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District of Columbia Opportunity Scholarship Program (DC OSP): Overview, Implementation, and Issues

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SUMMARY

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District of Columbia Opportunity Scholarship Program (DC OSP): Overview, Implementation, and Issues

The District of Columbia Opportunity Scholarship Program (DC OSP) is the only federally funded voucher program for elementary and secondary education. It operates exclusively in the District of Columbia. The Consolidated Appropriations Act, 2004 (P.L. 108-199), which included the FY2004 District of Columbia Appropriations Act, also included the now-repealed DC School Choice Incentive Act of 2003. The DC School Choice Incentive Act initially authorized the DC OSP. Appropriations were authorized for FY2004 through FY2008. The DC OSP provides scholarships to eligible students to attend a participating private elementary or secondary schools, and is administered by the U.S. Department of Education (ED).

The FY2004 appropriations act provided funding for the DC OSP for the first time and also, for the first time, provided funding for District of Columbia Public Schools (DCPS) for the improvement of public education, and funding for the District of Columbia State Education Office for public charter schools. Funding for DCPS and public charter schools was not addressed in the DC School Choice Incentive Act of 2003. However, for every year that Congress has provided funding for the DC OSP, it has also provided funding for the DC public schools and DC public charter schools. The provision of federal funds for the DC OSP, DC public schools, and public charter schools is commonly referred to as the "three-pronged approach" to supporting elementary and secondary education in the District of Columbia.

Reauthorization

The DC OSP has been reauthorized twice. It was reauthorized by the Scholarships for Opportunity and Results (SOAR) Act (P.L. 112-11) in 2011, which also repealed the DC School Choice Incentive Act of 2003. The SOAR Act authorized appropriations from FY2012 through FY2016 for the DC OSP, DC public schools, and DC public charter schools. The DC OSP was subsequently reauthorized by the SOAR Reauthorization Act (P.L. 115-31), which amended the SOAR Act and extended the authorization of appropriations for the DC OSP, DC public schools, and DC public charter schools through FY2019. Changes to the DC OSP have also been made primarily through appropriations acts in the intervening fiscal years. For FY2019, $52.5 million was appropriated for the SOAR Act, with $17.5 million each provided to the DC OSP, DCPS, and the DC State Education Office.

Participation

Based on data available from Serving Our Children, the current local DC OSP administrator, since the program's inception in the 2004-2005 school year, over 21,057 applications have been submitted, and over 8,400 scholarships have been awarded. For the 2017-2018 school year, over 3,900 applications for scholarships were received from new applicants and returning students. Over 1,650 students received and used a scholarship at 44 of 48 participating private schools that school year. While the value of the scholarship has changed over time, for the 2018-2019 school year students may receive up to $8,857 to attend a participating private elementary or middle school and up to $13,287 to attend a participating private high school.

Evaluation

The DC OSP has been evaluated by two federal agencies: the Department of Education (ED) and the Government Accountability Office (GAO). The evaluations conducted by these two agencies differed considerably in terms of purpose and scope. ED evaluated the participation of schools, parents, and students in the DC OSP, as well as the effectiveness of the program on student achievement and other outcome measures. GAO evaluated certain accountability mechanisms and whether they were operating as intended, such as the program's use of funds and general adherence to statutory requirements. GAO also evaluated how ED and the District of Columbia fulfilled their roles and responsibilities for the DC OSP. The impact evaluations conducted by ED found mixed results.

These evaluations focused on four outcome measures: (1) reading and mathematics achievement, (2) parent and student satisfaction, (3) parent and student perceptions of school safety, and (4) parental involvement. The GAO evaluations revealed issues with the way the DC OSP was being administered by the first two local program administrators, as well as concerns about ED's oversight of the program.

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Introduction

Many of the disputes involving public education and school choice stem from a fundamental question of whether education is a public or private good. While education has historically been considered a public good, it has characteristics of both a public and a private good. That is, the benefits of education are both private, in that they accrue to individuals, and public, in that they promote a stable and democratic society and a prepared workforce.[1] However, the distinction between education as a private good and a public good may be blurred, as others benefit from the work produced by an individual and an individual benefits from living in a stable and democratic society. As some researchers have argued, "schooling takes place at the intersection of two sets of rights, those of the family and those of the society."[2] Parents have the right to raise their children in the manner they deem most suitable, including making decisions about their education, while a democratic society uses education "as a means to reproduce its most essential political, economic, and social institutions through a common schooling experience."[3]

There are many forms of school choice and mechanisms used to facilitate choice, including intradistrict and interdistrict public school choice, public charter schools, magnet schools, vouchers, tax credits/deductions, education savings accounts (ESAs), and homeschooling.[4] School choice efforts in some of these areas are supported by federal programs, such as the programs to support public charter schools and magnet schools that are authorized under the Elementary and Secondary Education Act (ESEA). The most controversial issues regarding publicly funded school choice have involved the provision of direct or indirect support to enable students to attend private schools, especially religiously affiliated private schools. Numerous bills related to the public funding of private school choice have been introduced over the past several Congresses, but most proposals have failed to be enacted.[5] An exception to this has been the District of Columbia Opportunity Scholarship Program (DC OSP).[6] The DC OSP provides scholarships (also known as vouchers) to students in the District of Columbia to attend participating private elementary and secondary schools, including religiously affiliated private schools. It is the only federally funded voucher program in the United States.

