3rd grade.

In 1999, Congress passed the D.C. College Access Act, legislation which I authored that has helped defray tuition expenses for District of Columbia high school graduates who seek higher education. It has leveled the playing field and brightened the futures of thousands of young adults, but now we need to reach more students, and reach them earlier. We can't optimize the impact of the College Access Act if we're unable to succeed at the elementary and secondary levels.

The current condition of D.C. public schools can leave a child isolated and discouraged. Before students become disenchanted, before they forget forever the joy of learning, we need to provide every opportunity to keep them engaged. How can we expect students to dream of higher education if their experience in the lower grades is fraught with disappointment, with violence, with low expectations? Unfortunately, we can't.

The ability of D.C. schools to meet its core goals has long been challenged by financial mismanagement and an array of other issues. Current efforts to improve academic performance have not yielded tangible results. Poor academic achievement scores are one clear indicator. Many students lack basic language and math skills. Standardized reading and math test scores remain stagnant. The average D.C. SAT combined score, verbal and math, is 799 while the national average is 1,020. The dropout rate is about 40 percent. The physical condition of many schools is unacceptable.

Between the 1997–1998 school year and the 2000–2001 school year, the number of assaults with deadly weapons in the public school system jumped from 66 to 127. The number of simple assaults increased from 384 to 475. The number of students bringing concealed weapons to school increased from 329 to 423. The number of threats against students and staff members increased from 156 to 225. How can we look parents in the eye and say that this is the best we can do for these children?

These are schools that few of us on this committee would send our own children to, and that few, if any, members of the D.C. Council would send their children to. How on Earth can we require low-income families in the District to do something that we ourselves would not do?

The goal of school choice in the District of Columbia is addition, not subtraction. With choice, we hope to lift all boats. The scholarships we envision will be a boon to public and charter schools as well.

There is no one here today who doesn't want the District's education system to improve. I've come to the conclusion that parents and students who are stuck in underperforming schools need—no, they have the right to choose from a wider pool. I have received calls from parents who are frustrated, angry, even emotionally distraught by the condition of their child's school. It's time to do more than sympathize. This is a moral imperative, and it's in our hands.

Low-income families concerned about quality and safety in public schools should be allowed the choice to send their children elsewhere. A parent shouldn't have to send a child to a school that continually lets them down, day after day, year after year. I've met with a number of D.C. parents over recent weeks who are asking

for relief, for hope, for choice. The legislation Chairman Boehner and I introduced yesterday responds to their pleas.

The school choice debate shouldn't be about politics. It should be about an honest appraisal of the state of affairs in our public schools in the District, and about offering an alternative for students and parents who want a fair share of opportunities. What is being proposed is not a mandate, it's a choice. We began down this road of expanded choice when we approved charter schools in the District. But while charter schools are good, they are not good enough, not yet anyway. As the Washington Post reported just last week, there is not yet any evidence that the District's charter schools are doing a better academic job than their DCPS peers.

Some are making a mountain out of a molehill over the fact that this legislation authorizes funding for school choice, but not enhanced funding for D.C. public schools or charter schools. The reason for this is very simple. This bill deals with authorization for a new and historic program. Authorization for spending on D.C. public schools and charter schools and additional aid, that authorization already exists. The debate will be over how high that spending should be, and I think it should be higher, and I think it will be higher at the end of this journey.

Reforming and improving education in the District of Columbia will require a multifaceted approach, to be sure. School choice is not the panacea; it's just a critical part of the answer and the specific focus of this hearing and this legislation. But let me state for the record that I am committed to working with the Mayor, the council, the administration, and Members of Congress to reaffirm our commitment to public and charter schools in the Nation's Capital. That's just not the issue we're tackling at today's hearing.

With this legislation, we are not turning our back on the District's public education system. We are nurturing it, bolstering it, giving it the encouraging push we all agree it needs. D.C. parents are asking for our help, and we'd be wrong to not at least discuss it with them.

We need to pause for a moment to take note of the historic nature of our hearing today. We have two Republican full committee chairmen in agreement with a Democratic mayor of the District over the best course of action for District of Columbia. We've already come a long, long way.

I want to recognize other Members who have been instrumental in bringing this important issue to the forefront, including Representative Jeff Flake, who testified at an earlier committee meeting on the school choice, and the Members who have co-sponsored the current legislation. I appreciate the support of Representatives Chris Shays, John Carter, Adam Putnam, Dave Weldon, William Lipinski, Joe Wilson, Vernon Ehlers, Jim DeMint, and Roger Wicker, among others.

I welcome all the witnesses to today's hearing, and I look forward to their testimony. And let me say to our guests in the audience, we're happy to have you here, but expressions at this point, outward expressions of cheering or booing, we will not tolerate. But we are happy to have you here to be a part of this historic hearing.

[The prepared statement of Chairman Tom Davis and the text of H.R. 2556 follow:]

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INDEPENDENT

Statement of Chairman Tom Davis
Government Reform Committee Hearing
“School Choice in the District of Columbia: Opening Doors Parents and
Students”
June 24, 2003

The condition of District of Columbia Public Schools has concerned me since I first came to Congress and became Chairman of the District of Columbia Subcommittee. While we’ve made strides since then—the D.C. College Access Act and the establishment of charter schools, for example—the condition, quality, and improvement of the educational opportunities in the nation’s capital should remain a constant concern for all of us.

In 1995, Congress enacted “The District of Columbia School Reform Act”, which set up the framework for the District to make major progress in selected areas of education reform. About eight years have passed since enactment of this legislation. Unfortunately, DCPS has not dramatically improved.

We’re not here to disparage the District’s school system. We’re here to lend a helping hand to students who are stuck in under-performing schools. Too many students are leaving third grade unable to read. These are children who will never have another shot at third grade.

In 1999, Congress passed the D.C. College Access Act, legislation I authored that has helped defray tuition expenses for District of Columbia high school graduates who seek higher education. It has leveled the playing field and brightened the futures of thousands of young adults. But now we need to reach more students, and reach them earlier. We cannot optimize the impact of the College Access Act if we’re unable to succeed at the elementary and secondary levels.

The current condition of D.C. public schools can leave a child isolated and discouraged. Before students become disenchanted, before they forever forget the joy of learning, we need to provide every opportunity to keep them engaged.

How can we expect students to dream of higher education if their experience in the lower grades is fraught with disappointment, with violence, with low expectations? We cannot.

The ability of D.C. schools to meet its core goals has long been challenged by financial mismanagement and an array of other issues. Current efforts to improve academic performance have not yielded tangible results. Poor academic achievement scores are one clear indicator. Many students lack basic language and math skills. Standardized reading and math test scores remain stagnant. The average D.C. SAT score is 799 while the national average is 1,020. The drop out rate is about 40 percent. The physical condition of many schools is unacceptable.

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The school choice debate should not be about politics. It should be about an honest appraisal of the state of affairs in our public schools, about offering an alternative for students and parent who want a fair share of opportunities. What is being proposed is not a mandate but a choice. We began down this road of expanded choice when we approved charter schools in the District. But while charter schools are good, they are not good enough – not yet anyway. As The Washington Post reported last week, there is not yet any evidence that the District's charter schools are doing a better academic job than their DCPS peers.

Some are making a mountain out of a molehill over the fact that this legislation authorizes funding for school choice, but not enhanced funding for D.C. public schools or charter schools. The reason for this is simple: this bill deals with authorization for a new and historic program. Authorization for spending on D.C. public schools and charter schools already exists; the debate will be over how high that spending should be.

Reforming and improving education in the District of Columbia will require a multi-faceted approach, to be sure. School choice is not the panacea; it's just a critical part of the answer, and the specific focus of this hearing and this legislation. But let me state for the record that I am committed to working with the mayor, the council, the Administration and members of Congress to reaffirm our commitment to public and charter schools in the nation's capital. That's just not the issue we're tackling today.

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We need to pause for a moment to take note of the historic nature of our hearing today. We have two Republican full Committee chairmen in agreement with the Democrat mayor of the District of Columbia over the best course of action for District of Columbia schools. We've already come a long, long way.

I also want to recognize other members who have been instrumental in bringing this important issue to the forefront, including Congressman Jeff Flake, who testified at an earlier committee hearing on school choice; and the members who have co-sponsored the Davis-Boehner legislation. I appreciate the support of Representatives Christopher Shays, John Carter, Adam Putnam, Dave Weldon, William O. Lipinski, Joe Wilson, Vernon Ehlers, Jim DeMint, and Roger Wicker.

108TH CONGRESS
1ST SESSION

H. R. 2556

To provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary or secondary schools identified for improvement, corrective action, or restructuring under title I of the Elementary and Secondary Education Act of 1965, with expanded opportunities for enrolling their children in higher-performing schools in the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2003

Mr. TOM DAVIS of Virginia (for himself, Mr. BOEHNER, Mr. WELDON of Florida, Mr. LIPINSKI, Mr. SHAYS, Mr. CARTER, Mr. WILSON of South Carolina, Mr. EHLERS, and Mr. DEMINT) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary or secondary schools identified for improvement, corrective action, or restructuring under title I of the Elementary and Secondary Education Act of 1965, with expanded opportunities for enrolling their children in higher-performing schools in the District of Columbia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “DC Parental Choice
3 Incentive Act of 2003”

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) Parents are best equipped to make decisions
7 for their children, including the educational setting
8 that will best serve the interests and educational
9 needs of their child.

10 (2) For many parents in the District of Colum-
11 bia, public school choice provided for under the No
12 Child Left Behind Act of 2001 is inadequate due to
13 capacity constraints within the public schools.
14 Therefore, in keeping with the spirit of the No Child
15 Left Behind Act of 2001, school choice options, in
16 addition to those already available to parents in the
17 District of Columbia (such as magnet and charter
18 schools and open enrollment schools) should be made
19 available to those parents.

20 (3) In the most recent mathematics assessment
21 on the National Assessment of Educational Progress
22 (NAEP), administered in 2000, a lower percentage
23 of 4th-grade students in DC demonstrated pro-
24 ficiency than was the case for any State. Seventy-six
25 percent of DC fourth-graders scored at the “below
26 basic” level and of the 8th-grade students in the

1 District of Columbia, only 6 percent of the students
2 tested at the proficient or advanced levels, and 77
3 percent were below basic. In the most recent NAEP
4 reading assessment, in 1998, only 10 percent of DC
5 fourth-graders could read proficiently, while 72 per-
6 cent were below basic. At the 8th-grade level, 12
7 percent were proficient or advanced and 56 percent
8 were below basic.

9 (4) A program enacted for the valid secular
10 purpose of providing educational assistance to low-
11 income children in a demonstrably failing public
12 school system is constitutional under *Zelman v. Sim-*
13 *mons-Harris* if it is neutral with respect to religion
14 and provides assistance to a broad class of citizens
15 who direct government aid to schools solely as a re-
16 sult of their independent private choices.

17 **SEC. 3. PURPOSE.**

18 The purpose of this Act is to provide low-income par-
19 ents residing in the District of Columbia, particularly par-
20 ents of students who attend elementary or secondary
21 schools identified for improvement, corrective action, or
22 restructuring under section 1116 of the Elementary and
23 Secondary Education Act of 1965 (20 U.S.C. 6316), with
24 expanded opportunities for enrolling their children in high-
25 er-performing schools in the District of Columbia.

1 **SEC. 4. GENERAL AUTHORITY.**

2 (a) **AUTHORITY.**—From funds appropriated to carry
3 out this Act, the Secretary shall award grants on a com-
4 petitive basis to eligible entities with approved applications
5 under section 5 to carry out activities to provide eligible
6 students with expanded school choice opportunities. The
7 Secretary may award a single grant or multiple grants,
8 depending on the quality of applications submitted and the
9 priorities of this Act.

10 (b) **DURATION OF GRANTS.**—The Secretary may
11 make grants under this section for a period of not more
12 than 5 years.

13 **SEC. 5. APPLICATIONS.**

14 (a) **IN GENERAL.**—In order to receive a grant under
15 this Act, an eligible entity shall submit an application to
16 the Secretary at such time, in such manner, and accom-
17 panied by such information as the Secretary may require.

18 (b) **CONTENTS.**—The Secretary may not approve the
19 request of an eligible entity for a grant under this Act
20 unless the entity's application includes—

21 (1) a detailed description of—

22 (A) how the entity will address the prior-
23 ities described in section 6;

24 (B) how the entity will select eligible stu-
25 dents to participate in the program, including
26 how it will ensure that if more eligible students

1 participating in the program seek admission in
2 a participating school than the school can ac-
3 commodate, eligible students are selected for
4 admission through a random selection process;

5 (C) how the entity will notify parents of el-
6 igible students of the expanded choice opportu-
7 nities;

8 (D) the activities that the entity will carry
9 out to provide parents of eligible students with
10 expanded choice opportunities through the
11 awarding of scholarships under section 7(a);

12 (E) how the entity will determine the
13 amount that will be provided to parents for the
14 tuition, fees, and transportation expenses, if
15 any;

16 (F) how the entity will seek out private ele-
17 mentary and secondary schools in the District
18 of Columbia to participate in the program, and
19 will ensure that participating schools will meet
20 the applicable requirements of this Act and pro-
21 vide the information needed for the entity to
22 meet the reporting requirements of this Act;
23 and

24 (G) how the entity will ensure that partici-
25 pating schools are financially responsible; and

1 (2) an assurance that the entity will comply
2 with all requests regarding any evaluation carried
3 out under section 9.

4 **SEC. 6. PRIORITIES.**

5 In awarding grants under this Act, the Secretary
6 shall give priority to applications from eligible entities who
7 will most effectively—

8 (1) give priority to eligible students who attend
9 an elementary or secondary school identified for im-
10 provement, corrective action, or restructuring under
11 section 1116 of the Elementary and Secondary Edu-
12 cation Act of 1965 (20 U.S.C. 6316);

13 (2) target resources to students and families
14 that lack the financial resources to take advantage
15 of available educational options;

16 (3) provide students and families with the
17 widest range of educational options; and

18 (4) serve students of varying age and grade lev-
19 els.

20 **SEC. 7. USE OF FUNDS.**

21 (a) SCHOLARSHIPS.—

22 (1) IN GENERAL.—Subject to paragraph (2)
23 and (3), a grantee shall use the grant funds to pro-
24 vide eligible students with scholarships to pay the
25 tuition, fees, and transportation expenses, if any, to

1 enable them to attend the District of Columbia pri-
2 vate elementary or secondary school of their choice.
3 Each grantee shall ensure that the amount of any
4 tuition or fees charged by a school participating in
5 the grantee's program under this Act to an eligible
6 student participating in the program does not exceed
7 the amount of tuition or fees that the school custom-
8 arily charges to students who do not participate in
9 the program.

10 (2) PAYMENTS TO PARENTS.—A grantee shall
11 make scholarship payments under the program
12 under this Act to the parent of the eligible student
13 participating in the program, in a manner which en-
14 sures that such payments will be used for the pay-
15 ment of tuition, fees, and transportation expenses (if
16 any), in accordance with this Act.

17 (3) AMOUNT OF ASSISTANCE.—

18 (A) VARYING AMOUNTS PERMITTED.—Sub-
19 ject to the other requirements of this sub-
20 section, a grantee may award scholarships in
21 larger amounts to those eligible students with
22 the greatest need.

23 (B) ANNUAL LIMIT ON AMOUNT.—The
24 amount of assistance provided to any eligible
25 student by a grantee under a program under

1 this Act may not exceed \$7,500 for any aca-
2 demic year.

3 (b) ADMINISTRATIVE EXPENSES.—A grantee may
4 use not more than 3 percent of the amount provided under
5 the grant each year for the administrative expenses of car-
6 rying out its program under this Act during the year, in-
7 cluding—

8 (1) determining the eligibility of students to
9 participate;

10 (2) providing information about the program
11 and the schools involved to parents of eligible stu-
12 dents;

13 (3) selecting students to receive support;

14 (4) determining the amount of scholarships and
15 issuing them to eligible students;

16 (5) compiling and maintaining financial and
17 programmatic records; and

18 (6) providing funds to assist parents in meeting
19 expenses that might otherwise preclude the partici-
20 pation of their child in the program.

21 **SEC. 8. NONDISCRIMINATION.**

22 (a) IN GENERAL.—A school participating in any pro-
23 gram under this Act shall not discriminate on the basis
24 of race, color, national origin, or sex in participating in
25 the program.

1 (b) APPLICABILITY AND CONSTRUCTION WITH RE-
2 SPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

3 (1) APPLICABILITY.—Notwithstanding sub-
4 section (a) or any other provision of law, it shall not
5 be considered discrimination on the basis of sex for
6 a school that is operated by, supervised by, con-
7 trolled by, or connected to a religious organization to
8 take sex into account to the extent that failing to do
9 so would be inconsistent with the religious tenets or
10 beliefs of the school.

11 (2) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVI-
12 TIES.—Notwithstanding subsection (a) or any other
13 provision of law, a parent may choose and a school
14 may offer a single-sex school, class, or activity.

15 (c) CHILDREN WITH DISABILITIES.—Nothing in this
16 Act may be construed to alter or modify the provisions
17 of the Individuals with Disabilities Education Act.

18 (d) RELIGIOUSLY AFFILIATED SCHOOLS.—

19 (1) IN GENERAL.—Notwithstanding any other
20 provision of law, a school participating in any pro-
21 gram under this Act which is operated by, super-
22 vised by, controlled by, or connected to, a religious
23 organization may employ persons of the same reli-
24 gion to the extent determined by that school to pro-

1 mote the religious purpose for which the school is es-
2 tablished or maintained.

3 (2) RELIGIOUS PURPOSES.—Notwithstanding
4 any other provision of law, funds made available
5 under this Act may be used for religious educational
6 purposes, and no participating school shall be re-
7 quired to remove religious art, icons, scriptures, or
8 other symbols. A participating school may retain re-
9 ligious terms in its name, select its board members
10 on a religious basis, and include religious references
11 in its mission statements and other chartering or
12 governing documents.

13 (e) RULE OF CONSTRUCTION.—A scholarship (or any
14 other form of support provided to parents of eligible stu-
15 dents) under this Act shall be considered assistance to the
16 student and shall not be considered assistance to the
17 school that enrolls the eligible student. The amount of any
18 scholarship (or other form of support provided to parents
19 of an eligible student) under this Act shall not be treated
20 as income of the parents for purposes of Federal tax laws
21 or for determining eligibility for any other Federal pro-
22 gram.

23 **SEC. 9. EVALUATIONS.**

24 (a) IN GENERAL.—

1 (1) DUTIES OF SECRETARY.—The Secretary
2 shall—

3 (A) conduct an evaluation using the
4 strongest possible research design for deter-
5 mining the effectiveness of the programs funded
6 under this Act that addresses the issues de-
7 scribed in paragraph (2); and

8 (B) disseminate information on the impact
9 of the programs in increasing the student aca-
10 demic achievement of participating students, as
11 well as other appropriate measures of student
12 success, and on the impact of the programs on
13 students and schools in the District of Colum-
14 bia.

15 (2) ISSUES TO BE EVALUATED.—The issues de-
16 scribed in this paragraph include the following:

17 (A) A comparison of the academic achieve-
18 ment of students who participate in the pro-
19 grams funded under this Act with the academic
20 achievement of students of similar backgrounds
21 who do not participate in such programs.

22 (B) The success of the programs in ex-
23 panding choice options for parents.

24 (C) The reasons parents choose for their
25 children to participate in the programs.

1 (D) A comparison of the retention rates,
2 dropout rates, and (if appropriate) graduation
3 and college admission rates of students who
4 participate in the programs funded under this
5 Act with the retention rates, dropout rates, and
6 (if appropriate) graduation and college admis-
7 sion rates of students of similar backgrounds
8 who do not participate in such programs.

9 (E) The effects of the programs on public
10 elementary and secondary schools.

11 (F) A comparison of the safety of the
12 schools attended by students who participate in
13 the programs and the schools attended by stu-
14 dents who do not participate in the programs.

