



## **DON'T BE FOOLED:**

### **Ten Reasons Why Nevada's Education Savings Accounts Are Bad News for Public Schools and Students**

**LAS VEGAS, NV (March 14, 2016)** – Did you know that Education Savings Account (ESA) vouchers are deducted directly from the public school budget, putting every public school child further at risk? It's true.

Proponents of Senate Bill 302 (SB 302), the ESA law, argue that universal vouchers will save Nevada's public education system. Every voucher recipient, who qualifies by enrolling their child in a public school for 100 days, is entitled to receive \$5,100 - \$5,700 to apply towards private school tuition or educational uses, such as computers, curriculum, tutors and more, so long as parents withdraw their children from public schools. ESAs are funded by deducting 90% of the voucher amount from the public education budget. Proponents proclaim that when parents are provided with a voucher that takes money away from public schools, education for all children will improve.

They couldn't be more mistaken. While individual children might benefit by having their private school tuition and other educational expenditures subsidized by taxpayers, public education as a whole would suffer.

Here are ten reasons why the ESA voucher program is bad news for Nevada's 460,000 children who depend on public education:

**1. SB 302 Is Unconstitutional.**

SB 302 is unlawful under the Nevada Constitution. Judge James Wilson noted in his January 11, 2016, decision in *Lopez v. Schwartz*, that SB 302 fails because **private school vouchers are funded by siphoning money away from public schools**. The Nevada Constitution is clear that when the Legislature sets a budget for public schools, those funds are lock-boxed and cannot be touched by the Legislature for other uses. ESAs would violate this constitutional prohibition by breaking the public education lockbox and emptying it out for private uses. We've outlined other possible constitutional violations [on our website](#).

2. **Nevada's Public Schools Are Already Underfunded.**

The Silver State's public education system is facing serious performance obstacles. Nevada's school funding is one of the most unfair in the country. **Stripping funds away from an already critically low budget will only worsen the performance crisis in public schools** and make it difficult to implement the Governor's ambitious agenda to improve education, passed by the Legislature in 2015.

3. **Most Low-Income Families Will Not Benefit from SB 302.**

Most low-income families will not be able to access private school options, even with the voucher subsidy, because **very few private schools charge tuition of \$5,100 or less**. Moreover, even if tuition is covered, low-income families will struggle to cover the added costs associated with transportation, uniforms and other admission fees. Only a handful of private schools in Nevada are located in low-income areas. Reflecting that private schools are out of reach for most Nevadans, ENN's analysis [on our website](#) shows that **80% of ESA pre-applicants live in Nevada's most affluent zip codes**.

4. **SB 302 Could Lead to Fraud.**

SB 302 was rushed through at the end of session, and contains few safeguards to ensure that vouchers are actually used for education services, as intended by law. The Treasurer must audit at least 10% of voucher accounts, but that may not be sufficient to catch parents who enroll in the program and use taxpayer vouchers to make inappropriate purchases. It will also be **difficult to evaluate whether claimed expenses are actually being used for their intended purposes**. The lack of oversight leaves the voucher program susceptible to fraud and misuse.

5. **English Language Learners Will Struggle to Use ESAs.**

One out of three students in Clark County School District are either current or former English Language Learners (ELLs), meaning that these students do not speak English as a first language. **Private schools are not prohibited from discriminating against ELL students**. Very few, if any, private schools offer special instruction for ELL students. ELL students require highly trained teachers to help them rapidly acquire academic English and not fall behind in school.

6. **Teacher Vacancies Will Persist.**

Clark County School District currently has 600 teacher vacancies. If SB 302 is implemented, **millions of dollars will be deducted from public schools on a quarterly basis, which will inevitably force budget cuts and hinder efforts to recruit and retain teachers**. To put it into perspective, if parents challenging the constitutionality of SB302 in *Lopez v. Schwartz* had not won an injunction barring the implementation of the ESA program, Clark County public schools alone would have been forced to cut an estimated \$17 million starting March 2016.

7. **ESAs Will Fund a Separate Education System, Not Accountable to Taxpayers.**

Unlike public schools, private schools can choose to be highly selective in who they admit, and can freely determine course of studies. This will not change even though these private schools will benefit from Nevada taxpayer dollars. The only provision requiring accountability in SB 302 is that private schools must *select* a test that is standardized. With such lax standards, **the public will be unable to compare performance of private schools against each other, and against public schools.**

8. **ESAs Don't Ensure Private Schools Provide a Quality Education.**

**Private schools under Nevada's ESA program are exempt from teacher accreditation requirements, or implementing state approved academic standards.** While some private schools might devise a course of study for a child that is excellent, there is no guarantee that individual private schools will provide school leadership, curriculum or trained teachers that ensure a quality education.

9. **States With ESAs Report Negative Results.**

The National Bureau of Economic Research found that **Louisiana students who receive state-funded vouchers perform worse in private schools, citing a 50% increase in the likelihood of a voucher student receiving a failing test score.** There is no evidence to date that ESA-like vouchers provide a route to better education for students. By contrast, Nevada public school students already enjoy choices that have been shown to provide solid academic results, such as highly-rated charter schools, magnet schools, and career and technical academies.

10. **ESAs Will Lead to Further Segregation in Clark County.**

Four- and five-star schools are almost all in Clark County's high-income suburbs populated by predominantly white and Asian families. **By facilitating the more affluent families to attend elite private schools with taxpayer ESA subsidies, the public school system will become more concentrated with poor and minority families.** Clark County's one- and two-star underperforming schools are already the schools most likely to service low-income families. With ESAs, this class and social divide will become even more attenuated. ESAs threaten not only public education, but also the very fabric of our community.