The Consolidated Appropriations Act, 2004 (P.L. 108-199), which combined six appropriations bills—including the FY2004 District of Columbia Appropriations Act—authorized and appropriated funding for the DC OSP. The DC OSP was established under DC School Choice Incentive Act of 2003, which was included in P.L. 108-199. Appropriations were initially

[1] Milton Friedman, "The Role of Government in Education," in *Economics and the Public Interest*, ed. R.A. Solo (Rutgers University, 1955).

[2] Henry M. Levin, "The Public-Private Nexus in Education," National Center for the Study of Privatization in Education, Teachers College, Columbia University, NY, March 2000, p. 4.

[3] Ibid.

[4] For more information, see CRS In Focus IF10713, *Overview of Public and Private School Choice Options*.

[5] See, for example, in the 115th Congress, H.R. 610, H.R. 691, S. 235, and S. 2163; in the 114th Congress, H.R. 618, H.R. 4426, S. 265, and S. 316; and in the 113th Congress, H.R. 2252, H.R. 3977, S. 1968, and S. 2304.

[6] Another example of a federal program that supports the enrollment of students in private schools is the Coverdell Education Savings Account program. For more information, see CRS Report R42809, *Tax-Preferred College Savings Plans: An Introduction to Coverdells*. More broadly, Section 529 of the Internal Revenue Code confers through "529 Plans" certain incentives supporting tuition and expenses paid in connection with a student's enrollment at a public or private elementary or secondary school. For more information, see CRS Report R42807, *Tax-Preferred College Savings Plans: An Introduction to 529 Plans*.

authorized for FY2004 through FY2008. The program is administered by the U.S. Department of Education (ED).

The FY2004 appropriations act provided funding for the DC OSP for the first time and also, for the first time, provided funding for District of Columbia Public Schools (DCPS) for the improvement of public education, and funding for the District of Columbia State Education Office (SEO) for public charter schools. This approach, commonly known as the "three-pronged approach" to funding elementary and secondary education in the District of Columbia, was initially suggested by Mayor Anthony Williams when he asked for federal assistance for public education in the District of Columbia.[7] The proposal was supported by the George W. Bush Administration[8] and many Members of Congress. While concerns were raised during consideration of the DC School Choice Incentive Act of 2003 that only the DC OSP—not school improvement funding for DCPS or public charter schools—was authorized for five years, the federal government has also provided funds to support school improvement in DC public schools and DC public charter schools for each year that the DC OSP has been funded.

The DC OSP has been reauthorized twice. It was first reauthorized by the SOAR Act as authorized under Division C of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10). The SOAR Act replaced the DC School Choice Incentive Act of 2003, reauthorized the DC OSP, and authorized appropriations for DC public schools and DC public charter schools for FY2012 through FY2016. The program was subsequently reauthorized by the SOAR Reauthorization Act (P.L. 115-31), which amended the SOAR Act and extended the authorization of appropriations for the DC OSP, DC public schools, and DC public charter schools through FY2019. Many of the provisions included in the SOAR Act continue to be reflected in current law. Changes to the DC OSP have also been made primarily through appropriations acts in the intervening fiscal years. For FY2019, $52.5 million was appropriated for the SOAR Act, with $17.5 million each provided to the DC OSP, DCPS, and the DC State Education Office.[9]

This report begins with a detailed discussion of the provisions of the SOAR Act, as amended. Subsequent sections of the report discuss appropriations for the DC OSP, DC public schools, and DC public charter schools. This is followed by an examination of student and private school participation in the DC OSP. The next two sections discuss the local program management of the DC OSP and related evaluations conducted by the General Accountability Office (GAO), as well as the DC OSP impact evaluations that have been conducted by ED. The last section of the report examines the potential costs associated with discontinuing the DC OSP. Several appendices are also included. The first appendix provides information on scholarship[10] use (**Appendix A**). This is followed by appendices that provide information on private school participation in the DC OSP (**Appendix B**) and the impact evaluation reports (**Appendix C**), and a summary of the impact evaluation findings (**Appendix D**). This is followed by a glossary of the acronyms used in this

[7] For more information, see letter from Mayor Anthony Williams inserted into the *Congressional* Record, Senator Mike DeWine, "District of Columbia Appropriations Act, 2004," Remarks in Senate, *Congressional Record*, September 25, 2003, pp. S11954-S11955.

[8] For more information, see letter from Secretary of Education Rod Paige, inserted into the *Congressional Record*, Senator Mary Landrieu, "District of Columbia Appropriations Act, 2004," Remarks in the Senate, *Congressional Record*, September 26, 2003, p. S12044.

[9] Consolidated Appropriations Act, 2019 (P.L. 116-6).