15 (G) The impact of the program on stu-
16 dents and schools in the District of Columbia.

17 (H) Such other issues as the Secretary
18 considers appropriate for inclusion in the eval-
19 uation.

20 (b) REPORTS.—The Secretary shall submit to the
21 Committees on Appropriations, Education and the Work-
22 force, and Government Reform of the House of Represent-
23 atives and the Committees on Appropriations, Health,
24 Education, Labor, and Pensions, and Governmental Af-
25 fairs of the Senate—

1 (1) annual interim reports not later than De-
2 cember 1 of each year for which a grant is made
3 under this Act on the progress and preliminary re-
4 sults of the evaluation of the programs funded under
5 this Act; and

6 (2) a final report not later than 1 year after the
7 final year for which a grant is made under this Act
8 on the results of the evaluation of the programs
9 funded under this Act.

10 (c) PUBLIC AVAILABILITY.—All reports and under-
11 lying data gathered pursuant to this section shall be made
12 available to the public upon request, in a timely manner
13 following submission of the applicable report under sub-
14 section (b), except that personally identifiable information
15 shall not be disclosed or made available to the public.

16 (d) LIMIT ON AMOUNT EXPENDED.—The amount ex-
17 pended by the Secretary to carry out this section for any
18 fiscal year may not exceed 3 percent of the total amount
19 appropriated to carry out this Act for the year.

20 **SEC. 10. REPORTING REQUIREMENTS.**

21 (a) ACTIVITIES REPORTS.—Each grantee receiving
22 funds under this Act during a year shall submit a report
23 to the Secretary not later than July 30 of the following
24 year regarding the activities carried out with the funds
25 during the preceding year.

1 (b) ACHIEVEMENT REPORTS.—

2 (1) IN GENERAL.—In addition to the reports
3 required under subsection (a), each grantee shall,
4 not later than September 1 of the year during which
5 the second academic year of the grantee's program
6 is completed and each of the next 2 years thereafter,
7 submit a report to the Secretary regarding the data
8 collected in the previous 2 academic years con-
9 cerning—

10 (A) the academic achievement of students
11 participating in the program;

12 (B) the graduation and college admission
13 rates of students who participate in the pro-
14 gram, where appropriate; and

15 (C) parental satisfaction with the program.

16 (2) PROHIBITING DISCLOSURE OF PERSONAL
17 INFORMATION.—No report under this subsection
18 may contain any personally identifiable information.

19 (c) REPORTS TO PARENT.—

20 (1) IN GENERAL.—Each grantee shall ensure
21 that each school participating in the grantee's pro-
22 gram under this Act during a year reports at least
23 once during the year to the parents of each of the
24 school's students who are participating in the pro-
25 gram on—

1 (A) the student's academic achievement, as
2 measured by a comparison with the aggregate
3 academic achievement of other participating
4 students at the student's school in the same
5 grade or level, as appropriate, and the aggre-
6 gate academic achievement of the student's
7 peers at the student's school in the same grade
8 or level, as appropriate; and

9 (B) the safety of the school, including the
10 incidence of school violence, student suspen-
11 sions, and student expulsions.

12 (2) PROHIBITING DISCLOSURE OF PERSONAL
13 INFORMATION.—No report under this subsection
14 may contain any personally identifiable information,
15 except as to the student who is the subject of the
16 report to that student's parent.

17 (d) REPORT TO CONGRESS.—The Secretary shall
18 submit to the Committees on Appropriations, Education
19 and the Workforce, and Government Reform of the House
20 of Representatives and the Committees on Appropriations,
21 Health, Education, Labor, and Pensions, and Govern-
22 mental Affairs of the Senate an annual report on the find-
23 ings of the reports submitted under subsections (a) and
24 (b).

1 **SEC. 11. OTHER REQUIREMENTS FOR PARTICIPATING**
2 **SCHOOLS.**

3 (a) **ADMISSION OF ELIGIBLE STUDENTS.**—Each
4 school choosing to participate in a program funded under
5 this Act shall accept participating eligible students on a
6 first-come, first-served basis, except that if more eligible
7 students participating in the program seek admission in
8 a participating school than the school can accommodate,
9 participating eligible students shall be selected for admis-
10 sion through a random selection process.

11 (b) **REQUESTS FOR DATA AND INFORMATION.**—Each
12 school participating in a program funded under this Act
13 shall comply with all requests for data and information
14 regarding evaluations conducted under section 9(a).

15 (c) **RULES OF CONDUCT AND OTHER SCHOOL POLI-**
16 **CIES.**—Subject to section 8, a participating school may re-
17 quire eligible students to abide by any rules of conduct
18 and other requirements applicable to all other students at
19 the school.

20 **SEC. 12. DEFINITIONS.**

21 As used in this Act:

22 (1) **ELEMENTARY SCHOOL.**—The term “elemen-
23 tary school” has the meaning given that term in sec-
24 tion 9101 of the Elementary and Secondary Edu-
25 cation Act of 1965 (20 U.S.C. 7801).

1 (2) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means any of the following:

3 (A) An educational entity of the District of
4 Columbia Government.

5 (B) A nonprofit organization.

6 (C) A consortium of nonprofit organiza-
7 tions.

8 (3) ELIGIBLE STUDENT.—The term “eligible
9 student” means a student who is a resident of the
10 District of Columbia and who comes from a house-
11 hold whose income does not exceed 185 percent of
12 the poverty line applicable to a family of the size in-
13 volved.

14 (4) PARENT.—The term “parent” has the
15 meaning given that term in section 9101 of the Ele-
16 mentary and Secondary Education Act of 1965 (20
17 U.S.C. 7801).

18 (5) POVERTY LINE.—The term “poverty line”
19 has the meaning given that term in section 9101 of
20 the Elementary and Secondary Education Act of
21 1965 (20 U.S.C. 7801).

22 (6) SECONDARY SCHOOL.—The term “sec-
23 ondary school” has the meaning given that term in
24 section 9101 of the Elementary and Secondary Edu-
25 cation Act of 1965 (20 U.S.C. 7801).

1 (7) SECRETARY.—The term “Secretary” means
2 the Secretary of Education.

3 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to carry out
5 this Act \$15,000,000 for fiscal year 2004 and such sums
6 as may be necessary for each of the 4 succeeding fiscal
7 years.

○

Chairman TOM DAVIS. I would now recognize the distinguished ranking member, Mr. Waxman, for his opening statement.

Mr. WAXMAN. Thank you very much.

Mr. Chairman, the core concern motivating today's hearing is the need to ensure the best academic opportunities for District of Columbia young people.

At the outset, Mr. Chairman, I want to commend you for your interest in this issue. I also want to particularly note Congresswoman Norton's continuing leadership and tireless efforts to support and improve the public education system in the District of Columbia.

In recent years, the District of Columbia has taken important steps forward in providing D.C. youths with a system of school choice, while at the same time avoiding the pitfalls of a voucher system. There are now 42 public charter schools and 15 transformation schools in the District. Although the effort to develop this alternative system is ongoing, the charter and transformation schools have already seen significant success.

Today, we will be discussing a congressional proposal to create a school voucher program in the District. I believe that Congress should do everything possible to support the District's efforts to promote public education opportunities for the District's youth. I do not believe, however, that imposing a voucher system on the District advances this goal.

One problem is that school voucher measures raise serious Constitutional concerns regarding using public funds for religious education.

Another is that voucher plans generally do not provide sufficient funding for students who want to attend private school without depleting funds from the public school system, where most children would continue to be educated.

With respect to creating a voucher program specifically for the District, there is the additional concern that such a proposal threatens home rule. It is questionable that Congress should impose any educational system on the District of Columbia.

Mayor Williams has indicated that any additional funds for a voucher program need to be combined with additional funds for the District's current public school system. I was encouraged to hear your comments, Mr. Chairman, that you think more funds will be made available. Yet, the proposed D.C. voucher measure would establish a \$15 million program without provision for additional funds for the District D.C. public school system. We have to wait and see if the Appropriations Committee would do better.

I hope that this committee will do everything it can to support the public education system in the District to help ensure that all children in the District have an equal opportunity to quality education. Thank you.

Mr. DAVIS. Thank you, Mr. Waxman.

[The prepared statement of Hon. Henry A. Waxman follows:]

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BERNARD SANDERS, VERMONT,
INDEPENDENT

**Statement of Rep. Henry A. Waxman, Ranking Minority Member
Committee on Government Reform
Hearing on the D.C. Public School System**

June 24, 2003

Mr. Chairman, the core concern motivating today's hearing is the need to ensure the best academic opportunities for District of Columbia youth.

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In recent years, the District of Columbia has taken important steps forward in providing D.C. youths with a system of school choice, while at the same time avoiding the pitfalls of voucher systems. There are now 42 public charter schools and 15 transformation schools in the District. Although the effort to develop this alternative system is ongoing, the charter and transformation schools have already seen significant success.

Today, we will be discussing a congressional proposal to create a school voucher program in the District. I believe that Congress should do everything possible to support the District's efforts to promote public education opportunities for the District's youth. I do not believe, however, that imposing a voucher system on the District advances this goal.

One problem is that school voucher measures raise serious constitutional concerns regarding using public funds for religious education.

Another is that voucher plans generally do not provide sufficient funding for students who want to attend private school without depleting funds from the public school system, where most children would continue to be educated.

With respect to creating a voucher program specifically for the District, there is the additional concern that such a proposal threatens home rule. It is questionable that Congress should impose any educational system on the District of Columbia.

-over-

Mayor Williams has indicated that any additional funds for a voucher program need to be combined with additional funds for its current public school system. Yet the proposed D.C. voucher measure would establish a \$15 million program without providing for any additional funding for the existing D.C. public school system.

I hope that the Committee will do everything it can to support the public education system in the District to help ensure that all children in the District have an equal opportunity to quality education.

Chairman TOM DAVIS. Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman.

I can't for the life of me understand why anyone would oppose a parent putting their child in a school that's going to achieve what they want to achieve while taking them out of a school where the child has been underachieving because they haven't been getting the kind of education that the parent wants. School choice is a very important issue, and I think it's our duty, as Members of Congress and at home as parents and grandparents, to leave no child behind as the President has said.

I believe that school choice initiatives can bring the promise of freedom, opportunity, and hope to thousands of children trapped in failing schools, not only here, but across the Nation. The idea of school choice is nothing new. For years, well-off parents have had the choice to send their children to private or parochial schools. At the collegiate level, Pell Grants expanded the concept of school choice to underserved students in 1972, 31 years ago. Eligible military personnel have had the assistance of the Montgomery GI bill that has allowed them to attend the public or private college of their choice.

If it's a good idea to give underprivileged students a choice in higher education, why not help children from low-income families attend the grade school of their choice? I think that it is just as important to help students in their formative years of their education as well as in their later years. We must lay a solid foundation on which these children can build their education.

Academic performance in the District of Columbia has been on the decline for quite some time, and overall spending for special education has increased dramatically in recent years. In an effort to alleviate this problem, the D.C. Parental Choice Incentive Act of 2003 has been proposed by our colleague and this committee's chairman, the distinguished gentleman from Virginia, Mr. Davis.

The main objective of the bill is to provide families with options for their children's education. This measure does not require parents to send their children to private schools, but would enable parents of children in underperforming schools within a District to have the option to select and move their children to schools with a better record of educational quality. And what is wrong with that? I cannot figure out what's wrong with that. Unfortunately, this legislation and the efforts to improve the crumbling D.C. school system has come under fire by some challengers of the school choice.

Many of the opponents of school choice measures would have you believe that giving vouchers to disadvantaged children to attend private institutions would undermine the public school system. But what about undermining a child's education or hindering their potential to succeed? I believe our top priority should be protecting the best interests of our school children, not preserving the last vestiges of a failing school system. That should be what we discuss today. If your child is in a school that is not performing and the child is not getting the education, a parent ought to have the right to put that child in a system that is going to educate that child properly so that they have an equal opportunity to succeed in later life.

In addition, it has been shown time and time again that many of the opponents of school choice don't send their own to public schools. In D.C., only one—only one of the city council members, Ms. Carol Schwartz, is known to have sent her children to D.C. public schools. What kind of a message are the D.C. council members sending to the parents of children who can't afford to send their kids to private schools? I will tell you what they are saying, Mr. Chairman. They care about their own children, but they care a lot less about the children they represent.

Today, we will hear testimony from the Honorable Mayor of Washington, DC, Mr. Anthony Williams. He has been very outspoken and courageous in the fight to give disadvantaged parents the power of choice when it comes to their children's education. At the last hearing before our committee on this issue, Mayor Williams stated, "I believe research has confirmed that school vouchers increase parental satisfaction, boost academic achievement of inner city African-American students, and increase the likelihood that students will attend and complete college. No research, to my estimation, has proven that voucher programs are detrimental to the students who participate in them."

I would like to thank Mr. Williams for agreeing, once again, to testify before us.

In addition to Mayor Williams, I look forward to hearing from the distinguished Secretary of Education, the Honorable Roderick Paige, as well as the chairman of the House Committee on Education, my good friend and colleague, Congressman John Boehner of Ohio. I really appreciate your taking time out of your busy schedules to come here and be with us today. You are doing the Lord's work to help these kids.

Thank you very much, Mr. Chairman.

[The prepared statement of Hon. Dan Burton follows:]

**Statement of Congressman Dan Burton
Committee on Government Reform Legislative Hearing
“School Choice in the District of Columbia:
Opening Doors for Parents and Students”
Tuesday, June 24, 2003**

Good afternoon. Thank you, Mr. Chairman, for providing me with the opportunity to speak on this important initiative. Today we are here to discuss school choice in the District of Columbia. This is a very important issue, as it is our duty here as Members of Congress, and at home as parents and grandparents, to leave no child behind.

I believe that school choice initiatives can bring the promise of freedom, opportunity, and hope to thousands of children trapped in failing schools

across the Nation. The idea of school choice is nothing new. For years, well-off parents have had the choice to send their children to private or parochial schools. At the collegiate level, Pell Grants expanded the concept of school choice to underserved students in 1972. Eligible military personnel have had the assistance of the Montgomery G.I. Bill that has allowed them to attend the public or private college of their choice.

If it is a good idea to give underprivileged students a choice in higher education, why not help children from low-income families attend the grade school of their choice? I think that it is just as

important to help students in the formative years of their education as it is in their later years. We must lay a solid foundation on which these children can build their education.

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The main objective of the bill is to provide families with options for their children's education. This measure does not require parents to send their children to private schools, but would enable parents of children in under-performing schools within the District of Columbia to have the option to select and move their children to schools with a better record of educational quality. Unfortunately, this legislation, and the efforts to improve the crumbling D.C. school system, has come under fire by some challengers of school choice.

Many of the opponents of school choice measures would have you believe that giving school

vouchers to disadvantaged children to attend private institutions would undermine the public school system. But what about undermining a child's education, or hindering their potential to succeed? I believe our top priority should be protecting the best interests of our schoolchildren, not preserving the last vestiges of a failing school system. That should be what we discuss today.

In addition, it has been shown time and time again that many of the opponents of school choice don't send their own children to public schools. In the District of Columbia, only one of the City Council members, Ms. Carol Schwartz, is known to

have sent her children to D.C. public schools. What kind of message are the D.C. Council members sending to the parents of children who cannot afford to send their children to private schools? I'll tell you what they're saying to them Mr. Chairman: they do not truly care about the children in our Nation's capitol. What hypocrisy!

Today we will hear testimony from the Honorable Mayor of Washington, D.C., Mr. Anthony Williams. He has been very outspoken and courageous in the fight to give disadvantaged parents the power of choice when it comes to their children's educations. At the last hearing before our Committee

on this issue, Mayor Williams stated, “ I believe research has confirmed that school vouchers increase parental satisfaction, boost academic achievement of inner city African-American students, and increase the likelihood that students will attend and complete college. No research, to my estimation, has proven that voucher programs are detrimental to the students who participate in them.” I would like to thank Mr. Williams for agreeing once again to testify before us today.

In addition to Mayor Williams, I look forward to hearing from the distinguished Secretary of Education, the Honorable Roderick Paige, as well as

the Chairman of the House Committee on Education,
my good friend and colleague, Congressman John
Boehner of Ohio. Thank you all for taking time out
of your busy schedules to be here with us today to
lend your insights into this most important issue.
School choice in the District of Columbia is an idea
whose time has come. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you, Mr. Burton.

Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman.

And welcome to our colleague, Representative Boehner, and to Secretary Paige, and our own Mayor, Mayor Williams.

We have before us a very slim vouchers only bill. It must disappoint D.C. officials considering what they desired and even the great expectations that have been stated or raised in exchange for accepting vouchers, a takeover by the Federal Government of all or most of the \$255 million in special education funding, as D.C. council education chair Kevin Chavous told me and his council colleagues, or many millions in assistance which the operations, as the Mayor indicated that he hoped for at a meeting. Putting aside these clearly unreachable heights, Mayor Williams deserves credit for responding to the concerns of a city-wide coalition of parents and educators who want some new funds for public and charter schools. We all want to thank him for persisting in this effort.

Our compassionate Cardinal, Theodore McCarrick, while wanting vouchers for his Catholic schools, yesterday said in a statement, "as Archbishop of Washington, I've always believed that a stand-alone voucher bill will not adequately care for the educational needs of all our city's children. We will only support legislation that helps all families in our cities, including those with children at public schools." The Cardinal, whose schools most of these children would attend, does not support H.R. 2556; nor should anyone else.

I have been a strong supporter of our Catholic schools in particular, and I am grateful that so many of them still remain open in this and other big cities. I have also strongly supported the Washington Scholarship Fund, which has put its money where its proverbial mouth is by raising private funds for scholarships to send our children to private schools. I have visited our children in the Catholic schools that have accepted Washington Scholarship students and spoken at their graduations. As many Catholic school parents who pay full tuition and our Catholic elementary and secondary schools will attest, I am fond of telling them that I and other D.C. residents owe them twice over. They have remained in D.C. when many have fled to the suburbs for better schools. And, they pay our considerable taxes plus tuition at private schools.

Cardinal McCarrick knows he and I disagree on vouchers, but he is a much respected and admired friend. Particularly at a time when both the District and the Federal Government have cut our public schools, he knows that it is wrong for the Federal Government to fund private schools without including publicly accountable schools that qualify under the language of the President's budget.

Yet, the bill before us has shrunk incredibly even before it was introduced. It began at \$30 million for vouchers only, now cut in half to \$15 million for vouchers only, while those who will actually decide the amount in the Appropriation Committee have approved only \$10 million. No one on an authorizing committee is in a position to guarantee funding, much less additional funds. The single focus of this bill on vouchers comes as no surprise from a majority that has been bent on imposing vouchers on the District for years, always over the objection of the majority of District officials, whose

resolutions have opposed vouchers even using additional Federal funds.

The most serious problem with the proposed vouchers has yet to be discussed or to be taken seriously. Our traditional public and charter schools will be hit hard financially if the predicted 2,000 students exit in the fall. Our public school will lose a combination of \$12,557 per pupil in both D.C. and Federal funds, because every school system must be funded on a per pupil basis. This would be a blow to D.C. public school funding they simply cannot afford today.

The argument may be made that any price should be paid, even one at the expense of our public schools to allow a few children to go because D.C. children perform better in private schools than in D.C. schools. I noted, however, that unlike many voucher advocates, the Cardinal made no such claim in his statement. However, voucher advocates, including Secretary Paige's testimony today, often cite the performance of our children in the D.C. public schools as the reason they must go to private schools, as if this change would improve their performance. Even the pro-voucher study the Secretary cites, at page 5 of his testimony, that shows 2 years of gains for D.C. children using privately funded vouchers, goes on to show that those gains disappeared in the third year. More seriously, only 29 percent of the children remained in those schools at the end of the third year, raising serious issues about what our children need in those schools.

