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## **Educate Nevada Now - Testimony on Senate Bill 302**

Educate Nevada Now (ENN) is a state-wide coalition dedicated to school funding reform to ensure all Nevada students receive adequate resources and an equal opportunity to succeed. Since adequate funding and accountability measures are key to this success, ENN is alarmed by the implementation of Education Savings Accounts (ESA) authorized under Senate Bill 302.

ESA requires the State Treasurer to transfer funds appropriated by Legislature to operate Nevada public schools to pay for private and religious schools, and array of other services, fees or other expenses provided by any for-profit or non-profit "participating entity." Over time, ESA's will divert substantial amounts of public school funding from school district budgets to support private schools and other service providers with no fiscal or educational accountability to taxpayers, parents and students.

ESA's will impact Nevada public school children in three ways:

### **1. The program will reduce public school funding and resources.**

Even after a legislative session that increased funding for K-12 education, Nevada still substantially underfunds its public schools. For example, the Guinn Center estimates approximately \$1.5 billion dollars is still needed to adequately fund education. Studies commissioned by the Legislature, and other national reports, document the underfunding of public education, especially for students who are poor, academically at-risk, in need of English language instruction and special education services.

It is clear that ESAs will exacerbate the funding crisis by triggering an outflow of taxpayer funds appropriated for public school budgets. Districts will only struggle more to provide appropriate services and resources, such as quality teachers, reasonable class sizes, English language instruction, gifted and talented education, and help for at-risk students. Even though some costs will leave with students participating in ESA, many fixed costs - providing teachers, maintaining building, offering rigorous curriculum - will continue to impact budgets.

### **2. ESA, by design, will increase student segregation and isolation in public schools.**

ESA does not require private and religious schools to accept every student. Participating entities may discriminate based, language ability, low-economic status, academic ability, disability, or other factors. If charter schools are any indication, ESA will serve

disproportionally few students with disabilities, students in poverty, students learning English, than public schools in serving the same communities.

Because the ESA allocation will likely not cover all full cost of private or religious schools, only those families that can afford the remaining cost for tuition, fees, books, uniforms, and transportation will benefit from ESAs. With no household income limit for ESAs, wealthier households will likely take advantage of the funding while students who are most in need and more costly to educate will remain in the underfunded public school system. For this, and other reasons, ESAs will increase the isolation and segregation of public school students on race, socio-economic status, disability, language and other special needs factors.

### **3. Private schools, religious schools, and other entities accepting ESA funds will face little to no accountability.**

Public schools, as part of a “uniform system of common schools” mandated by the Nevada Constitution, must comply with a range of education standards and fiscal accountability measures to academic quality, performance and effective and efficient use of all public school funding, from both state and local revenue sources. There is no evidence that the private and religious schools, online schooling or other private services paid for through ESAs will produce better education outcomes for children. More troubling, SB302 exempts private schools and entities paid through ESAs from meeting the rigorous education content, assessment, teacher effectiveness and other requirements imposed by the Legislature to ensure uniformity and quality in the public schools. For example, students are not required to take the same exams or follow the same standards, teachers don’t have to be certified, and parents have no protection from underperforming or non-performing private schools and entities.

Even worse, SB302 does not protect children and parents from discrimination based on race, gender, disability, sexual orientation, gender identity or expression, and disability. Private schools, entities and providers accepting ESA funds are exempt from adhering to these basic protections, despite receiving public funds. Instead, these participating schools and entities can select or remove students as they choose, based on whether they fit their religious or secular mission, culture, and program.

There can be no question that ESAs will harm, not benefit, Nevada’s public school children and will undermine the efforts of public schools teachers, administrators and parents to improve outcomes for all students, including at-risk children. In short, given the design and intent of SB302, regulations cannot address these fundamental defects and tragic consequences for our state’s 450,000 public school children. Rather than proceed to rulemaking, we urge the Office of the State Treasurer and Governor to reconvene and repeal this deeply flawed legislation.