[10] While the DC OSP is a federally funded voucher program, the funds made available for students to attend participating private schools are referred to as scholarships in statutory language. Thus, for the purposes of this report, the vouchers are referred to as scholarships.

report (**Appendix E**). The final appendix provides the legislative history of the program, beginning with initial enactment through FY2018 appropriations (**Appendix F**).

While the SOAR Act provides funding for scholarships for students to attend participating private elementary and secondary schools as well as funding for DC public schools and DC public charter schools, the focus of this report is on the DC OSP. Some attention will be given to the current requirements related to the funds provided to DC public schools and DC public charter schools and how much funding has been provided each fiscal year, but no attempt will be made to provide comprehensive information about the use of or requirements related to these funds.

Current Legislative Provisions

This section of the report provides an overview of the SOAR Act, which was most recently comprehensively reauthorized by the SOAR Reauthorization Act. It includes a discussion of the legislative provisions related to the DC OSP as well as requirements related to funding provided for DC public schools and DC public charter schools. An overview of the legislative history of the DC OSP is included in **Appendix F**.

Findings and Purpose of the Program

Section 3002 includes congressional findings related to the SOAR Act that discuss parental school choice, the inadequacy of public school choice in the District of Columbia, student performance on the National Assessment of Educational Progress (NAEP) and per-pupil expenditures in the District of Columbia, the DC School Choice Incentive Act, interest in the DC OSP and evaluation findings, and congressional commitment to continuing the DC OSP as part of a three-pronged funding strategy that also includes DC public schools and DC public charter schools.

Section 3003 includes the stated purpose of the SOAR Act. The purpose of the program is to provide low-income parents residing in DC, particularly those with a child attending an elementary or secondary school that has been identified as one of the lowest performing schools under DC's accountability system,[11] with "expanded options" for enrolling their child in other DC schools. The program is intended to continue to operate until public schools in DC "have adequately addressed shortfalls in health, safety, and security," and DC students are testing at or above the national average in reading and mathematics.

For the purposes of the DC OSP, an "eligible student" is a student who is a DC resident and comes from a household that is receiving assistance under the Supplemental Nutrition Assistance Program (SNAP)[12] or whose income does not exceed either (1) 185% of the poverty line, or (2) for a household with a child participating in the DC OSP in the preceding year or under the DC School Choice Incentive Act while it was still in effect, 300% of the poverty line. The DC OSP also uses the term "participating eligible student." This refers to an eligible student who was awarded a scholarship *regardless* of whether the student uses the scholarship to attend a participating private school.

[11] While not explicitly stated, this appears to be a reference to academic accountability systems that states had to develop as a condition of receiving funds under Title I-A of the Elementary and Secondary Education Act (ESEA). For more information, see CRS In Focus IF10556, *Elementary and Secondary Education Act: Overview of Title I-A Academic Accountability Provisions*.

[12] For more information about SNAP, see CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*.

Entities Eligible to Administer DC OSP at the Local Level

The Secretary of Education (hereafter referred to as the Secretary) is required to award a competitive grant to one or more eligible entities with approved applications to implement a program to provide eligible students with expanded school choice options. For the purposes of the DC OSP, an "eligible entity" is defined as a nonprofit organization or consortium of nonprofit organizations. The Secretary may award one grant or multiple grants based on the quality of the applications submitted and the DC OSP's priorities. Grants may be awarded for no more than five years. Since the inception of the DC OSP, the Secretary has only awarded a grant to one eligible entity at a time. For the purposes of this report, the eligible entity is also referred to as the local program administrator.[13]

In implementing the DC OSP, the Secretary is prohibited from limiting the number of eligible students receiving scholarships and may not prevent an otherwise eligible student from participating in the program based on any of the following three criteria:

1. The type of school the student previously attended (e.g., a student already enrolled in a private school is eligible to apply for a scholarship).
2. Whether or not a student has previously received a scholarship or participated in the DC OSP, regardless of the number of years since the student was awarded a scholarship or participated in the DC OSP.
3. Whether or not the student was a member of the control group used by the Institute of Education Sciences (IES)[14] to carry out previous DC OSP evaluations.

To receive a grant, an eligible entity is required to submit an application that includes a detailed description of how the entity will do the following:

- address the program priorities (see subsequent discussion);
- ensure that a random selection process, which gives weight to the priorities discussed below, will be used if more eligible students apply for a scholarship than can be accommodated in the DC OSP;
- ensure that if more participating eligible students seek enrollment at a participating private school than the school can accommodate, the school will use a random selection process to select participating eligible students;
- notify parents of eligible students about the availability of expanded choice opportunities to enable parents to make informed decisions;
- carry out activities to provide parents of eligible students with expanded choice options by awarding scholarships;
- determine the amount that will be provided to parents for the payment of tuition, fees, and transportation expenses, if applicable;[15]

[13] "Local program administrator" is used to distinguish the eligible entity from ED, which is the program administrator from a legislative perspective. In addition, the report references a single eligible entity. While ED could decide in a subsequent grant competition to award a grant to multiple entities, to date, the DC OSP has only had one eligible entity at a time serving as the local program administrator.