I do not cite these results to show that our private schools are a failure, nor does the 10-year GAO study of public and privately funded voucher programs that found no evidence of test gains for children in private or over public schools. The hyperbole needs to stop because it cheapens the serious story of why so many of these children do poorly and what needs to be done. Claims about the District, such as found in the Davis press release on this bill that, "current spending per pupil excludes all but a handful of school districts in the country," are refuted by the numbers, and I ask permission to insert this evidence in the record rather than lay it out.

Chairman TOM DAVIS. Without objection.

[The information referred to follows:]

Average Per Pupil Funding						
Jurisdiction	FY '97	FY '98	FY '00	FY '01	FY '02	FY '03
Alexandria City	8,770	9,694	9,834	10,751	10,925	12,188
Arlington County	8,859	9,488	10,112	10,740	11,305	12,016
DC Public Schools	5,851	7,068	8,492	9,119	9,622	11,170
Fairfax County	6,878	7,152	7,643	8,249	8,690	8,831
Montgomery County	7,663	8,103	8,489	9,016	9,524	9,407
Prince George's County	n/a	5,685	6,298	6,642	6,914	7,397

Enrollment							
Jurisdiction	FY '97	FY '98	FY '99	FY '00	FY '01	FY '02	FY '03
Alexandria City	10,484	10,294	11,001	11,225	11,214	10,895	11,334
Arlington County	17,839	17,895	18,564	18,723	18,882	19,097	19,372
DC Public Schools	78,648	77,111	71,889	70,762	68,925	68,449	68,181
Fairfax County	147,543	148,036	151,418	154,523	158,331	161,385	166,072
Montgomery County	123,969	122,505	127,852	130,689	134,308	136,832	138,794
Prince George's County	n/a	130,355	130,140	131,510	133,667	135,821	137,802

In addition, the MABE has calculated the FY 2003 cost per pupil for suburban jurisdictions. The MABE uses a standardized methodology that excludes summer school, special education tuition and other expenses of the kind in DCPS' state-level budget, but includes most federal grants. Comparable data are provided for DCPS. The MABE finds:

Cost Per Pupil	
Alexandria City	11,914
Arlington County	12,716

DC Public Schools	10,031
Fairfax County	9,338
Montgomery County	9,641
Prince George's County	6,554

A more detailed study was conducted by the Washington Lawyers' Committee for Civil Rights and volunteers at the firm of Sidley, Austin, Brown and Wood LLP. It is included in a report entitled "D.C. Public School Funding: Myth & Reality" prepared for Parents United for the D.C. Public Schools and a special advisory committee of civic leaders. The study benchmarks state/local spending per pupil (excluding federal funds), by function. The findings compare the District to 4 high-performing neighboring jurisdictions.

State/Local Spending Per Pupil	
Alexandria City	11,454
Arlington County	11,769
DC Public Schools	8,536
Fairfax County	8,768
Montgomery County	8,638

Ms. NORTON. Such comparisons don't even touch the intractable causes of the problems many of our children face. In this city, the average kid comes from a poor or modest single-parent home, and huge numbers bring problems to school that ordinary services in either public or private schools have not overcome. The best hope for our low-income children are not vouchers. The transformation schools that surround these children and their parents with city services, including tutoring for the children and special services for the parents, are the closest thing to a breakthrough we have achieved in the District of Columbia. All 15 transformation schools have improved their Stanford 9 scores. The extra services these children get are available in none of the other D.C. public schools or private schools. These are our poorest children, often with the least motivated parents. The least any bill should do is to encourage and fund the improvements we see for the first time in these children.

Tonight I am hosting a town meeting for a hearing by the 10-member Commission on Black Men and Boys I established a few years ago. It is part of work I began 30 years ago when the Moy-nihan report made it difficult for too many to talk about the deterioration of African-American family. Although the Black community has long since found its voice on the problems of family life, the downward spiral of children without fathers and often without the mothers they deserve, continues. Family dissolution has had devastating effects on our children, and it is at the root of virtually every problem of the Black community. While doing much to strengthen Black family life, our major recourse lies with publicly accountable schools.

The District is seldom ahead of the rest of the country, but in the District, no child must attend a failing school. For decades, the District has had out-of-boundary privileges. Its transformation schools have achieved an important breakthrough in test scores and all-important parental involvement. Parents are literally clamoring. Here is today's Washington Times, "clamoring to get their kids in the 42 charter schools." In addition to the almost 12,000 we have, we've got 11 trying to get in new charter schools. Where is the money for them? And it says, according to the Washington Times, an additional 6,200 students are trying to get in these schools. Many of them are going to be put on waiting lists. Who in the world would not want to give them first preference for any money that the Federal Government has to offer? For creating a virtual alternative system to the D.C. public schools, H.R. 2556 should reward the city with desperately needed funds for its publicly accountable schools, not exclude them.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you.

[The prepared statement of Hon. Eleanor Holmes Norton follows:]

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

**COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE**

SUBCOMMITTEES

AVIATION

ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT



**Congress of the United States
House of Representatives
Washington, D.C. 20515**

**COMMITTEE ON
GOVERNMENT REFORM**

SUBCOMMITTEES

RANKING MINORITY MEMBER,
DISTRICT OF COLUMBIA

CIVIL SERVICE AND
AGENCY ORGANIZATION

Opening Statement of Congresswoman Eleanor Holmes Norton

Full Government Reform Committee Hearing

D.C. Parental Choice Incentive Act of 2003

June 24, 2003

We have before us a very slim vouchers only bill. It must disappoint D.C. officials considering what they desired and even the great expectations that have been stated or raised--in exchange for accepting vouchers, a takeover by the federal government of all or most of \$255 million in special education funding, as D.C. Council Education Chair Kevin Chavous told me and his Council colleagues, or many millions in assistance for city operations as the Mayor indicated that he hoped for at a meeting. Putting aside these clearly unreachable heights, Mayor Williams deserves credit for responding to the concerns of a citywide coalition of parents and educators who want some new funds for public and charter schools.

Our compassionate Cardinal, Theodore McCarrick, while of course wanting vouchers for his Catholic schools, yesterday said in a statement, "as Archbishop of Washington, I have always believed that a stand-alone voucher bill will not adequately care for the educational needs of all of our city's children. We will only support legislation that helps all families in our city, including those with children at public schools." The Cardinal, whose schools most of these children would attend, does not support H.R.2558. Nor should anyone else.

I have been a strong supporter of our Catholic schools and am grateful that so many of them still remain open in this and other big cities. I have also strongly supported the Washington Scholarship Fund, which has put its money where its proverbial mouth is by raising private funds for scholarships to send our children to private schools. I have visited our children in the Catholic schools that have accepted Washington Scholarship students and spoken at their graduations. As many Catholic school parents who pay full tuition at our Catholic elementary and secondary schools will attest, I am fond of telling them that I and other D.C. residents owe them twice over. They have remained in D.C. when many have fled to the suburbs for better schools and they pay our considerable taxes plus tuition at private schools.

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Cardinal McCarrick knows he and I disagree on vouchers, but he is a much respected and admired friend. Particularly at a time when both the District and the federal government have cut our public schools, he knows that it is wrong for the federal government to fund private schools without including publicly accountable schools that qualify under the language of the President's budget.

Yet the bill before us has shrunk incredibly even before it was introduced. It began at \$30 million for vouchers only, cut in half now to \$15 million for vouchers only, while those who will actually decide the amount in the Appropriation Committee have approved only \$10 million. No one on an authorizing committee is in a position to guarantee funding, much less additional funds. The single focus of this bill on vouchers comes as no surprise from a Majority that has been bent on imposing vouchers on the District for years, always over the objections of the majority of District officials, whose resolutions have opposed vouchers even using additional federal funds.

The most serious problem with the proposed vouchers has yet to be discussed or to be taken seriously. Our traditional public and charter schools will be hit hard financially if the predicted 2,000 students exit in the fall. Our public schools will lose a combination of \$12,557 per pupil in both DC and federal funds because every school system must be funded on a per pupil basis. That would be a blow DC public school funding cannot afford today.

The argument may be made that any price should be paid, even one at the expense of our public schools to allow a few children to go because DC children will perform better in private schools than in DC schools. I noted, however, that unlike many vouchers advocates, the Cardinal made no such claim in his statement. However vouchers advocates, including Secretary Paige's testimony today, often cite the performance of our children in the DC Public Schools as the reason they must go to private schools, as if this change would improve their performance. Even the pro-voucher study the Secretary cites at page 5 of his testimony that shows two years of gains for D.C. children using privately funded vouchers goes on to show that those gains disappeared in the third year. More seriously only 29 percent of the children remained in those schools at the end of the third year.

I do not cite these results to show that our private schools are a failure. Nor does the 10-year GAO study of public and privately funded voucher programs that found no evidence of test gains for children in private over public schools. The hyperbole needs to stop because it cheapens the serious story of why so many of these children do poorly and what needs to be done. Claims about the District, such as found in the Davis press release on this bill that "current spending per pupil excludes all but a handful of school districts in the country," are refuted by the numbers. I ask permission to insert this evidence in the record.

Such comparisons don't even touch the intractable causes of the problems many of our children face. In this city the average kid comes from a poor or modest single parent home, and huge numbers bring problems to school that ordinary services in either

public or private schools have not overcome. The best hope for low income children are not vouchers. The transformation schools that surround these children and their parents with city services, including tutoring for the children and special services for the parents are the closest thing to a breakthrough we have achieved. All 15 transformation schools have improved their Stanford 9 scores. The extra services these children get are available in none of the other D.C. public or private schools. These are our poorest children often with the least motivated parents. The least any bill should do is to encourage and fund the improvements we see for the first time in these children.

Tonight I am hosting a town meeting for a hearing by the 10-member Commission on Black Men and Boys I established a few years ago. It is part of work I began 30 years ago when the Moynihan report had made it difficult for too many to talk about the deterioration of the African-American family. Although the black community has long since found its voice on the problems of family life, the downward spiral of children without fathers and often without the mothers they deserve has continued. Family dissolution has had devastating effects on our children and is at the root of virtually every problem of the black community. While doing much more to strengthen black family life our major recourse today lies with publicly accountable schools.

The District is seldom ahead of the rest of the country. Its transformation schools have achieved an important breakthrough in test scores and all-important parental involvement. Parents are literally clamoring to get their kids into our 42 charter schools. For creating a virtual alternative system to the D.C. public schools, H.R. 2558 should reward the city with desperately needed funds for its publicly accountable schools, not exclude them.

Chairman TOM DAVIS. Let the Chair state again, this is an authorization hearing. I believe more money will be forthcoming for both the charter schools and the public schools at the end of this, and I think I've made my position very clear, as has the administration, on that issue. But the purpose of this hearing is to talk about one segment of that that stands alone, and that is a new authorization for a D.C. choice program.

Members will have 5 legislative days to submit opening statements for the record, and I would like to move to our panel of witnesses. We have Congressman John Boehner, the chairman of the House Education and the Workforce Committee; Secretary of Education, Rod Paige; and Mayor Anthony Williams.

And Secretary Paige, we appreciate you flying in from Europe last night. You may have a little jet lag. You need to leave at 3:45, and the Mayor needs to leave at 4 p.m. So if you would rise with me, I will swear you in and we can start the hearing. And we will start with Mr. Boehner.

[Witnesses sworn.]

Chairman TOM DAVIS. I again want to thank all of you for taking time to be with us on this very, very important issue and take questions.

Chairman Boehner, I will start with you. Thank you for your leadership on this issue.

**STATEMENT OF HON. JOHN A. BOEHNER, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF OHIO**

Mr. BOEHNER. Mr. Davis, Mr. Waxman, members of the Government Reform Committee, thank you for this opportunity today to talk about one of the most important issues in education. I'm glad to be here with Secretary Rod Paige, who over the last 2½ years we've worked closely together on the President's No Child Left Behind bill, and someone who could talk about the historic achievements that this administration has made in terms of having all 50 States in compliance with the new law. He is a great man and knows a little bit about this subject.

And I am also happy to be here with the Mayor. The Mayor, in my view, as someone who has lived here for 12½ years, has done a marvelous job. He has shown real courage to deal with problems in this city that have long been shoved under the carpet. And his efforts on behalf of children in the District of Columbia are also commendable.

In my written testimony, I outlined, as the chairman did, some of the problems that we see in the D.C. schools. Kids aren't learning, pure and simple. We are spending a great deal of money, \$9,600, \$9,700 per student, more than you will see spent in most districts in America, frankly, most urban districts in America. But I think one of the bigger problems that we have with the D.C. schools is what President Bush described as, low expectations are nothing more than soft bigotry.

No child in America deserves less than what our children get today. No child. I happen to have 11 brothers and sisters. My dad owned a bar. They didn't have any money. They decided to send us to parochial schools. My wife and I decided to send our kids to public schools. But none of us would be in this room today if we

didn't have loving parents, and if we hadn't gotten a decent education. And when we look at the problems in D.C., and the Mayor is doing all that he can, we have a responsibility as Members of Congress to help the Mayor deal with these issues and deal with them today. These are children.

I've been in public life for 20 years. I used to ask myself the question, how can we watch kids being moved from one grade to the next whether they have learned anything or not? How can we give kids a diploma when we're not really sure that they can read? And, on the part of public policymakers, I would describe this as criminal neglect. And the Secretary and I and the President dealt with it when we dealt with No Child Left Behind to bring real accountability to all of America's schools. And the fact is that 80 percent of our kids in America are going to go to public schools. We've got to do everything we can to help improve public education. Now, I believe that the President, the Secretary, and the Congress are trying to do just that.

But let's not say that's the only answer. Some 20 percent of our kids go to private schools. But this debate today isn't about the bureaucracy, isn't about the problems in all of these schools. It's about kids. And kids that don't get an education have no chance. Ms. Norton has been in some of those schools, I've been in some of those schools. I'm sure Mr. Davis has been in some of those schools. And you see poor kids who have no choice sitting there rotting in school and knowing they will never have a future. That is one of the most depressing things I've ever seen in my entire career.

You know, I've done a lot in my life. I've been successful. I've been fortunate. I'm here. But at some point in my life, I'm going to grow up and do something else. Now, I don't know what that's going to be, but I can tell you one thing I'm going to do the rest of my life, and that is that I'm going to spend part of the rest of my life doing everything I can to make sure that poor kids have the same chance in life that we did. If we didn't have a good education, we wouldn't have been here. And that's what this debate here is about. We have a difficult problem here. We are trying to help the public schools. And I think that the D.C. School Choice bill that we have will give 2,000 kids—we're not taking everybody out of the D.C. schools—2,000 kids a chance.

Why is school choice good? It provides competition. Competition makes all of us better. Public education in too many parts of America today is nothing more than a monopoly. We all know what happens to monopolies, they get large, they get bureaucratic, they get inefficient, and they lose their mission. Competition makes all of us good. And, second, why not give these kids a chance? Why not give them a chance to be successful? As I said before, we have choice because we have had income. But for poor kids from poor neighborhoods, they don't have that choice. It isn't the kids' fault they lost the lucky lottery of life in terms of who their parents were or what neighborhood they happened to grow up in or what school they happened to be assigned to. And so for those kids and those parents who want to take this option, let's give it to them.

I've worked closely here in Washington with the D.C. Parents for School Choice and the Washington Scholarship Foundation. Today,

they are going to have their picnic over in the Senate park. And you want to really learn something about what D.C. school choice means? Go over there to the picnic today, and look into the eyes of these mothers and grandmothers who will be over there hoping, literally on the edge of tears, hoping that their child's name will be drawn from this hat so their child will have a chance to escape and have a chance to succeed in life. Go over there. Go over to the Senate Park at 3:30, they'll be there until 8 p.m. tonight. When you look into their eyes, it will tell you how bad these schools are and how badly these parents and these grandparents want a future for their kids. And, for goodness sakes, what parent or grandparent wouldn't want the best for their children?

So I would just say to all of you, what do we have to fear? Do we fear the competition? Do we fear that some kids are going to succeed? I don't think so.

We all know that a good education is the foundation for a success. And a good education is the only chance that we are going to have for a chance at the American dream. We don't have anything to fear. Let's help these kids.

Chairman TOM DAVIS. Thank you very much, Chairman Boehner.

[The prepared statement of Mr. Boehner follows:]

**Statement of John A. Boehner
Chairman
Committee on Education and the Workforce
Hearing on
“School Choice in the District of Columbia: Opening Doors for Parents and
Students”**

Chairman Davis, Ranking Member Waxman, and fellow colleagues, I appreciate the opportunity to speak on an issue of great importance to me. I would like to commend my colleague, Chairman Davis, for his work on this issue and for holding this hearing.

I am here today because I believe that all children, regardless of their economic background, deserve a safe and productive learning environment. I believe that we ought to trust parents to make the best decisions about their children’s education. I believe that the current system in the District of Columbia is robbing both parents and children of the right to a quality education. And I believe that competition in the education system creates a culture of achievement that will improve the quality of every student’s academic experience.

I refuse to accept the notion that some children are unable to learn, a notion that the President has called “the soft bigotry of low expectations.” The problems in the D.C. school system are not related to insufficient funding: we have continued to spend more and get less. The District of Columbia spends \$9,650 per pupil, among the highest in the nation, as opposed to the national average of only \$6,627. Spending more is not the solution. If it were, Washington families would have the best available. The solution is to give parents the kinds of freedom they need to find the best education possible for their

children, to increase competition, and to improve the overall academic climate of the city, so that all schools are forced to improve.

Students and parents in Washington, D.C. have been held captive by one of the most troubled school districts in the nation. Decades of neglect have left D.C. residents with run-down facilities, dispirited educators, violence, and a bureaucracy that serves to block all meaningful reform. Despite funding increases that have tripled spending on education in the nation's capital, national indicators such as the National Assessment of Education Progress (NAEP) continue to reflect poor academic achievement among D.C. public school students. This lack of progress stands in stark contrast to the District's per-pupil expenditures, which are among the highest in the nation. Worse, the District's students continue to score the lowest average on the NAEP with over 70% of its fourth graders scoring at or below basic proficiency on reading and only 53% of tenth grade students scoring at or above the basic reading level in 2000. Additionally, the District's students ranked last in the nation on the SAT and ACT in 2001 and in 2002 had the second-worst attendance record in the country. No one should think that this is good enough. There are no excuses available for this, and we cannot continue to turn a blind eye and fund a public school system that is proving itself to be immune to progress.

President Bush is also a firm believer that parents should have the right to make decisions about their children's education. Recognizing that a major commitment to change is necessary, he requested \$75 million in his FY2004 budget proposal to initiate a

pilot school choice program, and asked us, his friends and supporters in Congress, to use this money to improve the educational plight of D.C.'s children and families.

In response to the President, my colleague, Chairman Davis, and I have recently introduced the D.C. Parental Choice Incentive Act of 2003, a bill that will give hope to thousands of D.C. parents by providing scholarships of up to \$7,500 per student to attend the private school of their choice in D.C. Thanks to the President's budget request, these much-needed scholarships will be paid for out of new money, so that the public schools are not drained of any funds. In fact, the increased competition will improve the quality of education for children who get these scholarships as well as those that choose to stay in the public schools. This bill will offer a real, tangible escape for students who are trapped in the under-performing public schools by empowering parents, promoting competition, and supporting equal access to a quality education.

School choice empowers parents by allowing them to have input in their child's education. School choice shows parents that we trust them, not the bureaucrats or administrators, to make the best decisions about their children's education. Unfortunately, the current system only empowers parents who have the means to either move to a better school system or to afford a private education. This bill will give parents a choice, and make sure that, regardless of their decision, their children have a quality public or private school education.

School choice has been proven to strengthen public schools by promoting competition within the educational system. Competition leads to higher expectations and improved academic achievement, as illustrated by the school choice program in the state of Florida. Jay Greene of the Manhattan Institute for Policy Research conducted a study which found that schools labeled failing whose students were given scholarships to attend alternative schools made twice the gains in test scores as schools without competition. Similarly, a study conducted by Caroline Hoxby of the school choice program in Milwaukee demonstrated that public schools facing more competition from school choice improved at a faster rate than schools facing little or no competition. By showing parents and their children that they have options, and that they don't have to settle for the sub-standard services they have been receiving, we are optimistic that this bill will prod D.C. to improve their quality of education so that no child will be trapped in a low performing school.