[14] IES is a research institute housed in the U.S. Department of Education (ED) that functions separately from ED.

[15] The local program administrator determines the amount of funding that will be provided to each scholarship recipient up to the maximum amount allowed by law. This amount, however, may not exceed the amount of funds needed for tuition, fees, and transportation expenses, if applicable.

- seek out private elementary and secondary schools in DC to participate in the program;
- ensure that each participating private school will meet the reporting and other program requirements;
- ensure that each participating private school will submit to site visits by the eligible entities as determined necessary by the eligible entity;
- ensure that participating schools are financially responsible and will use the funds received effectively;
- ensure the financial viability of participating private schools in which 85% or more of all students enrolled in the school are participating eligible students that use a scholarship;
- address the renewal of scholarships for participating eligible students, including continued eligibility;[16]
- ensure that a majority of its voting board members or governing organization are DC residents; and
- ensure that it utilizes internal fiscal and quality controls and complies with applicable financial reporting requirements and DC OSP requirements.

In its application, the eligible entity must also provide an assurance that it will comply with all requests related to any evaluation carried out in compliance with the DC OSP evaluation requirements.

In determining grant awards to eligible entities, the Secretary must give priority to applications that will most effectively do three things. First, in awarding scholarships, the eligible entity must give priority to two types of students—(1) an eligible student who, in the school year preceding the school year for which the eligible student is applying for a scholarship, attended an elementary or secondary school identified as one of the lowest-performing schools under DC's accountability system[17]; and (2) students whose household includes a sibling or other child who is already participating in the program of the eligible entity, regardless of whether such students have previously been assigned to a DC OSP evaluation control group or have previously attended a private school. Second, the eligible entity must effectively target resources to students and families that lack the financial resources to take advantage of educational options. Third, the eligible entity must provide students and families with the widest range of educational options.

Use of Funds

Section 3007 includes requirements for the use of funds. An eligible entity is required to use the grant funds to provide eligible students with scholarships to pay tuition, fees, and transportation expenses (if applicable) to enable the eligible student to attend the participating private school of his/her choice.[18] The eligible entity is required to ensure that the amount of tuition and fees charged by a participating school for an eligible student participating in the DC OSP does not exceed the amount of tuition and fees charged by such school to students who do not participate

[16] Section 3007(a)(6) requires the eligible entity to treat a participating eligible student who was awarded a scholarship in any prior year, regardless of whether the student used the scholarship, as a renewal student and not as a new applicant.

[17] See footnote 11.

[18] The SOAR Act specifies that this provision is effective beginning in school year 2011-2012, which was the first full school year following enactment of the SOAR Act.

in the DC OSP. In using the grant funds to provide scholarships, the eligible entity is required to make scholarship payments to the parent of an eligible student participating in the program in a manner which ensures that the funds will be used to pay tuition, fees, and applicable transportation expenses.

With respect to the scholarship amount, in addition to the other DC OSP requirements, the eligible entity is permitted to provide larger scholarships to eligible students with the greatest need. For the 2011-2012 school year, scholarship amounts were capped at $8,000 for kindergarten through 8th grade and at $12,000 for grades 9-12. The Secretary is required to adjust these amounts annually for inflation.[19] For the 2018-2019 school year, scholarship amounts are up to $8,857 for elementary and middle school and up to $13,287 for high school.[20]

The Secretary is required to make $2 million of the amount appropriated for the DC OSP each fiscal year available for the eligible entity to use to cover specific expenses. Funds can be used to cover administrative expenses including, for example, determining student eligibility to participate, selecting eligible students to receive scholarships, determining the scholarship amounts, maintaining records, and conducting site visits. They also include the cost of conducting a study, including a survey of participating parents, on any barriers participating eligible students experienced in gaining admission to or attending their first choice participating private school. The results of this study were required to be submitted to Congress no later than the end of the first full fiscal year after the date of enactment of the SOAR Reauthorization Act. The eligible entity can also use the funds for educating parents about the program and assisting them with the application process, including providing information about the program and participating schools, providing funds to assist parents in meeting expenses that might otherwise preclude the participation of eligible students in the DC OSP, and for streamlining the application process.

The eligible entity is also permitted to use up to 1% of the funds appropriated each year for the DC OSP to provide tutoring services to participating eligible students who need additional academic assistance. If funds are insufficient to provide tutoring services to all such students, priority must be given to students who previously attended an elementary or secondary school identified as one of the lowest-performing schools under the DC accountability system.

If funds appropriated for the DC OSP for any fiscal year remain available for subsequent fiscal years, the Secretary must make them available to the eligible entity. If the remaining funds were appropriated prior to the enactment of the SOAR Funding Availability Act, the funds must be provided to the eligible entity beginning on the date of enactment of such Act. If the remaining funds were appropriated on or after the date of enactment of such Act, the Secretary must make the funds available by the first day of the first subsequent fiscal year. If the eligible entity decides to use these additional funds during a fiscal year, the eligible entity must use not less than 95% of the funds to provide scholarships for eligible students or to increase the amount of the scholarships during such year and not more than 5% of such additional funds for administrative expenses, parental assistance, or tutoring. Funds used for administrative expenses, parental assistance, or tutoring must be in addition to the funds made available for these purposes each fiscal year.