No lawmaker with a conscience should be able to sit idly by, watching the children of the District of Columbia confined to a future of low expectations. We have a unique opportunity, right now, to improve the lives of thousands of our citizens. We cannot afford to leave this generation in underperforming schools while we conduct research and studies on how best to fix the systemic problems facing the public education system in Washington, D.C. With the bill that my colleague Mr. Davis and I have introduced, we will empower parents with the right to make the decisions about their children's education, and give them options immediately. I urge each of you to support

this bill and provide D.C. parents with choices, D.C. children with opportunities and D.C. schools with hope.

With that, Mr. Chairman, I conclude my remarks and would be happy to answer your questions.

Chairman TOM DAVIS. Secretary Paige, thanks for being with us.

**STATEMENT OF ROD PAIGE, SECRETARY OF EDUCATION, U.S.
DEPARTMENT OF EDUCATION**

Secretary PAIGE. Thank you.

Chairman Davis and members of the committee, thank you for the opportunity to appear before you today to discuss the proposal before us to improve student achievement in the District of Columbia through expanding school choice. I am pleased to be here with my dear friend, Congressman Boehner, and our great Mayor, Mayor Anthony Williams, both men of incredible courage and vision. I know they believe, as the President does and as I do, that education is a civil right just like the right to be treated equally or the right to vote. And as President Bush often says, educating our children is the most important thing we can ever do as a Nation, and we must get it right.

Thank you, Mr. Chairman, and many others on the committee and in Congress. Thank you, because we are getting it right.

I am happy to join you in this courageous step in education reform. Some 18 months ago, President Bush signed into law the No Child Left Behind Act of 2001. No Child Left Behind says loud and clear: We as a Nation will teach every child well. Not just some of them, every one of them, because every child deserves a quality education. We have raised the bar. Now, nothing less than great schools worthy of a great Nation will be settled for.

At one time in this city's history, the schools were considered to be the best in the Nation. We'd be pretty hard-pressed to make that point today, but I believe, and I think Mayor Williams agrees with me, that this can happen again, and the D.C. schools can once again be a place of high standards and high expectation. I say that with full respect for Superintendent Vance and with appreciation of what he is trying to accomplish, but children's lives are at stake now. And what this administration is saying is, let's stop wringing our hands and start fixing the problem. And here is how we propose to do it. We start by forming a partnership with the city to ensure that all its children receive a good education, and offer meaningful options for those most likely to fall behind.

Choice is essential for authentic public school reform. Monopolies don't work. We have known this since the Great Wall of China. And I will tell you why. Our society today is a most choice-saturated society of all times. Look at the world we live in. Instant messages, 24-hour news, personal Web sites, global markets, overnight express, E-commerce. Every day we can fill our own personal whims exactly the way we like them to be. We can decide what we want to see, what we want to hear, what we want to do. And the world is moving toward more choice, not less, and the great institutions of this Nation and of this world are those who have taken advantage of this phenomenon and provided these choices for their customers.

Now, that is, unless you are poor. In that case, you look around you and you see many in society speeding into the future, but not you. If you are poor, while you are trying to get a handle on the present you see others going ahead. Education that is a given for many is a struggle for you if you are poor. And you want a better

life for your kids, but you look at their schools and you know that a snowball has a better chance.

Many of the parents in the District who can afford it send their children to some of the finest private schools in the Nation that happen to be right here in this District. But most parents in the District don't have that luxury because they don't have the finances. They get what is dished out to them.

In my mind, this is one of the most awful sins we can commit as a society, to trap children, to deliberately chain them to schools that are failing them, to schools that say they don't count. In President Bush's book, they do count; every child counts. That is why his 2004 budget requests more money for National Choice Incentive Fund, to provide choice scholarships to low-income children to transfer to high-performance schools. These scholarships will allow moms and dads to send their children to schools where they can really learn and really succeed.

I am proud to say that the D.C. leadership is in our corner on this issue. Mayor Williams, the president of the school board, Councilman Chavous, all understand that we must improve our schools. They know what we know and what every parent knows and what every parent wants: Education is the key to the success of our children. And the one that they receive in the K-12, sets the stage for the rest of their lives.

The U.S. Supreme Court has said that choice is legal. Places like Milwaukee have tried choice and have been successful. They have seen students move forward. I think the words of John Gardner, the former Milwaukee School Board president, put it best when he says, "school choice works." He admits that he was a left-wing organizer for 30 years and experienced in labor unions and workers cooperatives in poor communities. And he said: I knew working class and poor people did not want to make the choice between the public school systems and choice. They want both.

This is not an either/or. Our goal is to improve the quality of the public school systems. Because even as we speed into the future, we see multiple delivery systems, cyber schools, home schooling, private schools, church schools, the public schools. The public school system is always going to be the heavy lifter here, but we cannot have them working their best, become bogged down in this bureaucracy. John Gardner saw what I saw when I worked in Houston, choice works.

Now, some would say, let's wait until we get the public schools right. The problem with that is, that's going to take a while. Turning around a failing school system is no cake walk, but it can be done and is being done. But what's going to happen to the children while we are waiting for this to get done? I believe choice can save this one as it has saved others.

Let me close with a thought from Howard Fuller, another former superintendent who worked the Milwaukee schools. Dr. Fuller and I headed the Institute for Transformation of Learning in Lockhead University, and he had this to say, "In America, it's virtually impossible for our children to bring their dreams into reality without an education. Unfortunately, far too many of our children are not only having their dreams deferred, they are having them destroyed. They are being destroyed by educational systems that are under-

educating them, miseducating them, and pushing them out by the thousands every day. We must have a sense of urgency in this matter." We must speed this change up.

The goal of this administration is excellence for every child, with no child left behind. That means all. All means all. And I believe this proposal will empower low-income parents to make the choices that they need for their children to have a wonderful opportunity for an education.

And I appreciate you letting me make those comments, Mr. Chairman. Thank you very much.

Chairman TOM DAVIS. Thank you very much.

[The prepared statement of Mr. Paige follows:]

Statement of Secretary of Education Rod Paige
On the DC School Choice Initiative
Before the House Committee on Government Reform
June 24, 2003

Chairman Davis and members of the Committee, thank you for the opportunity to appear before you today to discuss the Bush Administration's proposal to initiate a program to expand school choice in the District of Columbia in fiscal year 2004. I welcome the opportunity to describe our proposal and explain our reasons for putting it forward. I am also very pleased to appear at this hearing with Mayor Anthony Williams, who has been, and will continue to be, our partner in developing this initiative. I truly appreciate the Mayor's willingness to work with us, and the relationship we have developed around the simple idea that wider educational options can benefit the children of the District of Columbia.

This hearing occurs very close to the anniversary of a very historic moment in the history of educational choice in America. On Friday, we will observe the one-year anniversary of the Supreme Court's decision in *Zelman v. Simmons-Harris*, the case that determined that a properly structured school voucher program is constitutional. When the Court announced that decision, I hailed it as one that could open doors of opportunity to thousands of children and could transform the educational landscape in our country. That statement is worth repeating today, as we think about how to improve and reform elementary and secondary education in Washington, D.C..

Mr. Chairman, I know that officials in my Department and Members of Congress have been concerned about the quality of education in the District of Columbia for many years. D.C. public schools are only a short walk from our offices, we see District students going to and from school each day, and we read about the challenges of the D.C. public schools in the newspapers almost daily. We all want the capital of the greatest nation on earth to have some of the finest schools on earth. At one time this city's schools were considered among the best in the entire Nation. But for many years we have been disappointed by the performance of public schools in the District, and at the seeming inability of public school officials to manage schools and programs effectively.

In some respects, the situation in the District may be no different from that in other urban school districts that educate large numbers of children living in poverty, but in other respects the District has sometimes seemed uniquely resistant to reform and improvement. I say that with full respect for Superintendent Vance and with appreciation for what he is trying to accomplish and for some of the things he has achieved, but I think it's the truth.

Let's consider the performance of D.C. students on the National Assessment of Educational Progress, or NAEP as it's called, the assessment that measures the performance of students over time in reading, writing, math, and other core academic subjects. In the most recent mathematics assessment, administered in 2000, only 6 percent of D.C. fourth-graders tested at the "proficient" or "advanced" levels, the levels that show that students have demonstrated competency over challenging subject matter. A lower percentage of students in D.C. demonstrated proficiency than was the case for any State. At the other end of the scale, 76 percent of D.C. fourth-graders scored at the

“below basic” level, which means that they could not demonstrate even partial mastery of the math skills and knowledge that are appropriate at the fourth-grade level. The 2000 8th-grade math results were very similar; only 6 percent of D.C. students tested at the “proficient” or “advanced” levels, and 77 percent were “below basic.”

The most recent NAEP reading assessment took place in 2002, and the National Assessment Governing Board announced the results just last week. The results for D.C. students were a little better than the 2000 math scores, but still were completely inadequate. Only 10 percent of D.C. fourth-graders could read proficiently, while 69 percent were “below basic.” At the 8th-grade level, 9 percent were “proficient” or “advanced” and 52 percent were “below basic.”

Looking at the quality of a school system requires more than just reviewing scores on achievement tests. But when we look at other indicators, they too show that D.C. public schools are not providing the education that children in the District need or deserve. The most recent edition of *Quality Counts*, the annual review of education trends and data produced by the newspaper *Education Week*, gave the District a grade of only a D+ for having an acceptable system of academic standards and accountability, a C in the area of success in recruiting new teachers, and a D+ for school climate. The D.C. public school system has a long history of management problems in such important areas as facilities maintenance, personnel and payroll, food service, procurements, and even in accurately counting enrollments. In addition, the system has historically failed to comply with the requirements of Federal programs, such as Title I and Special Education, to a point where the Department has had to enter into compliance agreements with the District that call for implementation of major reforms within specific timelines. We insisted on

these agreements not because some paperwork wasn't being filled out correctly, but because the District was, for instance, failing quite egregiously to provide its disabled students with the free appropriate public education required under the Individuals with Disabilities Education Act.

I would like to repeat what I said a few minutes ago: I support and respect the work that Paul Vance is doing in the District. I know that he has taken on the major management problems and having been a big-city school superintendent myself, I know that turning around a system is not easy. And Superintendent Vance has shown some results. The District's Stanford-9 achievement test scores for 2002 showed minor improvements at most grade levels in reading and math. And the proliferation of charter schools in the District, including some that have achieved great initial success, has given more choices and greater hopes to students and parents. But I believe the preponderance of information demonstrates that schools in the District are not achieving what they should and that more needs to be done if children in the District are to achieve to the high levels called for under the *No Child Left Behind Act*.

The Bush Administration has responded to this problem by including, in our fiscal year 2004 budget request, a school choice initiative for D.C.. You might ask whether expanding educational choice to include private-school options is appropriate for the District, whether it is likely to work, whether giving students wider educational opportunities is likely to help the D.C. public school system improve, and whether we should, instead, request more money for D.C. public schools. Let me address those issues.

We believe that the President's budget includes more than adequate support for D.C.'s public schools, including charter schools. Our request for Department of Education elementary and secondary education formula programs would provide some \$92 million to the District in 2004, an increase of 15 percent over the level only two years ago (2002). And let's not forget that D.C. already spends, per student, more than all but a handful of urban districts across the country. If money were the solution, than we would have solved the problems of public schooling in the District a long time ago. We believe, instead, that tackling this problem will depend in large measure on giving D.C. students more educational choices.

In the communities across the country that have experimented with publicly and privately funded school choice programs that include private-school options, the results have been extremely positive, for the students directly served by the programs and for the school system as a whole. For example, research by Patrick Wolf of Georgetown University, along with Paul Peterson and Martin West of Harvard, on the first two years of the scholarship program administered by the privately funded Washington Scholarship Fund (WSF), showed that the math and reading achievement of African-American students who enrolled in private schools using support from the Fund was significantly higher than the achievement of a control group of students who remained in D.C. public schools. This research also found that parents who received support from the Fund gave their children's schools higher ratings than did parents of children in the control group, and that their children were doing more homework. Studies by these and equally eminent scholars in other cities, such as Milwaukee, San Antonio, Cleveland, and Dayton, offer very similar results.

What about the charge that voucher programs “cream” the best students from the public schools and thereby weaken public school systems? We find no evidence to buttress that claim. To the contrary, research by Caroline Hoxby of Harvard and others has found that students who take advantage of private school choice options are typically at least as educationally and economically disadvantaged as students who remain in the public schools. To some extent, this is because existing choice programs have explicitly targeted children from low-income families, as our initiative would do. But even without this targeting, programs that include private-school options seem to attract students who are no more affluent, and have no better an educational profile, than other students. In addition, there is at least preliminary evidence that school districts in which public schools have been exposed to private-school competition, through a choice program, have responded by improving educational services. In Milwaukee and in the Edgewood district in San Antonio, the presence of a choice program was associated with gains in achievement in the public schools.

Those findings are consistent with my own experience directing the Houston Independent School District, the Nation’s seventh-largest. In Houston, we didn’t resist school choice; we embraced it. We created a system of charter schools even before the State did. We let children in low-performing schools take their share of the funding -- \$3,750 a year -- to a private school. I believe that our acceptance of choice, our willingness to compete with charter and public schools, helped us to make the changes we needed to make in order to achieve the learning gains for which we received national acclaim.

For these reasons, the Administration has put forward our proposal. The outlines of this proposal are very simple. The President's budget request for fiscal year 2004 includes \$75 million for a national Choice Incentive Fund. Under this program, the Department would make grants to support projects that provide low-income parents, particularly those who have children attending low-performing public schools, with the opportunity to transfer their children to higher-performing public and private schools, including charter schools. A portion of the money would be reserved for the District of Columbia.

We anticipate making a grant either to the D.C. public school system or to another, independent entity to operate the program in the District. The grantee would then develop and implement procedures for certifying schools to participate in the program, informing D.C. families about the choices available to them, selecting students to participate, and then monitoring and reporting on the program as it goes forward. The proposal in our budget did not specify the maximum amount of assistance an individual student could receive, but we want it to be sufficient to allow students a good choice of educational options.

We also see accountability as a major feature of this initiative, because it will give parents in D.C. the ability to hold schools accountable for meeting the educational needs of students. And we will provide for a rigorous evaluation of the project in D.C. (as well as the other projects funded by the national Choice Incentive Fund) by examining the academic achievement of students, parental satisfaction, and other results, so that the lessons can be applied to future programs and initiatives. We want to obtain solid evidence on the benefits of expanding educational options and making schools

accountable to parents while respecting the flexibility and freedom of participating private schools.

Mr. Chairman, I know that this proposal has engendered a great deal of attention in the media and elsewhere, including some vociferous criticism. Before I end my statement, I would like to respond to some of the major criticisms, to set the record straight.

We've heard that the Administration is trying to impose this initiative on the District against the will of its citizens and with no input from its elected and appointed leadership. That is not the case. We have met not only with Mayor Williams, but with Councilman Kevin Chavous, who is the Chairman of the Council's Education Committee, and with School Board President Peggy Cooper Cafritz to discuss our proposal, and we look forward to continuing our discussions with these and other local officials. I would like to commend these officials for the courage they have shown in publicly endorsing a D.C. school choice initiative and their willingness to work with us on the details. We want to implement a choice program that reflects the needs of the District and reflects the input of D.C.'s leadership; we don't pretend to have all the answers.

I acknowledge that a choice initiative that includes private school options will probably not, in the end, be what some of the political leaders in the District want. It is, however, what I believe the parents want. The Washington Scholarship Fund has a waiting list of approximately 5,000 children. One D.C. parent, Virginia Walden-Ford, the leader of D.C. Parents for School Choice, testified before Councilman Chavous's committee and said the following:

We have received hundreds of calls from parents who have not been lucky enough to get a scholarship through the many scholarship groups in town, WSF, Black Student Fund, etc., and parents who are camping out for charter schools that are not keeping up the pace of parents' need to get out of failing schools. They contact us looking for better options for their children. Parents here in the District are daily expressing their frustration in a school system that is taking too long to fix itself.

I note also that a majority of people in the District of Columbia support choice, including choice that includes private school options. In a 1998 Washington Post poll, 56 percent of D.C. residents said that they supported using Federal money to help send the city's low-income students to private or parochial schools, while only 36 percent opposed. For African-Americans this support was even stronger – 60 percent were in favor – and among African-Americans with annual incomes of under \$50,000, it was even stronger, with 65 percent in favor.

We in the Department have also heard that that this initiative will bleed money from the District's public schools. That is also not the case. The Choice Incentive Fund proposed by the President represents new money. It was not obtained by subtracting funds from the other Federal programs that support D.C. public schools. If the initiative does not go forward in the District, my guess is that the money will be used in other communities to expand educational choices and improve educational outcomes in those communities.

We've also heard complaints that we are supporting a voucher program when we could be supporting the District's charter schools instead. We find this complaint especially interesting since it has recently been voiced by some who were never strong charter school supporters before. But that's all right with us because we strongly support charter schools too. We will continue to fight to make sure the President's charter school

funding priorities are fulfilled, especially on the facilities front, so that this vibrant movement can keep flourishing.

And, finally, we've heard that all the Administration cares about is launching a voucher program in the District, that we don't care about the children who will remain in the public school system. That couldn't be farther from the truth. Our Department has a record of reaching out to the D.C. Public Schools, to work with the system on overcoming its problems, of providing it with information, technical assistance, and other resources. We've adopted individual schools in the District and provided those schools with hands-on assistance. In our meetings with D.C. officials, we have said that we will continue these efforts, and I'm happy to state that in public today. The choice initiative should be just one element in an effort to improve education in the District and ensure that all children can achieve to high standards. We want to contribute to the larger effort as well.

Let me close with a quotation from Dr. Howard Fuller, the former superintendent of schools in Milwaukee, currently the Director of the Institute for the Transformation of Learning at Marquette University, and a strong advocate of opening up wider educational choices for children and parents. Dr. Fuller has said:

In America, it is virtually impossible for our children to bring their dreams to reality without an education. Unfortunately, far too many of our children are not only having their dreams deferred, they are having them destroyed. They are being destroyed by educational systems that are undereducating them, miseducating them, and pushing them out by the thousands every day. We must have a sense of urgency about changing this unacceptable situation.

It is that "sense of urgency" that drives this proposal.

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Thank you again for the opportunity to testify today. I would be happy to respond to any questions that the Committee may have.

Chairman TOM DAVIS. Mayor Williams, thank you very much for being with us.

STATEMENT OF ANTHONY WILLIAMS, MAYOR, DISTRICT OF COLUMBIA

Mayor WILLIAMS. Yes, sir. Good morning.

Chairman Davis and members of the committee, certainly our own Congresswoman Norton. Thank you so much, as well. I greatly appreciate, in fact, the leadership support and encouragement that you provided our city, and look forward to our continuing partnership as we work together to accomplish even greater initiatives for our city.

I think our recent evaluation by the credit markets yesterday in raising us in investment grade to A-minus is a testament to our ability to work together with everything from the Control Act to the Revitalization Act. And I look forward to our continued partnership.

I am also pleased to be here today with Congressman Boehner and certainly Secretary Paige to discuss school choice, and in so doing expanding educational options for parents and students in our city.

Now, I want to start off by acknowledging that many good things are happening in our schools. The DCPS under the leadership of Superintendent Paul Vance and Peggy Cooper Cafritz as our president has launched an initiative to transform our lowest schools, infusing them with new leadership, staff, and additional resources. We now have identified 15 of these transformation schools, and early indications show us they are making difference. As you know, the District also has a very robust public charter school movement. We believe it's the strongest in the Nation. We currently have 42 charter schools which provide approximately 11,500 students with many approaches to learning, including individualized instruction, small academies, and schools within schools.