[19] Beginning with the 2012-2013 school year, the Secretary was required to adjust the maximum scholarship amounts for inflation, as measured by the percentage increase (if any) from the preceding fiscal year in the Consumer Price Index for all Urban Consumers (CPI-U).

[20] Serving Our Children, *Latest News*, https://servingourchildrendc.org/.

Requirements for Private Schools Participating in the Program

Section 3007 also includes requirements for participating private schools. All participating private schools must meet the following requirements:

- The school has and maintains a valid certificate of occupancy issued by DC.
- For all prospective students, the school makes "readily available" information on its accreditation.
- If the school has been operating for five years or less, the school submits to the eligible agency proof of adequate financial resources. This must reflect the school's ability to maintain operations throughout the school year.
- The school agrees to submit to site visits as determined to be necessary by the eligible entity.
- The school has financial systems, controls, policies, and procedures to ensure that funds are used in accordance with the requirements of the DC OSP.
- The school ensures that participating students are taught core subject matter[21] by a teacher who has a baccalaureate degree or its equivalent.[22]
- The school conducts criminal background checks on school employees who have direct and unsupervised interaction with students.
- The school complies with all requests for data and information related to the DC OSP reporting requirements.

In addition, Section 3007 requires participating schools to meet accreditation requirements. The specific requirements differ depending on whether a private school was participating in the DC OSP as of the date of enactment of the SOAR Reauthorization Act or not. For private schools that were participating in the DC OSP as of the date of enactment of the SOAR Reauthorization Act, the school must be fully accredited by an accrediting body described in certain parts of the District of Columbia School Reform Act of 1995.[23] If a participating private school does not meet this requirement then not later than one year after the date of enactment of the Consolidated Appropriations Act, 2016 (P.L. 114-113), the school must be pursuing full accreditation by one of the aforementioned accrediting bodies and be fully accredited by such accrediting body not later than five years after the date on which the school began the process of pursuing full accreditation. If a private school was not participating in the DC OSP as of the date of enactment of the SOAR Reauthorization Act, it must submit documentation that the school has been fully accredited by one of the aforementioned accrediting bodies prior to participating in the DC OSP. All participating private schools are required to submit a certification to the eligible entity that the school has been fully accredited by one of the aforementioned accrediting bodies within five years of the enactment of the SOAR Reauthorization Act. If a participating private school fails to meet the relevant accreditation requirements, the eligible entity is required to assist the participating eligible students in that school to identify, apply to, and enroll in another participating private school.

[21] Core subject matter includes mathematics, science, and English, reading, or language arts.

[22] The degree may have been awarded outside of the United States.

[23] This list includes seven accrediting agencies for the purposes of the DC OSP. The names of some of the accrediting agencies may have changed since they were listed in the DC School Reform Act of 1995. For more information, see §38-1802.02 (16) of the DC School Reform Act of 1995, https://code.dccouncil.us/dc/council/code/titles/38/chapters/18/subchapters/II/.

Section 3008 includes additional requirements that participating private schools must meet. In general, participating private schools are prohibited from discriminating against program participants or applicants on the basis of race, color, national origin, religion, or gender. The last prohibition does not apply, however, to single sex schools that are operated by, supervised by, controlled by, or connected to a religious organization to the extent that nondiscrimination based on gender would be inconsistent with the religious tenets or beliefs of the school. In addition, a parent may choose and a participating private school may offer a single sex school, class, or activity. The SOAR Act specifically says that nothing in the act should be construed as altering or amending the Individuals with Disabilities Education Act (IDEA). With respect to sectarian participating private schools, nothing in the SOAR Act prohibits the school from hiring in a manner consistent with the school's religious beliefs, requires the school to alter its mission or remove religious symbols from its building, prevents the school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its missions statements or other chartering or governing documents. Each participating private school may require eligible students to follow any rules of conduct or other requirements that apply to all other students at the school.

All participating private schools are required to comply with requests for data and information with respect to program evaluations required by the SOAR Act. Each participating private school is also required to comply with any testing requirements associated with the aforementioned program evaluations and discussed in detail below. IES will administer relevant assessments to students participating in the evaluation, unless the student is attending a participating private school that is administering the same assessment.[24] If the participating private school is administering the assessment to an eligible student, it must make the assessment results available to the Secretary as necessary for the evaluation of the DC OSP.

Any assistance provided to the parents of an eligible student through the DC OSP shall be considered assistance to the student and shall not be considered assistance to the participating private school that enrolls the student. In addition, any assistance provided to the parents of an eligible child under the DC OSP shall not be treated as income of the child or his/her parents for purposes of federal tax laws or for determining eligibility for other federal programs.

Data on participating private schools are provided in a subsequent section of this report. In addition, **Appendix B** provides a list of schools participating in the DC OSP for school year 2018-2019.

[24] Statutory language refers to the administration of a nationally norm-referenced test but also clearly references the assessment requirements in Section 3009(3)(A). The latter is a reference to the reading and mathematics assessments DC administers to comply with requirements to receive Title I-A funding under the ESEA. DC currently administers the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments, which are technically not nationally norm-referenced tests. For more information about how performance standards were established for the PARCC assessments, see Letter from Jack R. Smith to Members of the Maryland State Board of Education, Use of Impact Data in Setting Performance Standards for the PARCC Assessments, January 26, 2016, https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwifzLbfpevgAhWw1lkKHdjWDpIQFjAAegQIABAC&url=http%3A%2F%2Fmarylandpublicschools.org%2Fstateboard%2FDocuments%2F02122016%2FTabsE1-E2-UseImpactDataSettingPerformanceStandards.pdf&usg=AOvVaw03A0Id7I2t6DrXqLGjGkI4.

Evaluation

Section 3009 includes the evaluation requirements associated with the SOAR Act. These include requirements related to the DC OSP as well as requirements related to the use of funds by DC public schools and DC public charter schools.

As part of the evaluation and monitoring requirements, the Secretary and the Mayor of the District of Columbia (hereafter referred to as the Mayor) are required to enter into two joint agreements. First, they must jointly enter into an agreement with IES to annually evaluate the DC OSP. Second, they must jointly enter into an agreement to monitor and evaluate the funds authorized and appropriated for DC public schools and DC public charter schools.

The Secretary, through a grant, contract, or cooperative agreement, must ensure that the aforementioned annual evaluation of the DC OSP is conducted using "an acceptable quasi-experimental research design" to determine the effectiveness of the DC OSP. The research design is prohibited from using a control study group that includes students who applied for but did not receive a scholarship.[25] The study must evaluate the following issues:

- A comparison of the academic achievement of participating eligible students in grades 3-8 and at one grade at the high school level with the academic achievement of students with similar backgrounds who are attending DC public schools and DC public charter schools (hereafter referred to as the comparison group). Participating eligible students must be assessed using the same reading and mathematics assessments used by the DC public schools to comply with the requirements of Section 1111(b) of the ESEA.
- The success of the program in expanding choice options for parents of participating eligible students and increasing the satisfaction of such parents and students with their choice.
- The reasons parents of participating eligible students choose to have their child participate in the DC OSP, including important characteristics for selecting private schools.
- A comparison of the retention rates, high school graduation rates, college enrollment rates, college persistence rates, and college graduation rates of participating eligible students with the rates of students in the comparison group.
- A comparison of the college enrollment rates, college persistence rates, and college graduation rates of students who participated in the DC OSP in 2004, 2005, 2011, 2012, 2013, 2014, and 2015 after winning the lottery to participate with the rates for students who entered but did not win the lottery in those years and who, as a result, served as the control group for previous DC OSP evaluations. In making such comparisons, nothing prohibits students who entered but did not win the lottery from reapplying for a scholarship.
- A comparison of the safety of the schools attended by participating eligible students and schools in DC attended by students in the comparison group, based on the perceptions of students and parents.

[25] Past evaluation research designs used students who applied for but did not receive a scholarship as a control group. Under this methodology, the students in the control group could not reapply for a scholarship because it would disrupt the evaluation design to have the members of the control group change.

- An assessment of student academic achievement at participating private schools in which 85% of the total number of students enrolled in the school are opportunity scholarship recipients.[26]
- Any other issue applicable to participating eligible students the Secretary considers appropriate such as the impact of the program on DC public elementary and secondary schools.

Data collected on the impact of the program on academic achievement and the educational attainment of participating eligible students and on students and schools in DC must be disseminated by the Secretary.

IES also has responsibilities with respect to evaluations. IES is required to assess participating eligible students in grades 3-8 and at one grade at the high school level, by supervising the administration of the same reading and mathematics assessments used by the DC public schools to comply with the requirements of Section 1111(b) of the ESEA. In addition, IES is required to measure the academic achievement of all participating eligible students in grades 3-8 and at one grade at the high school level. Finally, IES is also required to work with the eligible entity that receives a grant under the DC OSP to ensure that the parents of each participating eligible students agree to allow their child to participate in the aforementioned evaluations and assessments carried out by IES.

In meeting the evaluation requirements included in Section 3009, no personally identifiable information may be discussed in compliance with Section 444 of the General Education Provisions Act (GEPA).[27] With respect to any student who is not attending a public elementary or secondary school, personally identifiable data shall only be disclosed to individuals carrying out the evaluation of the DC OSP, the group of individuals providing information for carrying out the evaluation of such student, and the parents of such student.

The Secretary is required to submit to various congressional committees annual interim reports (not later than April 1 of the year after the date of enactment of the act) and each subsequent year through the year in which a final report is submitted, on the progress and preliminary results of the DC OSP evaluation. The Secretary must also submit a final report on the results of the DC OSP evaluation to the same congressional committees no later than one year after the final year for which a grant is made to the eligible entity.