Thus, despite the steady increases in local funding and other efforts to support our public schools, I have heard first-hand from hundreds of parents who feel that, one, there are alternatives and they like these alternatives, but also feel there are no practical or easy alternatives for their children within the current system of public schools. And this gets us to the crux of the matter. Our dynamic Transformation Schools Initiative, our Liberal Out-of-Boundary Enrollment programs, and our robust charter schools are providing real choices for parents, but there are still countless students whose schools are not among those on the first track to transformation and for whom there are no practical charter school alternatives. Even if we are successful in increasing the tempo of these initiatives—and we are going to do everything we can to do so—there will be tens of thousands of students still waiting for more choices. And I, as Mayor of this city, cannot tell parents that they must continue to wait while there are outlets within our grasp.

In short, we need to reexamine the way we do business. Councilman Chavous has noted this. It is time that we explore other solutions to ensure that every child has access to a quality education in our city. And I, as Mayor of this city, can't ignore other alter-

natives that are at our disposal and within our grasp. Along with Council Chair Chavous of the Education Committee, and I mentioned Peggy Cooper Cafritz, I support a three-tier approach that would focus new Federal resources toward increasing the availability of quality education options for District students and families. This strategy would require a significant and ongoing investment toward the following: One, the development of a federally funded scholarship program for students to attend nonpublic schools. Two, permanent and predictable support for the DCPS targeted at leadership, instructional excellence, and student achievement. And, finally, a fiscally sound and comprehensive approach to the acquisition and renovation of our charter schools because the demand far outstrips the supply in terms of charter school facilities.

I don't believe that there is such a thing as too many good educational options for our children. In other words, we should strive for a situation where all the city's educational assets complement each other and offer parents positive choices beyond a one-size-fits-all paradigm. I hope that Congress will adopt and fund initiatives to make this city a national model of public and private school choices and urban education. We have the opportunity, not later, not in the past, but we have an opportunity right now to embrace a new vision for the education of African-American, Latino, and lower-income children from all backgrounds in all areas of our city.

Now, understandably, the issue of public support for private and parochial school tuitions raises fierce emotions on both sides, but there is a large body of research that speaks to its merits, at least it speaks to me.

Dozens of studies, including those conducted by voucher opponents, have confirmed that school vouchers increase parental satisfaction with their child's school and boosts the academic achievement of inner-city African-American students. A recent study prepared by a team led by William Howell and Patrick Wolf surveyed more than 1,000 African-American students in the District who attend nonpublic schools through support from the Washington Scholarship Fund. These students gained almost 10 national percentage points [NPR], in math and reading achievement after the first year, and an average of 6.3 NPR after 2 years of being in private school.

Finally, it's been proven that, with school choice, inner-city minority students are more likely to obtain a college degree if they attend private or parochial school when compared with their public high school counterparts.

I believe that any scholarship program for our city must recognize the reality and needs of the city and must be crafted with the full participation of our leadership. And I am grateful to Secretary Paige and to you, Chairman Davis, for your willingness to work with us on this.

I have consulted with several key educational leaders and have engaged in focus groups and discussions to develop a consensus on what an effective scholarship program would look like. It would have a number of elements. First, focus on low-income parents. We propose a ceiling of 185 percent of the Federal poverty level or perhaps more.

Two, emphasize opportunities for new students, those not currently in nonpublic schools, so that Federal funds do not merely supplant existing Federal aid offered by other institutions. And we are pleased that the bill before us gives preference to students currently attending low-performing public schools.

Next, limit participation to schools in the District. We are pleased to see that this tenet is included in the bill. We may get down the road where we may want to open the program further. But I think right now, in terms of testing accountability in the three branches of the system, I think we should limit participation within the District.

Next, require schools to admit all eligible students. And in cases where grades or schools are oversubscribed, admit students based on a lottery.

The goal here is not to cream the best and the brightest students, but rather to give the neediest children opportunities they otherwise would not have. And I am pleased that the draft bill does establish a random selection process. Moreover, Congressman Davis has assured me that the final version of this bill will clearly reflect that participating schools are prohibited from discriminating against students on the basis of race, color, national origin, gender, or religion.

Encompass a comprehensive accountability and evaluation component. In all the raging debate about this study said this and I think this study said that, one thing I get from this is the need to at least experiment with this program here in our city and establish a comprehensive accountability evaluation component, and see once and for all whether the program actually works. How about that?

And, finally, a competitive bidding process to select a private or public entity to administer the program. If a nonpublic entity is selected, the city would like to have assurance that the leadership of the organization include District elected officials and educational leaders or otherwise ensure that the city has input in how the program is administered.

Now, finally, I understand that there is a need for a distinct legislative strategy that would authorize this new scholarship program and that the other two sectors would be better addressed to other legislative vehicles recognizing that authorization already exists for other funding in those areas. And I am grateful to President Bush and the administration and key leadership here for their commitment to the three-tier educational reform effort. I look forward to working with them to support our DCPS.

You know, the District of Columbia, with its limited tax base and limited taxing authority, can never achieve the fiscal parity that would support the delivery of comparable State-level services. However, the Department of Education holds it accountable, and measures the District for effectiveness by the same yardstick as other States. In a comparative review of the amount of Federal, State, and local revenue committed to elementary and secondary education in five States with similar demographics, as well as overall expenditures in the area of education, it is important to note that the District bears an excessive fiscal burden in supporting these mandates. While the State contribution ranged among this group

from approximately 30 percent in Vermont to 64 percent in Delaware, all of the other States contribute significantly to the availability of local dollars.

Let me say a bit about charter school facilities. The 12,000 students in the public charter schools of Washington learn in a variety of facilities of varying and often inadequate size and quality, and I'm being kind. Unfortunately, there are many challenges for charter schools in securing facilities that inhibit high-quality teaching and learning. We hope that the Federal Government, again, the administration and this Congress, can help with funding for restructuring existing facilities and provide equity for nonprofit organizations to purchase and renovate the facilities on behalf of the charter schools. And I look forward to working with all of you on that.

In conclusion, again, emotions run high on the issue of Federal funding for private school scholarships anywhere, and certainly here in our Nation's Capital. Leaders from both major political parties have weighed in. Advocates and scholars from around the country have opined on what is best or is not best for children. I understand that even media markets in China and India have picked up on this story. But for me, the issue is more much direct. It is much more localized. I am not accountable to anyone in any of these other areas. I am not accountable to anyone with an ideological agenda. I am accountable to the students and parents in this city who all yearn for and deserve the same thing, the same thing that these parents and students are yearning for, the same things the parents and students at the picnic that Congressman Boehner is talking about are seeking, our confidence in their ability to make the right educational choices if given the opportunity. I believe that this bill takes us down that road, and I strongly support it.

Chairman TOM DAVIS. Thank you all very much.

[The prepared statement of Mr. Williams follows:]

GOVERNMENT OF THE DISTRICT OF COLUMBIA



EXECUTIVE OFFICE OF THE MAYOR

*“School Choice in the District of Columbia: Opening
Door for Parents and Students”*

Statement of
Anthony A. Williams
Mayor
District of Columbia

Committee on
Education, Labor and the Workforce
United States House of Representatives

Chairman Congressman John A. Boehner,
Ranking Member Congressman George Miller

Committee on
Government Reform
United States House of Representatives

Chairman Congressman Thomas M. Davis,
Ranking Member Congressman Henry A. Waxman III

Tuesday, June 24, 2003
2154 Rayburn House Office Building
2:00 p.m.

Good morning Chairman Davis and Chairman Boehner and other members of the Government Reform, and Education, Labor and the Workforce Committees. I am Anthony A. Williams, Mayor of the District of Columbia. Chairman Davis, I greatly appreciate the leadership, support and encouragement you have provided our great city and look forward to continuing our partnership as we work together to accomplish even greater initiatives for the citizens of the District—starting, I hope, with a robust initiative to support education in our nation’s capital. Chairman Boehner, we are delighted to be working with you and your committee on a District-related initiative and look forward to expanding your engagement in the education of our young people. In this spirit, I am pleased to come before you today to discuss school choice and expanding educational options for parents and students in the District of Columbia.

As you know, education is a major priority for my administration. My vision for the children of the District of Columbia is that every child, regardless of the school they attend, will have access to a high quality education in a healthy and safe environment. I envision a city in which every young person will: 1) come to school ready to learn, and leave with the necessary skills to be successful in today’s technologically advanced society; 2) be taught to be responsible citizens and to make valuable contributions to their local and global communities; and 3) have access to adequate social services to support their learning. While we have made major progress, we still have a long way to go before realizing this vision.

Let me acknowledge that many good things are happening in the District’s schools. First, the District of Columbia Public Schools (DCPS), under the leadership of Superintendent Paul Vance and the Board of Education, has launched an initiative to transform our lowest-performing schools, infusing them with new leadership, staff and additional resources. We now have identified 15 of these Transformation Schools and early indications show us they are making a difference. My administration strongly supports DCPS in this initiative, and has begun to provide wrap-around supports services at five of these Transformation Schools. By providing a host of family support services from District of Columbia agencies at these schools, we hope to

allow teachers to relinquish their de facto roles as part-time health and welfare counselors to children and their families, and allow them to focus completely on their role as educators.

In addition, last year DCPS underwent a massive central office transformation to streamline services and ensure that more resources flow directly to the classroom. Together with the District Council, we have provided record pay increases to our teachers, bringing entry level pay closer to parity with our suburban neighbors.

Third, DCPS has a strong out-of-boundary program that enables thousands of students to attend the public schools of their choice. We have several marquee programs focusing on college preparation, the arts, and bilingual education, to name just a few, that attract parents and children from throughout the city.

Finally, just a few weeks ago the Secretary of Education announced the approval of the DCPS's State Accountability Plan which I proudly forwarded to the US Department of Education earlier this year. This plan demonstrates great progress in how the District will comply with the *No Child Left Behind* legislation.

As you know, the District also has a very robust public charter school movement; we believe it is the strongest in the nation. We currently have 42 charter schools, which provide approximately 11,500 students with a range of educational programs including math and science, technology, arts, English as and Second Language (ESL) and dual language immersion, character development, public policy, and college preparatory study. These schools offer many approaches to learning, including individualized instruction, small academies, and schools within schools.

Recognizing that significant progress has been made since 1995 when Congress passed the District of Columbia School Reform Act, the District public school system still faces an abundance of challenges. Many students enter school with developmental challenges that have not been effectively identified and addressed. Moreover, the District must do more to improve student achievement scores in kindergarten through 12th grade. In school year (SY) 2000 -

2001, some 25 percent of District of Columbia Public Schools (DCPS) students scored below basic on the Stanford-9 Reading test and 36 percent scored below basic in math. The more significant challenges include a large special education population, increasing demands for adequate facilities for both traditional and charter schools, and the need to attract and retain highly qualified teachers. Thus, despite the steady increases in local funding¹, and other efforts to support our public schools, I have heard firsthand from hundreds of parents who feel there are no practical and easy alternatives for their children within the current systems of public schools.

This gets to the crux of the matter. Our dynamic Transformation Schools Initiative, our liberal out-of-boundary enrollment programs, and our robust charter schools are providing real choices for some parents. But there are still countless students whose schools are not among those on the fast track to transformation and for whom there are no practical charter school alternatives. Even if we are successful in increasing the tempo on these initiatives, there will be tens of thousands of students still waiting for more choices. I cannot tell parents that they must continue to wait while there are other outlets in our midst.

In short, we need to reexamine the way we do business. It is time that we explore other solutions to ensure that every child has access to a quality education in the District. I have confidence that our public school system is getting better, but that does not mean that I, as the elected Mayor of this city, should ignore other educational assets currently at our disposal. To that end, I welcome the federal government's interest in our public schools and the success of the District's children.

Along with City Council Education Committee Chair Kevin Chavous and Board of Education President Peggy Cooper Cafritz, I support a three-sector approach that would focus new federal resources towards increasing the availability of quality educational options for District students and families. This strategy would require a significant and on-going investment toward the following: 1) the development of a federally funded scholarship program for students to attend non-public schools; 2) permanent and predictable of support for the District of Columbia Public Schools (DCPS) targeted at leadership, instructional excellence and student

¹ The Mayor and the Council have increased funding to public education by approximately 40% since 1997.

achievement; and 3) a fiscally sound and comprehensive approach to the acquisition and renovation of charter schools facilities.

Why a three-sector approach? The most compelling reasons focus on fairness, the legacy of federal-District relations, and a strong sense that choice means the most when the number of quality educational options is maximized. Specifically, I mean that while DCPS faces considerable administrative and operational challenges that transcend any particular funding level, our public schools are paying the price of a legacy of disinvestment and crumbling school buildings, many constructed originally by the federal government. While bearing the costs associated with both a local school district and a state system, the city has the tax base of neither. As the recent GAO report² documented, the city needs ongoing assistance from the federal government in addressing this structural imbalance.

I don't believe that there is such a thing as too many good educational options for our children. Parents ought not be compelled to choose a public school, a public charter school, or a private school solely by default. In other words, we should strive for a situation where all the city's educational assets complement each other and offer parents positive choices beyond one-size-fits-all paradigms. I hope the Congress will adopt – and fund – initiatives to make the city a national model of public and private schools choices for urban education. We have the opportunity – right now – to embrace a new vision for the education of African-American, Latino, and lower-income children from all backgrounds.

Federally-Funded Scholarship Program

As I stated at the Committee on Government Reform hearing on May 9, 2003, I support the President's desire to create a scholarship program in the District. I believe, if done effectively, such a program could truly expand choice to low-income families, who currently do not have the same freedom of choice enjoyed by more affluent families. Understandably the issue of public support for private and parochial school tuitions raises fierce emotions on both sides, but there is a large body of research that speaks to its merits.

² "District of Columbia: Structural Imbalance and Management Issues. [GAO-03-666](#) May 22, 2003."

Dozens of studies, including those conducted by voucher opponents, have confirmed that school vouchers increase parental satisfaction with their child's school. Milwaukee, Cleveland, Florida, Maine and Vermont all have some form of voucher program and, by and large, these programs have been successful in increasing options for families. In addition, eight rigorous studies of six cities by research teams including scholars from Harvard, Princeton, the University of Chicago, Indiana University, the Brookings Institution and the Manhattan Institute, have all confirmed that school choice boosts the academic achievement of inner-city African-American students. A recent study prepared by a team led by William G. Howell and Patrick J. Wolf surveyed more than 1,000 African American students in the District who attend nonpublic schools through support from the Washington Scholarship Fund. These students gained almost 10 national percentile points (NPR) in math and reading achievement after the first year and an average of 6.3 NPR after two years of being in private school.³ Finally, it has been proven that school choice increases educational attainment; inner-city minority students are more likely to obtain a college degree if they attend private or parochial school, when compared with their public high school counterparts.⁴

I believe that any scholarship program for the District must recognize the reality and needs of the city and must be crafted with full participation of the city's elected leadership. I am grateful to Chairman Davis and Secretary Paige for their willingness to collaborate with us and accommodate many of our concerns in the course of drafting the bill before us today. I feel strongly that the duly elected leaders of our municipal government and others have a major role in designing a program that works for us and our children. I have consulted with several key education leaders and have engaged in focus groups and discussion in order to develop consensus on what an effective scholarship program should look like. Following are some key elements that arose from those discussions, most of which are already reflected in the draft bill before the committees:

³ Howell et al, "School Vouchers and Academic Performance..." op. cit.; see also William G. Howell and Paul E. Peterson, with Patrick J. Wolf and David E. Campbell, *The Education Gap: Vouchers and Urban Schools* (Washington: Brookings, 2002), pp. 150-52.

- focus on low-income parents. We propose a ceiling of 185% of the Federal Poverty Level or perhaps more. We are pleased to see this concept included in the draft bill under discussion today;
- emphasize opportunities for new students – those not currently in nonpublic schools -- so that federal funds do not merely supplant existing financial aid offered by other institutions. We are pleased that the bill before us gives preference to students *currently* attending low-performing public schools;
- limit participation to schools in the District. We are pleased to see this tenet is included in a bill introduced by Mr. Davis;
- require schools to admit all eligible students and, in cases where grades or schools were oversubscribed, admit students based on lottery. The goal is not to “cream” the best and brightest students, but rather to give the neediest children opportunities they would otherwise not have. We are pleased that the draft bill does establish a random selection process. Moreover Congressman Davis has assured me that the final version of this bill will clearly reflect that participating schools are prohibited from discriminating against students on the basis of race, color, national origin, gender, or religion.
- encompass a comprehensive accountability and evaluation component that would allow for solid longitudinal data collection and analysis so that years from now we can speak rather authoritatively about the relative success of each of our educational approaches and their impact on student achievement. The bill before us does establish a regime whereby the U.S. Department of Education shall receive information for this purpose. The city would like language added that would also grant the city access to this information so that it might conduct a complementary, yet not redundant study. This request would be consistent with the District’s ongoing efforts to strengthen our state-level oversight role with respect to data collection and reporting on all of the schools in the city;

⁴ Derek Neal, “The Effects of Catholic Secondary Schooling on Educational Achievement,” *Journal of Labor Economics* 15:1, 1997.

- additional supports to help families assess information, and transition and adapt to private schools. The current bill does allow for such support, but limits the source of funding to the three percent administration set aside, which we fear may be too constrictive; and
- a competitive bidding process to select a private or public entity to administer the program. If a nonpublic entity is selected, the city would like to have assurance that the leadership of the organization include District elected officials and educational leaders or otherwise ensure that the city has input as to how the program is administered.

Finally, I understand that there is a need for a distinct legislative strategy that would authorize this new scholarship program, and that the other two sectors may be better addressed through other legislative vehicles. I am grateful that the Executive branch and key leadership in the Congress are committed to the three-sector educational reform effort. I look forward to working with them to ensure that support for DCPS and charter schools are achieved by other means. Although the two other sectors will follow another legislative track, I want to outline briefly the nature of the need and support we are seeking.

Permanent and Predictable of Support for DCPS

Like many urban cities across the country, the District of Columbia has suffered major increases in the cost of education. This is due, in part, to spiraling special education costs, but is also related to the continuing structural imbalance that plagues the District as documented in the recent the GAO report⁵.

The District of Columbia, with its limited tax base and limited taxing authority can never achieve the fiscal parity that would support the delivery of comparable state level services. However, the Department of Education holds it accountable and measures the District for effectiveness by the same yardsticks as its state counterparts.

In a comparative review of the amount of federal, state and local revenue committed to elementary and secondary education in five states with similar demographics as well as overall expenditures in the area of education, it is important to note that the District bears an excessive fiscal burden in supporting these mandates (see Table 1 below.) While the state contribution ranged among this group from approximately thirty percent in Vermont to sixty four percent in Delaware, all of the other states contribute significantly to the available local dollars. In contrast, the District bears the inordinate burden of an eighty three percent local contribution.

Table 1: Comparison of Federal, State and Local Contributions among Comparable State

State or other area	Total	Federal		State		Local and Intermediate	
		Amount	% of total	Amount	% of total	Amount	% of total
Delaware	\$913,615,548	\$69,240,402	7.6	\$588,210,603	64.4	\$243,784,465	26.7
District of Columbia	\$706,935,000	\$116,363,000	16.5	---	---	\$587,111,055	83.1
North Dakota	\$682,418,716	\$84,339,151	12.4	\$280,238,399	41.1	\$280,741,500	41.1
South Dakota	\$794,255,517	\$79,521,966	10.0	\$282,517,823	35.6	\$408,047,256	51.4
Vermont	\$861,642,698	\$44,751,668	5.2	\$253,572,082	29.4	\$547,924,359	63.6
Wyoming	\$702,001,318	\$47,202,685	6.7	\$330,208,062	47.0	\$312,642,835	44.5
Average	\$776,811,466	\$73,569,812	10	\$346,949,394	43	\$396,708,578	52

* This table includes states with comparable total revenues and populations to the District of Columbia.

Additional support from the federal government, whether in the form of state level cost assumption or investments in academic achievement, would help address this imbalance and free up local resources to make needed investments in our public schools. New federal dollars could be targeted to those activities that would build infrastructure and increase capacity to serve both general education students and students with special needs.