All reports and underlying data gathered in compliance with Section 3009 shall be made available to the public upon request, in a "timely manner," following the Secretary's submission of a report to Congress. In making this information public, no personally identifiable information shall be disclosed or made available to the public.

The Secretary may not use more than 5% of the funds appropriated for the DC OSP for a given fiscal year for evaluation purposes.

Reporting Requirements

The reporting requirements associated with the DC OSP are included in Section 3010. The eligible entity that receives funds during a year must submit a report to the Secretary not later than July 30th of the following year that provides information on the activities that were carried out using the funds received during the prior year. Additionally, the eligible entity must submit a

[26] The law does not specify that the assessment should be done if 85% or more or at least 85% of the students are *opportunity scholarship recipients*. It just references schools at which 85% of the students are scholarship recipients.

[27] These provisions are more commonly known as the Family Educational Rights and Privacy Act (FERPA).

report to the Secretary by September 1 of the year during which the second school year of the eligible entity's program is completed and for each of the next two years that includes data on the academic growth and achievement of scholarship participants, the high school graduate rate and college admission rate of scholarship participants, where appropriate, and parental satisfaction with the program. All of these reports are prohibited from including personally identifiable information.

The eligible entity is also required to ensure that each participating private school during a given school year reports to the parents of each scholarship participant on the student's academic achievement; the safety of the school, including data on the incidence of school violence, student suspensions, and student expulsions; and the school's accreditation status. With respect to a scholarship participant's academic performance, the school must compare the student's performance with the (1) aggregate academic achievement of other scholarship recipients at the school who are in the same grade or level, and (2) aggregate academic achievement of the student's peers at the school who are in the same grade or level. Except for providing information about a student who is the subject of a report to the student's parent, these reports are prohibited from including personally identifiable information.

Finally, the Secretary is required to report to various congressional committees[28] not later than six months after the first appropriation of funds and annually thereafter on the findings from the reports submitted by the eligible entity.

DC Public Schools and DC Public Charter Schools

As previously discussed, the DC OSP is funded as part of a three-pronged funding arrangement. The other two parts of this three-pronged approach include DC public schools and DC public charter schools. Section 3004(b) requires the Secretary to provide funds to the Mayor if the Mayor agrees to the requirements included in Section 3011 for the DC public schools to improve public education in DC and for the DC public charter schools to improve and expand quality public charter schools in DC.[29] Section 3011 of the SOAR Act specifies the requirements that must be met with respect to the funding provided under the act for public education in the District of Columbia.

As a condition of receiving funds for DC public schools and DC public charter schools, the Mayor is required to do three things:

1. ensure that all DC public schools and DC public charter schools provide IES with all of the information that IES requires to carry out the aforementioned assessments and evaluations;
2. enter into an agreement with the Secretary to monitor and evaluate the use of funds provided to DC public schools and DC public charter schools under the SOAR Act; and
3. not later than six months after the first appropriation of funds and annually thereafter, submit to various congressional committees a report on how the funds

[28] The congressional committees include the Committees on Appropriations; Education and the Workforce (now Education and Labor); and Oversight and Government Reform (now Oversight and Reform) of the House of Representatives and the Committees on Appropriations; Health, Education, Labor, and Pensions; and Homeland Security and Governmental Affairs of the Senate.

[29] The SOAR Act is not more specific with respect to how funds should be used to improve public education in DC and to improve and expand quality public charter schools in DC.

provided under the SOAR Act for public education were used in the preceding school year and how such funds are contributing to student achievement.

If after reasonable notice and an opportunity for a hearing, the Secretary determines that the Mayor has failed to comply with these requirements, the Secretary is authorized to withhold funds appropriated to DC public schools, DC public charter schools, or both, depending on whether the failure relates to DC public schools, DC public charter schools, or both.

In addition to specifying requirements that the Mayor must meet, Section 3011 also includes specific requirements pertaining to the provision of funds to DC public charter schools. The Secretary is permitted to direct the funds provided for any fiscal year (or a portion of such funds) to the Office of the State Superintendent of Education (OSSE) in DC. However, by doing so, the Secretary may not affect funding available for the DC OSP. The OSSE is permitted to transfer the funds received to subgrantees that are specific DC public charter schools or networks of such schools or to DC-based non-profit organizations with experience in successfully providing support or assistance to DC public charter schools or networks of such schools. In addition, the funds provided for DC public charter schools shall be available to any DC public charter school that is in good standing with the DC Public Charter School Board (DCPCSB). Further, OSSE and the DCPCSB are prohibited from restricting the availability of funds to certain types of schools based on the school's location, governing body, or school facilities.

Program Appropriations

Section 3014 authorizes $60 million to be appropriated for each fiscal year from FY2012 through FY2019. Of the funds appropriated in each of these fiscal years, one-third of the funds must be used for the DC OSP, one-third of the funds must be used for DC public schools, and one-third of the funds must be used for DC public charter schools. If appropriations for these fiscal years does not equal $60 million, the amount that is appropriated must be divided in thirds among the DC OSP, DC public schools, and DC public charter schools. Funds appropriated for FY2012 through FY2019, as well as those previously appropriated and available, are to remain available until expended.