Charter Schools Facilities

The 12,000 students in the public charter schools of Washington, DC learn in a variety of facilities of varying and often inadequate size and quality. Unfortunately, there are major

⁵ "District of Columbia: Structural Imbalance and Management Issues. GAO-03-666 May 22, 2003."

challenges for charter schools in securing facilities that inhibit high quality teaching and learning. We hope the federal government can help with funding for restructuring (existing facilities and provide equity for a non-profit organization to purchase and renovate the facilities on behalf of the charter schools. I look forward to working to your support for this innovative approach to solving the facilities needs of our charter schools.

Conclusion

Finally, Chairman Davis and Chairman Boehner, as we know, emotions run high on the issue of federal funding for private school scholarships in Washington, DC. Leaders from both major political parties have weighed in. Advocates and scholars from around the country have opined about what is best or not for our children. Even media markets in China have even picked up this story. For me, the issue is more localized. I am not accountable to anyone with an ideological agenda. I *am* accountable to the students and parents in my city who all yearn for and deserve the same thing -- our confidence in their ability to make the right educational choices if given the opportunity.

I am pleased that the President and members of Congress are keenly interested in helping us expand choices for our families. I do not know whether private school scholarships are the right thing nationally or if they will be the right thing for the District in ten years. I do believe that along with the ongoing reform of our traditional public school system and our burgeoning charter school movement, that they are valuable elements in giving hope to many parents who seek a quality education in our nation's capital.

I hope one day to share with you a glorious dilemma. A mother who comes to me and says, "Mayor, I don't know what to do. Do I apply for a scholarship? Do I enroll my child in a new innovative charter school? Or do I enroll my child in a specialized math, science, or foreign language program at my neighborhood DCPS school?"

Thank you Mr. Chairman and members for your continued support of the District of Columbia.

Chairman TOM DAVIS. We will start the questioning in 5-minute intervals. I will start the questioning.

Mayor Williams, let me just ask. The transformation schools, there are several that have been very successful in the city, others that have yet to achieve some success. Obviously, if they were all working, I think, on six cylinders, we wouldn't be here today. Is it your judgment though that it will take several years to implement this on a city-wide basis and get the public school system up to give the choices and the value that you would like to offer?

Mayor WILLIAMS. You are right, Congressman Davis. Transformation schools are achieving a number of concrete steps, and we have this in material that we have submitted to the committee. But it's my view that even with additional funding, and again it's part of a three-tier approach I'm seeking. That even with additional funding, just logistically, organizationally, managerially, it is just going to take time to get all the schools we would like on this transformation track. This bill, the scholarship bill—I'm just going to call it the scholarship bill, I don't know its official title—gives us the opportunity to give children and their parents a choice right now.

Chairman TOM DAVIS. Thank you very much.

Secretary Paige, you went through this in Houston to some extent. The program is a little different there. What's your observation of how this affected the Houston school system?

Secretary PAIGE. I think choice is a necessary condition for reform of a system the size of Houston or the size of the D.C. school system. It diminishes the number of problems you have to deal with. Parents feel more involved when they can have the options of making the kinds of decisions. And also, when we competed for the students, it released the kind of innovation and creativity that's been bottled up in the minds of our teachers and our principals who responded. In fact, we adopted an intent called the strategic intent which went like this: Went in to become the K-12 educational delivery system of choice for the city of Houston. We intend to earn that respect. We intend to earn so much respect that we become the K-12 delivery system of choice.

And so when teachers and principals were hustling to become the K-12 delivery system of choice, it released the kind of innovation in the school system that you wouldn't imagine. It didn't just exist in Houston. There are a lot of suburban school districts 50,000 60,000 school districts that you don't see a lot in the press that are providing wide latitude for their students and for their parents giving them more options, and they're getting the exact same results.

Chairman TOM DAVIS. So I'm going to understand you. This isn't really about measuring how the kids are doing in private schools alone; it's also in measuring how—this really makes the public school system get better, of course.

Secretary PAIGE. Our intent was to strengthen the public schools. The entire strategy was aimed at making the public school system in Houston, TX a stronger school system. It was not aimed at just the limited goal of the particular students who participated in the choice program who went out, it was about strengthening the public school system because we know that monopolies don't work, and we know that behavior is linked to the consequences thereof. And

when schools are protected from consequences of failure, when failure makes no difference, then you are going to have a stagnant school system. You are going to have the bureaucracy that you see all across our Nation in the big cities.

Chairman TOM DAVIS. Would you consider the Houston experiment to be a successful one?

Secretary PAIGE. I think it was progressing toward that. I don't think we are ready to fly our flag of victory completely. But I think, measured against other big school systems like that, we would be very proud of the progress that has been made.

Mr. DAVIS. Chairman Boehner, you have been active on this issue for some time nationally and also working with the locals in trying to craft something that works. How do you think the debate over vouchers has changed over the last couple of years?

Mr. BOEHNER. Well, if you look at the issue here in Congress, I've been involved in all of the scholarship/school choice debates, we've lost every time. But the good news is, is that every single vote that we have had over the 12½ years that I've been here, we have gotten more votes. And I'm going to tell you right now, when this issue gets to the floor, we are going to have even more votes than we ever had.

I do think that more Americans realize that having more choices is something that they appreciate. Who would ever imagine if we required every American to buy their milk or their bread at the grocery store nearest their house regardless of whether it was any good or not, whether it was fresh or stale. We would all think this was an abomination. We'd laugh about it. But that is exactly what we do to our kids. It's exactly what we do to them. It's the most unfair thing in the world. And we wonder why the conditions in some neighborhoods never improve. Because we never give the kids, the future of that neighborhood, a chance to succeed.

Mr. Davis. Thank you very much.

Ms. Norton, you're recognized for 5 minutes.

Ms. NORTON. You and I differ on vouchers, to be sure. But I have to tell you, even before this hearing, you have made my day when I read in the newspaper that the District now has an A-minus investment grade in investment rating. And I want to congratulate you on that. That is something that we have struggled for many years now from the time you were CFO. You don't get enough credit for it, but certainly your work in both capacities, CFO and Mayor, mean that you certainly should get a lot of the credit for it.

And for D.C. residents, it means that interest rates should go down, and therefore, there should be some relief for all of us from this very important development, long-awaited development.

Here is a question for both of you. How many D.C. residents should be on any entity that disburses scholarships to other D.C. residents? Should it be entirely formed of D.C. residents? Either one of you can speak.

Mayor WILLIAMS. I would certainly like to see a majority of the folks on there from the District—

Ms. NORTON. Why shouldn't all of them be from D.C.?

Mayor WILLIAMS. Why shouldn't all of them? Because there are also factors—let me put it this way. I would like to see the funds

here complement what we are doing elsewhere in our education strategy. I talked about the three-sector approach. Part of the three-sector approach is private scholarship help, and certainly we would want to have some of them involved in some way shape or form or manner since, as you put it, they put their money where their mouth is. But I would like to see the majority of the folks from D.C.

Ms. NORTON. Mr. Secretary.

Mr. PAIGE. I agree with the Mayor. I think D.C. should clearly have strong representation there, but I think it would probably be a disadvantage for the whole idea to shut out other people simply because they have a different address. There may be those who have an address outside the District who have strong interests in the District and who have a lot of capability of providing resources and relationships and context that would be of an advantage. I think that decision should be made based on how well they can contribute to the overall goal.

Ms. NORTON. Mr. Secretary, just let me say that if anybody knows our children, it is likely to be somebody who lives with our children. So the whole notion that someone would have something to contribute, I do not understand. But it leads me to another question. I spoke admirably because I do admire the Washington Scholarship Fund and the private funds that they have raised. We are not talking about private funds here. We are talking about public money, and therefore, I don't understand what folks outside of the District have to do with public money for children who live in the District of Columbia.

Now, I want to ask you, suppose they are the recipient, these are folks who have—these are folks that I can understand having been other than D.C. residents, because they have raised private funds. Suppose they get—suppose they are the recipient of these funds to disburse. Should the private funding that they have raised be now displaced with public funding from this fund? Something that Congress usually abhors? Or should they be required to match any public funds or to continue raising private funds, as they have so successfully in the past? Mr. Secretary.

Mr. PAIGE. We certainly hope that the good things that they are doing will continue. I see no reason to anticipate that this particular initiative would shut that down. I think they are doing what they are doing now because they want to make a contribution. They love kids and they want to give kids opportunities, and I see nothing that would change that.

Ms. NORTON. So I take that to be a yes, they should have to raise matching funds?

Mr. PAIGE. No, you cannot take it for that. You have to take it what I just said.

Ms. NORTON. But that is my question, therefore, I am seeking an answer to that question.

Mr. PAIGE. My answer is what I just finished saying.

Ms. NORTON. In other words, no answer.

Mr. BOEHNER. Ms. Norton, under the legislation, the children have to have 185 percent of poverty or below, free and reduced lunch, and they have to be in a high priority school. That by its

definition means the children who are already in a private school, who are getting the scholarship would not qualify.

And we have to remember, the money that we are talking about here is for about 2,000 children. The Washington scholarship fund and others help a lot of kids and these 2,000 will benefit as well, but I would suggest to you that we are nowhere near meeting the dollars necessary for the demand that is here in the city.

Mr. BURTON [presiding]. The gentlewoman's time has expired we will come back. Let me just make a statement and ask a question. I cannot for the life of me understand why, if you have a school system where children are not achieving their potential, I just can't understand why anybody would oppose allowing the parents of those children to choose to take their child out of that school and put them in a school that is going to help them do better and achieve the kind of educational excellence that they want. I just can't understand it.

So my one question to you, and then I will pass to my colleagues, my one question is why, Mr. Boehner, has legislation that would help allow this failed in the Congress of the United States? I just do not understand. Who is opposing it? What is the big problem?

Mr. BOEHNER. Well, the nature of a monopoly is they want to keep their monopoly. Most of them spend most of their time maintaining their monopoly.

Mr. BURTON. That is the teacher's unions?

Mr. BOEHNER. It would be a whole host of groups in what I would describe as the education establishment or as some of my staff would describe, the blob.

Mr. BURTON. The blob?

Mr. BOEHNER. They are interested in maintaining their franchise, maintaining their monopoly.

Mr. BURTON. Even though the schools are not achieving the kind of excellence that they should?

Mr. BOEHNER. As I mentioned in my opening testimony, most monopolies tend to get large, bureaucratic, inefficient, and lose focus on their mission. And I think there are a lot of people in public education who are just working their tail off every day. They are trying to do the right thing, but there are far too many who have given up, who have given up on the poorest of our kids who need the most help. And so when it comes to losing the vision of where they are going, I think they have lost it.

Mr. BURTON. Let me just ask you to followup, Mr. Secretary and Mr. Mayor. What do you intend to do to try to get the blob that Mr. Boehner is talking about, get the blob to change their mind or to defeat them to make sure that we can get this kind of legislation passed to help these kids? I know it is a tough question.

Mayor WILLIAMS. Well, you know I am proud that during my time as Mayor I have fought against a lot of people who said that when you were CFO, you were Mr. Mean. Now, you are tax-and-spend, and you are throwing money to the schools. This and that. Money for the schools has increased 42 percent since I have become Mayor. I fought for money for the schools. Raises for teachers, 25 percent overall. I am all in support of paying our teachers well, giving our schools the money they need.

But what I am saying here is one, money is not exclusively the answer to everything. And two, you know, to paraphrase Mae West: You can't have too much of a good thing. If you have an option, if you have an alternative to do something good in addition to the charter schools and in addition to the transformation schools, why shouldn't we do it? And I—actually, to paraphrase you, Congressman Burton, it will motivate our schools to accelerate their transformation. I think that is what you found in Milwaukee. Everybody said if we do the school choice program there, it is going to doom their schools. They have 8 or 10 percent more students in the schools than before. Schools performing better than they did before.

Mr. BURTON. Mr. Secretary.

Mr. PAIGE. Monopolies and bureaucracies are very good at protecting themselves and that is their main goal. And what we have to do is mobilize strong citizen and community initiatives toward undoing them. I think this is a step in the right direction. I think many other steps have been taken in the right direction.

I also want to say on behalf of public school teachers and principals and people who operate in our system, since I have many years of working with them. I find them to be good, caring people. But then they are embedded in a system that is corrupt. And I think it is those of us who have some capability of changing the environment in which they work and tearing away some of the barnacles and constraints to the system. We create the system, they work in the system. And so that is why I think this initiative is a good thing, because it is an effort to support them and what you are going to see is they'll respond to this with new innovation and energy and commitment and what we will get is new opportunities for young people and consequently a better America.

Mr. BURTON. I think this is a giant step in the right direction, this legislation, and I am going to be asking the chairman to let me be a cosponsor of it as well. One thing that I hope happens down the road, in addition to this, is that we provide incentives for teachers to go that extra mile. When a guy sells used cars, if he sells more used cars, he gets a bonus. If teachers go a little extra mile and help their students achieve educational excellence, they ought to get a bonus as well. I hope we think about that down the road. Who is next? Mr. Van Hollen.

Mr. VAN HOLLEN. Thank you, Mr. Chairman. I want to thank all of you for your testimony. And my colleague, Ms. Norton, has some followup questions and she has run out of her time, so I will yield most of my time to her. There have been a lot of comments on all sides on this issue and some strong feelings. I do want to say that, Mr. Secretary, that if we really want to make the investment in our kids that we promised just 18 months ago, which as you noted was a bipartisan effort, and Chairman Boehner, my chairman on the Committee on Education and the Workforce, was a leader in this too, if we really want to keep that commitment and promise, we need to provide full funding for No Child Left Behind and in the President's budget that was submitted and in the budget resolution that passed this House, we are more than \$9 billion short. We are talking about \$10 million in this effort, maybe \$15, maybe

\$20 million at the most. But if we funded fully No Child Left Behind, the District of Columbia would get \$100 million more.

So it is important to look at different options. It is important to discuss the range of opportunities. The Mayor has testified that, in addition, the initial investment in the transformation school programs and charter school programs has improved the educational system in this District of Columbia. And as a neighbor of the District of Columbia in Maryland, we have a direct interest in the strength of this school system, and I commend him for the progress that has been made but resources do matter. I know how many resources go into the District of Columbia school system and how much is spent on special education funding, another area where the Federal Government is only paying 18 percent of what we committed, 40 percent.

This amount of resources that we are talking about is important. I don't know whether it is better spent in one area or another. But what I do know is if we made our full commitment to the kids, not just in the District of Columbia, but in Maryland and everywhere else and fully funded No Child Left Behind, we would be better off as a country.

I yield the rest of my time to the gentlewoman.

Ms. NORTON. I thank the gentleman for yielding.

Mr. Paige, my colleague has raised a question that every Member of Congress should be raising every time they see you, because I can tell you that the members of my city council are terrified about the ultimate consequences of the No Child Left Behind Act because it is this huge, unfunded mandate, especially with local school districts having to cut schools because of the state of the national economy.

We are very worried. The reason we are worried is because the testing regimen accompanies this bill and is linked to the funds. And, of course, everybody is gearing up to do it. And the worry is that we, up the line, are going to have massive dropout rates. We already have huge dropout rates. I would think you would have some concern. I would like to give you some chance to respond because we have been seeing on television in this region reports that the very substantial increases in the pass rate that you, in Houston, reportedly received was the result of a huge dropout rate.

It is said that the dropout rate of ninth graders was nearly—people who did not get to graduate was nearly 50 percent, and that Houston would be 28th out of the 35 largest systems, and therefore, would be considered a low-performing district under the State accountability system and certainly under No Child Left Behind.

We already are. So I have to ask you whether or not you can guarantee that we can get our No Child Left Behind funds in time to keep an already horrific dropout rate of the kind we are told you have in Houston from getting even worse here?

Mr. PAIGE. Ms. Norton, I would like to sometime have some discussions with you on these subjects, but this is about the D.C. Choice Initiative. And I want to spend most of my time talking about that. But I want to correct you some there on your comments.

First of all, let me tell you about the No Child Left Behind Act. For the first time in the history of this Nation, every child in a

public school in the United States of America is covered by an accountability system. That is because of the No Child Left Behind Act. Every child now counts. Every single child has a place where that name is on the registrar, and they are attached to some meaning in the schools of the United States. That has never, ever happened before. That is because of the bill. And that has nothing to do with the dollars. That has to do with the States, the school chiefs, the District leadership, the State leaderships committing themselves to an initiative.

Ms. NORTON. No, you get funding for extra services——

Chairman TOM DAVIS [presiding]. The gentlewoman's time has expired.

Ms. NORTON [continuing]. For the children who are left behind, and you know it, sir.

Chairman TOM DAVIS. Would you like him to answer this?

Mr. PAIGE. I will shorten this down some too because the gentlewoman's basic assumption is in error and many others who promote the idea that dollars equal success. Since 1965, in the Elementary and Secondary Education Act, we have spent \$300-plus billion, and we got where we got now. Money is very important. Money is a necessary condition, but it is an insufficient condition. Other issues have to be considered, and that is what we are trying to do now, it is not in place of money but in addition to money provide the underpinning and foundation, the framework for the system to work. It is not all about money.

Mr. BOEHNER. Mr. Chairman.

Chairman TOM DAVIS. Yes, Mr. Boehner.

Mr. BOEHNER. I thought this was a rather unfair attack. I would like to have a moment to respond.

Ms. NORTON. Well, you are not the one who has the information, and there has been no response to what happened in Houston.

Mr. BOEHNER. I happen to be the author of the bill.

Ms. NORTON. I am talking about the question that I asked, sir. And this is about the members of the committee asking questions to witnesses, and you are not in a position to answer this question.

Mr. BOEHNER. Mr. Chairman, the attack——

Chairman TOM DAVIS. The chairman of the Education Committee, as a courtesy, will be recognized.

Mr. BOEHNER. The attack came from Mr. Van Hollen, who quickly left, about the issue of underfunding of No Child Left Behind. You need to understand that the first 2 years of the current administration, we had more increases in Title I, than we had under 7 years of the previous administration.

Let me also say that we virtually have doubled funding for elementary and secondary education over the last 5 years. Let me also say to Mrs. Norton on the issue of paying for the testing, that the Congress appropriated \$390 million last year, and I think the number that is being discussed this year is \$400 million, goes to all the States, whether they have developed tests or they have not developed tests, to help with the implementation of the tests. Some of your colleagues on your side of the aisle asked the General Accounting Office whether this was a sufficient amount of money to develop the test.

Ms. NORTON. Mr. Boehner, it is the services to help the children pass the test, not developing the test.

Mr. BOEHNER. And the GAO responded that it was sufficient money for the States to develop and implement the testing.

Chairman TOM DAVIS. Thank you. The gentleman from Virginia, Mr. Schrock—oh, Mrs. Davis.

Mrs. DAVIS OF VIRGINIA. Thank you, Mr. Chairman. First, I would just like to say a couple of things.

One, I represent a district in Virginia, and we have the standards of learning which all the parents and teachers and administration really bucked the testing of the kids. And it has been 5 or 6 years ago, and I was in one of the poorest counties of my district this past weekend and was elated to hear all the schools are accredited and it is because they were held accountable and the teachers, the community, the families, the parents all got together and did the job. So kids can be taught. It is just a matter of putting your mind to it and doing it.

And to respond to my colleague from Indiana, and Chairman Boehner, the blob is not the only reason that vouchers do not always pass. There are some on the other side, like myself, that are concerned about vouchers for the very reason of strings becoming attached to private schools. Private schools are just that because they do not want to be tied to the Federal Government.

My question to you is do all the private schools have to participate? If a parent chooses because—this is school choice—picks a school and wants to send their kid to that school, does that school have to take them?

Mr. BOEHNER. As I understand, the school does not have to participate. But if the school does participate, they have to accept all the children that apply, unless there are more applicants than they have spaces for, in which case there would be a lottery for the open places.

Mrs. DAVIS OF VIRGINIA. So if it is, in fact, a religious school and the parent chooses to send that kid to the religious school and the parents are not religious—we have the case in California where the nine Supreme Court Justices say “under God” comes out of the pledge simply because the father was an atheist, even though the mother and the child were not. Would we have that potential problem down the road if this child went to the school and one of the parents decided I do not like chapel or praising worship, I don’t like my child being taught Bible scripture, what happens?

Mr. BOEHNER. If I can respond, I will turn it to the Secretary. The Supreme Court ruled in the Cleveland case that these scholarships were, in fact, Constitutional. And I think it is important to understand that the way this bill is set up is that the scholarship goes to the student. It does not go to the school; it goes to the student. The student can take it where they want. And I do think that protects schools, all private schools, from the intrusion of the Federal Government. I yield to the Secretary.

Mr. PAIGE. I think the idea is to broaden the opportunities for parents, not to constrict them. If we would say, if a parent would choose a school and the school does not fit the parents’s particular needs, that because the child is at school, they can cause the school to change in order to fit their particular needs, we are talking

about just the opposite of that. We are talking about if the school does not meet the parents's particular need, this parent has an opportunity to go to a different school. That is what we are trying to provide for in what we now call the public school structure. If it does not meet their needs, we want them to have the opportunity to decide if they want to stay.

The problem we have otherwise would be the imposition of two powerful forces in opportunities that the government has. They have the ability to say you must go to school, compulsory attendance, and they also have the ability to say you must go to this particular school. What we are trying to do is broaden that opportunity.

Mrs. DAVIS OF VIRGINIA. And I would like to have that broadened opportunity. What I do not want to do is harm our private religious schools at the moment.

Another couple questions: If the private school is accepting the Federal dollars by way of the scholarship, the private schools now do not have to abide by No Child Left Behind. Will they have to abide by that?

Mr. BOEHNER. No.

Mrs. DAVIS OF VIRGINIA. I had one other question. Children with disabilities. Nothing in this act may be construed to alter or modify the provisions of the IDEA, Individuals With Disabilities Education Act. If the parents decide to send the child to the private school, I don't know if the private schools have to abide by the Individuals With Disabilities Act currently. Will they be forced to do that?

Mr. BOEHNER. They do not have to comply with IDEA, but in most districts around the country, the public school district is required to provide services for special needs children, regardless of the school that they are in. But there is no requirement on the private school to comply with IDEA.

Mrs. DAVIS OF VIRGINIA. I want to support the bill because I want to support the children. You see where I am coming from. I am just very concerned about I do not want anything—and if I can get your assurances, I know you are not Supreme Court Justices, but I will tell you, I will be the first one if a lawsuit comes in on one of these—something happens to one of the private schools, I will be one of the first ones here trying to pull this back. I want to see the kids educated, but I don't want to hurt the kids that are getting educated now.

Chairman TOM DAVIS. Mr. Clay.

Mr. CLAY. Thank you. A brief question and a question for the entire panel. I have been an advocate for parental choice in the past. As a Missouri legislator, we instituted a law that I authored to allow charter schools in Kansas City and St. Louis. But I am willing to admit when I make a mistake. The studies have come in from Missouri that show no measurable academic achievement for those students in those charter schools. And I don't know, it just seems like an experiment. It seems like a shift in cash from the public schools to charter schools or other private entities.

Now, let me ask the question, and we can start with Secretary Paige. Should we have benchmarks for charter schools, for voucher schools, for schools of opportunity? Benchmarks that tell us that

reading levels have risen? That math scores have risen? Test scores have risen?

I mean, I looked at the legislation, and I do not see the requirement for benchmarks in there. And so perhaps we can start with the Secretary and then the other two panelists give me their opinion about whether we should have benchmarks or do we want to shift the responsibility of educating our young people to private entities and not have the necessary requirements to ensure that they get a quality education?

Mr. PAIGE. Thank you. I will make three points. The first one is I have noticed that the quality of the charter schools across the United States is influenced heavily by the quality of their legislation that they have in the various places. Some States have different approaches to charter schools. Some States even had such debates and the legislation was built in such a way that the charter schools don't have much of a chance of succeeding.

So it is difficult to measure charter school performance in the aggregate. It is probably better to deal with specific to the environment that they set up.

About benchmarks, if you mean by that should there be a specific target that they should meet or if you mean that they should show growth on the part of the student, if you mean the latter, the answer is yes. Exactly. I agree with that. That is why I think that this draft legislation has powerful evaluation components in it. One of the strongest ones I have seen anywhere.

Mr. CLAY. It could be strengthened.

Mr. PAIGE. We are here to hear suggestions.

Mr. CLAY. The Mayor just cited a recent study that I hadn't heard, but up to now, I have not heard much good about charters. Can you help me and cite something that may give me some encouragement about charter schools?

Mr. PAIGE. Yes, I will just make one point. The big difference here is that charter schools are required by their charter to improve the circumstances for students. If they do not, they will be in violation and the charter can be withdrawn. That is different from the public school system where we have allowed those systems to continue, although they might be even doing damage to students, let alone not helping them grow.

So that is a big difference between those two, and a powerful reason why we should at least support charter schools. I am a strong supporter of charter schools. We created charter schools in our district in Houston. The Kip Academy is here now because we started it in Houston.

Mr. CLAY. It is about what choices we give these parents and children and what benefit they get out of charter schools or public schools or vouchers.

Let me go on to the Mayor, please.

Mr. PAIGE. I agree with you.

Mr. CLAY. Mr. Mayor, can you tell me about what is the grade you would give the charter schools in the District of Columbia?

Mayor WILLIAMS. Well, Congressman, I think if you look at what is the sweep of studies around, I think you can find solid evidence that charter schools have been successful. I have cited a study here where the private scholarship fund was successful the first 2 years.

The problem was that a lot of kids dropped out because they couldn't afford the education they were getting, which to me is a strong statement of support for what we are trying to do here. And even if the studies show that the charter schools were not making a material difference, I would concur in what Secretary Paige is doing. The basic charter of the charter schools is that they have to improve those outcomes. And if they do not, they go out of existence.

And, two, in terms of general outcomes in these experiments, I would argue that we have been doing this one approach for over 150 years—

Mr. CLAY. Wait a minute, Mr. Mayor. Excuse me, what about—

Mayor WILLIAMS. We have been doing one approach for 150 years. We ought to at least find another approach.

Mr. CLAY. What about sharing—

Chairman TOM DAVIS. Your time has expired. We will let you finish this question then we have to go to vote. There are 7 minutes left, and Mr. Boehner and I, we will resume the meeting when Mr. Schrock gets back. If you want to ask just a quick question, Mr. Clay?

Mr. CLAY. No.

Chairman TOM DAVIS. We will recess for a couple minutes, and we will resume questions with Mr. Schrock upon his return. The meeting will be recessed. Be right back.

[Recess.]

Mr. SCHROCK. If everybody will please take their seats, we will continue. We want to reconvene because the Secretary has to leave at 3:45. So if everybody will take their seats, please.

I have been chomping at the bit to speak all day, and I am glad I did my vote quick and got back here.

Mr. Mayor, Mr. Secretary, and of course Mr. Secretary in absentia, I am glad you are all here today. I want to make one thing real clear and make everybody understand why we are here. We are not here to talk about Houston schools. We are here to talk about the schools of the District of Columbia. This is the issue we have today, and we need to stick to that and when we start veering off to talk about other things, we are covering up the real problem. And I think people understand that.

I come at this education issue from a totally different perspective. I have been privileged to be married to a teacher for 35 years, and believe me, I have heard it every day and every night, and I know how my wife has tried to fix some of these things, and I would love to get her up here to fix this system, frankly. I believe she would do a good job.

I have been making notes throughout the whole hearing and they talk about depleting funds from the District of Columbia school system. It wouldn't make any difference anyhow. It is not a "failing" system; it is a "failed" system. So if we are going to salvage this system, we need to provide as much money to at least get 2,000 kids out of this to get them into schools where they can achieve things.

I have been sitting here looking at mothers. I know who they are. And I have been looking at this cute little guy on the third row who

has been on again off again sleeping. I understand that. And what we are going to do here today will impact this little guy's life for a long time to come. We can step up to the plate and do what is right or just do the political correctness thing and not do anything and shame on us.

No child should have to go to a failing school. The program in Virginia is working, even in some of the worst areas. The worst school in Norfolk, VA—that I represent—suddenly is achieving things. There is accountability, responsibility. We have made the kids perform and we have gotten the parents involved and it can be done. I don't care what school system you are talking about. And this is my Capital City. Mayor Williams may be the Mayor, Ms. Norton may be the Representative, but this is my Capital City. The Capital city of the United States. It is every one of yours Capital City. And for us to have kids being taught in a school system where they are failing is a crime, and we ought to be ashamed of ourselves for letting that happen. I bet there are not many capitals in the world where they can say that, and we need to do something and we need to do it mighty quick.

Throwing money at the problem is not always the answer. They have thrown a lot of money, you heard them say \$9,600 per year, but the test scores keep going down and the kids keep failing. Money is not the only answer. Yes, it is part of the answer, but there is a lot more of that equation than just money.

And we can study this thing to death. Whenever anybody does not know how to solve a problem they say, well, we will study it and see what happens. The time for studies has stopped, the time for action is here and we need to take action on this bill right away.

When somebody mentioned the teachers unions—don't get me started on that. I have seen that firsthand. The teachers unions do not want this because it is an admission that they have failed. And I think the sooner people realize that, the better.

And accountability, Mrs. Davis is absolutely right when she said accountability. Because accountability is what has changed some of the school systems in Virginia, the failing schools to passing schools. Let me read a couple of statistics, and I want to ask the Mayor a question and the Secretary a question. It says: D.C. spends 45 percent more per child than the average for the United States with consistently poor returns. Anacostia High School—I happen to know where it is because I pass it once in a while—92 percent of the students score below average in basic mathematics. The average student in D.C. scores 71 percent below average in math.

Mr. Mayor, please explain to me how you can spend—and I know you are on our side on this, please understand where I am coming from—but how can you explain the fact that D.C. spends 1½ times the national average and they consistently see test scores that are well below the average?

Mayor WILLIAMS. You say explain. Describe? Or justify or what?

Mr. SCHROCK. Why is this happening? Everybody says if you throw money at a problem it is going to get fixed. No, it is not.

Mayor WILLIAMS. I think Congressman, first of all, I think when we talk about the money allocated to D.C. schools, I think we really

should acknowledge the fact that there are State costs that are incorporated in that. So if you compare for example the dollars that the District is spending with another city, understand where the State costs are and where they aren't. That would tend to inflate the dollar figure for the District. But we do spend a lot of money for our schools. Many of our schools are low-performing and many of them are "failing," and I believe that this bill gives us the opportunity to seek another alternative to give these children a future; 2,000 of them potentially.

Mr. SCHROCK. I agree. Do you find that the parents are content with what is currently available to them in regard to their children's education?

Mayor WILLIAMS. I have set a goal in self-interest as Mayor of improving the tax base of the city. And I see improving—a lot of critics say I have no understanding or vision for what I am doing. Any Mayor has a vision. They want to improve their tax base. And you can do it two different ways. It is not rocket science. You move people who have some dollars to pay taxes into your city, and you lift up people, who are already in your city, into the mainstream so they can also enjoy the benefits of American society. And one of those benefits is paying taxes.

I will give you an example. Oyster School. I was surprised 1 day I drove by the Oyster School there was a line around the block of parents to get into the Oyster School. That speaks to the overwhelming demand of parents in the district for quality choices for their kids. And what we are doing here is providing those choices, improving education, the foundation of the future of the city.

Mr. SCHROCK. I want to get back to you, but the Secretary has to leave and I want to ask one question. Some argue that school choice programs threaten students's civil rights. Frankly, I think we are threatening their civil rights when we do not give them the choice. But what is your response to that argument?

Mr. PAIGE. Congressman, I would make the opposite argument. I believe that taking away choices from parents and children violates their civil rights.

Mr. SCHROCK. I agree.

Mr. PAIGE. I think education is a civil right, and I think we have an obligation to live up to that. And when we do not provide a quality education for a child, we are denying them that civil right that not only affects them but also affects us as a Nation.

So choice expands their civil rights and expands their opportunities, and it also expands the opportunities for the system that they are a part of. It makes it work much better.

This would be my view. And I would apologize now for having to leave, but I am required to be in another location right away. Thank you very much.

Mr. SCHROCK. We understand. Thank you very much. We appreciate it.

Mayor, let me ask a couple more questions. This is borderline political, so I will be careful how I ask it, but is it true that because of the illiteracy rate in D.C., in your write-in campaign in 2002, your supporters handed out preprinted stamps because voters couldn't write your name?

Mayor WILLIAMS. Well, it turned out there wasn't really a demand for the use of the stamps. I mean, clearly in any jurisdiction and ours we wanted to make it easier for people. But regardless of what happened with the write-in campaign, Congressman, the fact is that 37 percent of our citizens have a challenge when it comes to reading. I think reading at a third-grade level, and we need to change that in terms of the future of our city.

Mr. SCHROCK. That is my point.

Ms. Norton.

Ms. NORTON. Mayor Williams, I have gotten phone calls and concerns from charter school personnel and parents about the fact that charter schools—what they regard, the institutions regard, a terrible precedent has been set. Others are simply worried about not being treated equally with the public schools. And that is that, apparently for the first time, there is in the D.C. budget a line that says we do not have the money to fund you equally on a per pupil basis. Go to Congress and get \$6 million. Now, the concern is horrific that the Congress, which has no record of generosity to the D.C. public schools, may indeed leave charter schools out there treated unequally to other public schools even though they are public schools.

So I need to know—also interestingly, they have said Congress must not fund—must not give this \$6 million. Normally people say just the opposite. They say if you do, you will create a precedent whereby the District will always hand off some of what is due the charter schools to the Congress, and they say they lose that way because you can't depend on the Congress. And you know you can't depend on the Congress. So what would be your response to that and can you guarantee that the District of Columbia, rather than the Congress, will fund the charter schools with the \$6 million that has been now requested of the Congress for funding the charter schools?

Mayor WILLIAMS. One thing I have found as Mayor is that there is no one who feels fully funded. Everyone feels there are additional funds needed.

Ms. NORTON. This is on a per pupil basis, where they are entitled—

Mayor WILLIAMS. And one of the things that we have done over the last 5 years is fully fund the charter schools for the first time, front load their funding, work on their facilities. Although, one of the things I would like to see is more money for modernization and with the 2004 budget, address this \$6 million issue so they have that \$6 million. That will be in our 2004 budget.

Ms. NORTON. That is very important. And I appreciate and I know the parents will appreciate your statement on that. You know that in grades three through eight under the No Child Left Behind bill, the children must take tests annually. Now, how will we assure ourselves that the children in three through eight are taking the same or similar tests, especially given your testimony that we need to evaluate or compare how the students do in the parochial or private schools with how they do in the D.C. public schools? How will this accountability, on the basis that the public schools are held to even by the Federal Government, be enlisted for children in grades three through eight in private schools?

Mayor WILLIAMS. Congresswoman, discussions are under way on how that will work in terms of trying to standardize the tests so that they provide data that is useful across the different systems but that is still a work in progress.

Ms. NORTON. I am sorry; say that again.

Mayor WILLIAMS. In other words, creating a mechanism to correlate the tests. The students may be taking different tests, but there are ways in which you can make them comparable for outcome evaluation purposes and that is certainly the goal.

Ms. NORTON. That would be very important for the accountability that we all seek and the No Child Left Behind bill seeks. In Milwaukee, they began the way you say you want to begin, with a lottery, the way our charter schools do it, the way public schools do it. Now, charter schools, you just have to take any child that comes to the door. After awhile the parochial schools complained about the lottery. The lottery was withdrawn and in Milwaukee, they now do not accept any students that are more than one grade behind.

How can you assure us that, given the limited staffs, lack of support services, that our parochial schools have in particular—I am just grateful that they are able to keep the doors open—that we won't be quickly going to that situation? Especially since many of our students—I hate to think how many—are more than one grade behind. And most of those will be precisely the students who qualify for these vouchers because they will be the students under that income level that is set in the voucher bill.

Mayor WILLIAMS. I think one of the great things about this program that is becoming to me is that there is an evaluation system, so that we can, as we start this program with a lottery, we can evaluate the program as it goes and make the necessary changes. I don't think that one size fits all. I think we have to be open to being flexible, open to changes based on the results as they come in.

Ms. NORTON. I just warn you, Mr. Mayor, most of our students are more than one grade behind, and I am certain that most of the low-income children are more than one grade behind. And I begin to wonder how a voucher program would work in D.C., given that kind of concern. And I think the parochial schools were right to raise them. One of the reasons that I do not object to their not taking every child is that they run on much smaller budgets, do not have the public money we have for support services. So one wonders how you are going to really deal with the lowest-income students, and why this won't just be pushed up so that anybody who can get in can qualify.

Chairman TOM DAVIS. Thank you. Who has not had a question yet? Mr. Platts. And then Mr. Carter.

Mr. Williams, I understand you have 10 more minutes and then you have to leave.

Mr. PLATTS. Thank you, Mr. Chairman. And, Mr. Mayor, I apologize. Some of my questions maybe were more appropriate for the Secretary, but you are the only one left. I appreciate your efforts and your leadership for the District of Columbia. And I would say up front that, philosophically, I haven't been in my 11 years of public office a supporter of vouchers because I think it sends the wrong

message that we help a few, perhaps, get a better education, and in essence, give up on the rest who are left behind. Instead of saying if we have schools that are unsafe or falling down or we have schools that can't recruit good teachers, that we try to fix those problems for every child in that school, not just those who can perhaps get a better education. I say that up front as a disclaimer. Philosophically, I think vouchers hurt public and private schools in the end.

But some specific questions about the bill. Our focus and everyone's comments here today in favor of it has been about giving choice to parents, to students. That is where the decision should be. Unfortunately, as I have read through the bill and the specifics, the way I understand the bill is that it starts with the Secretary first deciding what program will be selected, what scholarship program will be selected. And the Secretary first decides who will administer the program. That program will then select what students will be selected for participation in the program.

So you could be a student in a failing school at 150 percent of the poverty level, but you may not be selected because the program will select whether you are a participating student or not. I am not aware of anything in the bill that says every child eligible will be selected. I guess I would start there.

Chairman TOM DAVIS. Mr. Platts, I authored the bill. We have a finite amount of money. It is not a straight entitlement. And if we have more people eligible—remember, the only ones eligible are those who are poor and from nonperforming schools. And if we do not have enough slots for the people who apply, we go to a lottery. I don't know how else you do this. That is why it is stated the way it is.

Mr. PLATTS. Well, I would have to disagree. The bill says you have to be poor. It does not say you have to be in a failing school. That is a parameter that will be looked at, but the bill does not require you to be in a failing school the way it is drafted.

Chairman TOM DAVIS. It is a nonperforming school. Even people currently in the program are not eligible, but if you are from a performing school—unless—it sets a priority. If you don't have enough people from nonperforming schools apply, then we could get into the performing schools. But the priority is set on those with nonperforming schools, and it looks like we now have a waiting list that far exceeds the capacity to pay for it out of this.

I hope that answers the question. It is not a straight prohibition, but there is a priority set.

Mr. PLATTS. I agree the bill says the Secretary, in selecting programs, will give weight to how the program will select students from nonperforming schools. It does not prohibit other students—

Chairman TOM DAVIS. But only if it is not oversubscribed, and we know it will be the first year.

Mr. PLATTS. Let me go forward with some of the other issues that jumped out. The bill as drafted, Mr. Mayor, is also that the program will decide how much a student gets. Seventy-five is the maximum, but the program decides whether it is \$500 or \$7,000, is that your understanding as well?

Mayor WILLIAMS. That is my understanding, but my preference is around that \$7,500 number, because I think that allows you to

maximize the number of low-income students that attend these schools. And I might say, I know of folks who are involved in the scholarship program, and I have no reason to believe, absolutely no reason to believe, that they would use this money to supplant what they are already doing. This money would augment what they are doing.

Mr. PLATTS. But again, we give the choice and the decision to a separate entity, not to the parent. Whether they get \$500 or \$7,500 is not—

Chairman TOM DAVIS. Would the gentleman yield? The reason again for that is if you get them into a school for \$4,000, why would you give them \$7,500?

Mr. PLATTS. I agree that you shouldn't give more than the cost of the school. But the school could cost \$10,000, and the way the bill is written the scholarship program could choose to serve more students, and say we are only going to give you 1,000 and then the choice is not with the parents and the child, it is with the program.

It may be specific to my biggest concern, I have a whole list that jump out, but the schools, again, for the schools in the District of Columbia, if a parent wants to accept a scholarship and go to School A, it sounds like that is their choice. But it is actually up to the school whether they will participate in the program or not. The school is not required to participate. Is that your understanding?

Mayor WILLIAMS. Right, the schools are not required to participate. But I mean, if past experience is any indication, and certainly statements of educational leaders here in the city who would participate are any indication, there will be huge participation.

Mr. PLATTS. Let me point out one of my biggest concerns, and maybe I can come back in a second round here, but the focus, everything was about giving choice to parents and students. And the way I read the bill, first the Secretary has a choice of what programs are selected, the program has the choice of what schools to have participating and what students will be selected. But what troubles me the most is that the way I read the bill is a faith-based school could choose not to take any students except for scholarship students who share their faith. That they could discriminate based on their faith in their admission policy.

Mayor WILLIAMS. No, I understand the way this is structured as the Secretary and Congressman Boehner was saying the dollars follow the student, not with the school. So once a school agrees to participate in this program, now, that is the school's choice, but once they agree to participate in this program, they cannot discriminate.

Mr. PLATTS. In Section 8, Nondiscrimination, under religiously affiliated school, it says: "notwithstanding any other provision of law, the school participating in any program under this act which is operated by, supervised, controlled by, or connected to a religious organization may employ, admit, or give preference to persons of the same religion to the extent determined by that school to promote the religious purpose for which the school is established."

Chairman TOM DAVIS. I can address that. The admissions process will be taken out in the manager's amendment. That is a drafting error and it will be taken out.

Mr. PLATTS. That was one of the things that jumped out.

Chairman TOM DAVIS. The Mayor pointed that out to us yesterday as it was going through. We did not retrieve it, but that will be part of the—

Mr. PLATTS. I stand corrected, and it will be corrected I guess. I will come back if we have a second round.

Chairman TOM DAVIS. I think we only have 5 more minutes, Ms. Norton has had a second round. So I will end with Mr. Carter. Do you want to ask any questions? Judge Carter.

Mr. CARTER. I will accept it and yield my time to Mr. Platts.

Chairman TOM DAVIS. Take it out of my 5 minutes. You are recognized.

Mr. PLATTS. Thank you, Mr. Chairman. The points I raise said are I think everyone wants to do right by children, and my concern is if you are going to have a choice program, that the choice actually resides with parents and students, not with others. And that is of concern to me whether this actually does that. I appreciate your time, Mr. Mayor. And Mr. Chairman, I appreciate your indulgence.

Chairman TOM DAVIS. I don't know how else you draft legislation to give choice to parents except we set criteria. And in one sense the program chooses the parents, and they have to have kids who come from school districts that are nonperforming and that are poor. And unfortunately, we probably have more of those children in this school system that want to take advantage of these scholarships than we have spaces available. So that would go to a lottery. Isn't that correct, Mr. Mayor?

Mayor WILLIAMS. That is correct.

Chairman TOM DAVIS. I wish we could get a larger authorization for this than \$15 million. I also want to state again that this is part of a package that I think will, upon completion of the appropriation process, will find increases of a like amount for the public school system and the for the charter school system. This is added value for the school system. This is not subtracting. And that makes it different from some of the other lottery proposals that have been on the ballots in other States and the like. We have tried to meet some very legitimate concerns raised by members. It is impossible to meet all of them. There are ideological views that we shouldn't be doing this at all. And to those people, we will never satisfy their concerns.

I think the key is, as the Mayor pointed out, the kid who is in third grade next year will never get another shot at third grade. And if the public school cannot perform and meet those expectations, what are we to do but to give them the choices that the members of the city council and Members of Congress and wealthier members of the District of Columbia exercise.

Ms. NORTON. Will the gentleman yield for a minute? It is not an adversarial point at all.

Chairman TOM DAVIS. Happy to yield.

Ms. NORTON. I just want to say for the record that we have been able to get extra money for charter schools in the past, and I worked my little behind off last year to get \$17 million extra money. First it was \$20 and then there was across-the-board cuts for everything. Because the charter school folks were absolutely out of their skulls with the facilities.

And so I have my doubts about the House, because we were able to get extra money because the Senate has been so impressed with what has happened to charter schools. And I certainly will make every attempt to repeat that. But I do want to say if that is repeated, that is the kind of thing we have been able to do often. I mean if that is your three-sector approach—going to the Appropriation Committee and seeing if you can get them to come up with some extra dollars every time—I do not think you have a three-sector approach.

And I also want to say this for the record, that this money should not come out of the shallow amount that has been set aside in each appropriation already for your priorities, Mr. Mayor, including storm water runoff and the like. And my greatest fear is that, you know, a little bit of change will be thrown in for the charter schools, but it will come right out of your own pocket, so it will rob Peter to pay Paul and we have to struggle to make sure that does not happen.

Chairman TOM DAVIS. Before I give the Mayor an opportunity to respond, I want to make it clear from my perspective when the package is completed, when it has gone through the House and the Senate and the conference and everything else, I think we will see additional money for the public school system that would not be there, additional money for charter schools over and above the \$17 million that you got last year and money for this. A three-pronged approach. This is something that I think the Mayor has said he would like to see all of it together. The problem is this is an authorization bill for one sector. The other two segments are authorized. Those are appropriation issues and whatever issues we may have in the House, we have a Senate and an administration that I think stands behind that. And I think this is a win-win for the D.C. students.

Let's remember at the end of the day what this is about. It is not about a school system. It is not an ideology. It is about 60,000 some kids in the D.C. public school system today who are not getting the opportunities to learn that the rest of us do around the world, across the river in Fairfax County or over in Montgomery County, and changing that school system, the public school system. And strengthening that system takes time. We have made some progress, as the Mayor noted in his remarks, but I think this helps strengthen the public school system, and in the meantime, a stop-gap for giving those kids opportunities next year that they wouldn't have otherwise. That is what we are trying to do. It is about kids.

And I don't know how any Mayor, and I will ask you this Tony, how would you look people in the eye turning your back on an additional \$15 million for the city that they couldn't have otherwise and the opportunities, when there is a waiting list of thousands of kids to do this?

Mayor WILLIAMS. Again, I think Congressman, if you are trying to lift people up or you are trying to attract people to your city, you need to provide more choices. That is what I hear over and over again. And it would be very difficult for me to go to people and say I am going to turn down this extra money for some, you know, ideological reason or some reason like that.

I have heard over and over again, this notion that we are taking money that could otherwise be used to help all of the students for just a few students. First of all, this is extra money, and also if I was sitting in an emergency room and 10 people came into my emergency room and I could treat these 10 people and save them, I would do that. I wouldn't say to these 10 people that with the money I am going to use to treat you, I could use to go and find a cure for this disease. Yes, you have to find a cure for this disease but you have to help these 10 people. Yes, we want to and we are improving our schools, but we have an opportunity to help thousands of kids right now and we ought to do it.

Chairman TOM DAVIS. Mrs. Davis you had one last question?

Mrs. DAVIS OF VIRGINIA. Yes, Mr. Chairman. It is actually, I would like a point of clarification. I asked the question earlier about IDEA and Chairman Boehner answered it that the private schools would not have to comply. But as I read the draft bill on page 9, it says that nothing in this act may be construed to alter or modify the provisions of the Individuals with Disabilities Education Act. That tells me if private schools, if they accept these students, they would have to comply.

Chairman TOM DAVIS. No, I think the answer is they are not getting Federal aid, they are getting money directly from the kids. This is not money from the Federal Government to the schools. This is money from the Federal Government to the children who then choose the schools and the courts have issued that differentiation.

Mayor WILLIAMS. Congresswoman, that is a major difference. The dollars are with the students, not to the school.

Mrs. DAVIS OF VIRGINIA. And I hope that is the way it ends up being, because right now the private schools do not have the money to do it.

Chairman TOM DAVIS. That is the only way you get the true choice. Tony, I want to thank you, and I want to thank the Secretary. I know you have to go. It has been a very successful hearing. We will continue on this and probably move at a committee level to address this bill after the July 4th recess. The meeting is adjourned.

[Whereupon, at 4:05 p.m., the committee was adjourned.]

[The prepared statement of Hon. Wm. Lacy Clay and additional information submitted for the hearing record follows:]

Statement of the
Honorable Wm. Lacy Clay
Before the
Government Reform Committee
Tuesday, June 24, 2003

“School Choice in the District of Columbia: Opening Doors for Parents and Students”

Mr. Chairman passing the D.C. Parental Choice Incentive Act of 2003 is not in the best interest of the parents and students who rely on public education in the District of Columbia. The proposed act would allow a voucher program to be implemented under the guise of being a scholarship program. The act would rob public the public school system of needed funding and public support. It would also harm the quality of education at public schools. Because vouchers do not cover the entire amount of tuition at private schools, these schools would still be out of reach of poorest students. Additionally, vouchers could violate the Equal Protection Clause of the Fourteenth Amendment because they provide taxpayer funds to institutions that may discriminate on the basis of race, religion, disability, or socioeconomic status.

There is know disagreement about the urgent need to reform the D.C. school system. However, reform should start by establishing realistic system-wide goals and standards. Standards should be set and measured over time to evaluate student performance.

Proponents have indicated that the D.C. Parental Choice Incentive Act of 2003 would provide scholarship assistance to students and not the schools.

Frankly only a small number of students would actually benefit from the implementation of such a program.

If we can all agree that there is a definitive need for reform I would suggest that it start with the improving teacher performance in the classroom, followed closely by reinforcing relationships between parents and teachers.

Finally, the standards of accountability to which public schools are held in the No Child Left Behind Act simply do not apply to private schools that participate in voucher programs. I ask unanimous consent to submit my statement into the record.

D.C. Public Charter Schools
Facilities Needs

Scheduled to Open, 9/03	Year of Operation	Facilities Needs
LAYC Bilingual Montessori PCS Contact: Christina Encinas, Director (202) 526-8238	NEW	LAYC is close to signing a lease on the Military Road School, a surplus building. The Lease is for 20 years with an option to purchase. The school will open in Fall 2003 in the Church of the Redeemer, 1725 Michigan Avenue N.E.
Mechanical, Industrial and Technical PCS Contact: Bernard Gray, Founder (202) 610-5300	NEW	M.I.T. must locate a facility to house 225 students for the '03-'04 school year. They would prefer non-traditional space (warehouse) because of a need for open spaces for technical/trade education, and prefer to locate in wards 2, 5, 7, or 8. Currently, they have identified a warehouse building at Benning and Minnesota Ave, NE which they would like to occupy and are trying to work out a deal to purchase or lease this facility.
DC Preparatory Academy PCS Contact: Emily Lawson, Founder (202) 362-7441	NEW	D.C. Prep Academy will be in the chapel of the Soldiers' and Airmen's Home in SY 2003-2004, and then is scheduled to move into permanent space in another building at the Home in SY 2004-2005.
Auto Arts Academy PCS Contact: Larry Riccio, Founder (202) 261-0217	NEW	Auto Arts Academy must locate a building with approximately 30,000 sq.ft. for an opening date in either 9/03 or 9/04, depending on their ability to locate a building. They prefer to locate near the city center and plan to showcase cars and artwork, as well as house a small museum. They currently have put in a proposal for the Franklin School at 13th and K Streets, NW.
Eagle Academy PCS Contact: Joe Smith, Consultant (202) 288-0008	NEW	Eagle Academy has just signed a 9-year sublease in space leased by Washington Math Science and Technology PCS in the Blue Castle Building.

Existing Schools	Year Of Operation	Facilities Needs
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**D.C. Public Charter Schools
Facilities Needs**

<p>Booker T. Washington PCS Contact: Ed Pinkard, Founder (202) 903-9068</p>	<p>4th</p>	<p>Booker T. must have new facility for the '04-'05 school year to accommodate 250 students. School administrators would also like the new facility to include space for both a day-care program and a residential component for some of its day students. The school also must have space that will accommodate large workshop areas for technical/construction trade instruction. They have no geographical preference.</p>
<p>Cesar Chavez PCS Contact: Rich Delaney, Board Chair (202) 715-0523</p>	<p>5th</p>	<p>Chavez must have new facility for the '04-'05 school year to accommodate 240 students. Chavez would prefer to remain in the NW sector of the city, but finding a building to accommodate their needs is the top priority. They would also prefer to occupy a traditional school space.</p>
<p>Community Academy PCS Contact: Wendell Butler, CEO (202) 723-4100</p>	<p>5th</p>	<p>CAPS has signed a contract to buy the Armstrong Building, a DCPS surplus building. Settlement is expected for the end of June.</p>
<p>Elsie Whitlow Stokes PCS</p>	<p>5th</p>	<p>Stokes is planning to add a middle school and needs additional space. It leases its current space and may not be able to expand there.</p>
<p>Friendship-Edison</p>	<p>5th</p>	<p>Friendship wants to expand into a 5th campus.</p>

**D.C. Public Charter Schools
Facilities Needs**

<p>Hyde Leadership PCS Contact: Joe Gaud, Founder (207) 443-7381</p>	<p>5th</p>	<p>At a minimum, Hyde must have a new facility for '04-'05 school year to accommodate 250 elementary-school students. While Hyde would prefer to occupy a traditional school facility, it will consider a non-traditional facility that can be quickly renovated. Although it has no geographical preference, Hyde is seeking a facility close to a Metro stop or major bus line. Ideally, Hyde wishes to accommodate K-12 (1,000 students) in one facility.</p>
<p>Ideal Academy PCS Contact: Pauliete Bel-Imani, Founder (202) 726-0313</p>	<p>4th</p>	<p>Ideal must locate a new facility for the '03-'04 school year to accommodate 300 students. They would prefer to remain in the upper NW/NE areas of D.C. (Wards 4 and 5). Ideal currently has a lease at Rabaut which runs out at the end of this school year. Although this lease is renewable, they must move next year because they will outgrow the capacity of their space at Rabaut.</p>
<p>KIMA PCS Contact: San Richey, Principal (202) 723-7886</p>	<p>3rd</p>	<p>KIMA is currently in negotiations with the D.C. Office of Property Management to sign a 3-year lease at Rabaut. They expect this lease to be signed soon. If signed, this lease will provide adequate space for KIMA until the '07-'08 school year. However, they would like to purchase or take a long lease on a facility as soon as possible, since the lease at Rabaut is expensive. They are primarily looking for a space to hold 150 students in the upper NW/NE quadrant of D.C.</p>
<p>Marriott Hospitality PCS Contact: Cheryl Smith, vice-principal (202) 737-7010</p>	<p>3rd</p>	<p>Marriott is seeking a new facility for the '03-'04 school year to accommodate 200-250 students. School administrators would prefer to find a space in NW D.C., as close to the downtown area as possible. They are willing to purchase and renovate an existing non-traditional school facility, and must have a large commercial kitchen in any facility they occupy.</p>
<p>Maya Angelou PCS Contact: David Domenici, Founder (202) 839-9080</p>	<p>5th</p>	<p>Maya Angelou is seeking to purchase a new facility for the '03-'04 school year to accommodate 80 students. This facility would serve as a second campus for the school, allowing them to expand their student population from 80 to 160. School administrators hope to include both residential living quarters and classroom spaces in the new facility.</p>

D.C. Public Charter Schools
Facilities Needs

<p>Meridian PCS Contact: Tim Daniels, Mid-Atlantic Regional Director for Chancellor Beacon (484) 356-0191</p>	<p>5th</p>	<p>Meridian is seeking a new facility for the '03-'04 school year to accommodate 500-600 students. They would prefer to remain in Ward 1. Ideally, they would like to remain at their current location, and expand into the parts of that facility currently occupied by Booker T. Washington and Cesar Chavez. If either of those two schools were to find a new facility, Meridian and the remaining school could comfortably expand into the left over space.</p>
<p>Sasha Bruce PCS Contact: Delores Scott, Founder (202) 675-9354</p>	<p>2nd</p>	<p>Sasha Bruce will move for SY 03-04 from its current space to leased space in the Kingsman building, which is owned by CSDC</p>
<p>Tree of Life PCS Contact: Ngozi Williams, Founder (202) 543-3682</p>	<p>3rd</p>	<p>Tree of Life must have a few facility for the '03-'04 school year to accommodate 150 students. Because they need space for next year, Tree of Life would prefer to occupy a traditional school space. They would also consider co-purchasing (and co-locating in) a larger facility with another small school. They prefer to remain in Ward 6-7, near the Capital Children's Museum, where they are currently located.</p>
<p>Tri-Community PCS Contact: Joe Smith, Consultant (202) 288-0008</p>	<p>1st</p>	<p>Tri-Community is leasing temporary space for 1-2 years at the Soldiers' and Airmen's Home, and then will move into permanent space at the Home.</p>

FOCUS DRAFT FACILITIES SURVEY
9/1/02

School Name	New Facility for SY '02-'03	New Facility for SY '03-'04	New Facility for SY '04-'05
Booker T. Washington PCS			x
Cesar Chavez PCS		x	
Community Academy PCS		x	
Hyde Leadership PCS		x	
Ideal Academy PCS		x	
KIMA PCS		x	
LAYC Bilingual Montessori PCS		x	
Marriott PCS		x	
Maya Angelou PCS		x	
Meridian PCS		x	
Next Step PCS		x	
Options PCS			x
Sasha Bruce PCS		x	
Southeast Academy PCS			x
Tree of Life PCS		x	
Tri-Community PCS		x	
New BOE PCS **		x	
New PCSB PCS **		x	
New BOE PCS **			x
New PCSB PCS **			x

** - this space is included in anticipation of each chartering authority approving at least one new PCS this year and next year

Schools possibly needing space not yet included in this survey: Village Learning Center PCS, Thurgood Marshall Academy

FOCUS DRAFT FACILITIES SURVEY
9/1/02

	SY For New Facility	Expansion through SY '04-'05	Ward/Neighborhood Desired
Booker T. Washington PCS	SY '04-'05	250	none
Cesar Chavez PCS	SY '03-'04	240	NW DC
Community Academy PCS	SY '03-'04	800	Ward 4/5
Hyde Leadership PCS	SY '03-'04	1000	none
Ideal Academy PCS	SY '03-'04	280	Ward 4/5
KIMA PCS	SY '02-'03	150	Upper NW/NE DC
LAYC Bilingual Montessori PCS	SY '03-'04	48	Columbia Heights/Ward 4
Marriott PCS	SY '03-'04	250	NW DC
Maya Angelou PCS	SY '03-'04	160	n/a
Meridian PCS	SY '03-'04	525	Ward 1
Next Step PCS	SY '03-'04	100	Columbia Heights/Ward 4
Options PCS	SY '04-'05	300	none
Sasha Bruce PCS	SY '03-'04	250	Capitol Hill/Ward 6/7
Southeast Academy PCS	SY '04-'05	1000	Ward 8
Tree of Life PCS	SY '03-'04	150	Capitol Hill/Ward 6/7
Tri-Community PCS	SY '03-'04	200	Upper NW/NE DC (Petworth)
New BOE PCS **	SY '03-'04	n/a	n/a
New PCSB PCS **	SY '03-'04	n/a	n/a
New BOE PCS **	SY '04-'05	n/a	n/a
New PCSB PCS **	SY '04-'05	n/a	n/a

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Schools possibly needing space not yet included in this survey: Village Learning Center PCS, Thurgood Marshall