Transition Provisions

Section 3012 of the SOAR Act includes multiple transition provisions, including the repeal of the DC School Choice Incentive Act of 2003, special rules regarding funding, provisions related to multiyear awards, requirements for a MOU, and orderly transition provisions. With respect to the special rules regarding funding, the SOAR Act makes changes to prior appropriations bills that provided funding for the DC OSP. First, the SOAR Act allows funds provided for the DC OSP for FY2009, FY2010, or any other Act to be used to provide opportunity scholarships for the 2011-2012 school year to students who have not previously received such scholarships. Second, the SOAR Act stated that provisions of the FY2010 appropriations act related to a report on the academic rigor and quality of each participating school and a requirement that the Secretary ensure that site inspections are conducted at each participating private school at least twice a year no longer applied. Third, any unobligated amounts that had been reserved to carry out these aforementioned provisos were to be made available to the eligible entity for administrative expenses or to provide scholarships, including providing scholarships for the 2011-2012 school year to students who had previously not received such scholarships.

The transition provisions also include a requirement that a recipient of a grant or contract under the DC School Choice Incentive Act of 2003, as such Act was in effect on the day prior to the enactment of the SOAR Act, shall continue to receive funds in accordance with the terms and

conditions of such grant or contract with certain exceptions. For example, the aforementioned provisos related to the DC OSP that were addressed by the first special rule related to funding shall not apply. In addition, any changes made by the MOU, discussed below, shall apply.

The transition provisions require the Secretary and the Mayor to revise the MOU that was entered into under the DC School Choice Incentive Act of 2003, as such Act was in effect on the day prior to the enactment of the SOAR Act, to address the implementation of the DC OSP under the SOAR Act. The revised MOU must also address how the Mayor will ensure that DC public schools and DC public charter schools comply with all the "reasonable requests" for information needed to fulfill the evaluation requirements of the DC OSP.

Finally, the Secretary is permitted to take such steps as the Secretary determines to be necessary to provide for an orderly transition from the authority of the DC School Choice Incentive Act of 2003 to the authority of the SOAR Act.

DC OSP, DCPS, and Charter School Appropriations

Funding for the DC OSP has been included with more general funding provided by the federal government to the District of Columbia for school improvement since the program's inception. The FY2004 Consolidated Appropriations Act, which authorized the School Choice Incentive Act, provided funding specifically for school improvement in the District of Columbia that is allocated among three entities: (1) the District of Columbia public schools for the improvement of public education, (2) the State Education Office for the expansion of public charter schools, and (3) ED for the DC OSP.[30] Since FY2004, Congress has continued to provide funding for each of these three entities. From FY2004 though FY2019, over $800 million has been appropriated for these entities. **Table 1** details funding allocations for the program's three funding recipients.

Table 1. Appropriations for the District of Columbia Provided Specifically for School Improvement Activities

Fiscal Year	Public Law	District of Columbia Public Schools	Public Charter Schools	DC Opportunity Scholarship Program (including funds for administering and assessing the program)	Total for DC School Improvement
2004[a]	108-199	$12,923,000	$12,923,000	$13,917,400	$38,769,000
2005[b]	108-335	$12,896,000	$12,896,000	$13,888,000	$39,680,000
2006[c]	109-115	$12,870,000	$12,870,000	$13,860,000	$39,600,000
2007[d]	110-5	$12,870,000	$12,870,000	$13,860,000	$39,600,000
2008	110-161	$13,000,000	$13,000,000	$14,800,000	$40,800,000
2009	111-8	$20,000,000e	$20,000,000	$14,000,000	$54,000,000
2010	111-117	$42,200,000	$20,000,000	$13,200,000	$75,400,000
2011	112-10	$42,200,000	$20,000,000	$15,500,000	$77,700,000
2012	112-74	$20,000,000	$20,000,000	$20,000,000	$60,000,000

[30] The DC School Choice Incentive Act did not authorize appropriations for DC public schools or DC public charter schools, but funds for these purposes have been provided since the inception of funding for the DC OSP in FY2004. The SOAR Act, however, has explicitly authorized funds for DC public schools and DC public charter schools since FY2012.

Fiscal Year	Public Law	District of Columbia Public Schools	Public Charter Schools	DC Opportunity Scholarship Program (including funds for administering and assessing the program)	Total for DC School Improvement
2013[f]	113-6	$19,116,280	$19,116,280	$19,116,280	$57,348,840
2014	113-76	$16,000,000	$16,000,000	$16,000,000	$48,000,000
2015	113-235	$15,000,000	$15,000,000	$15,000,000	$45,000,000
2016	114-113	$15,000,000	$15,000,000	$15,000,000	$45,000,000
2017	115-31	$15,000,000	$15,000,000	$15,000,000	$45,000,000
2018	115-141	$15,000,000	$15,000,000	$15,000,000	$45,000,000
2019	116-6	$17,500,000	$17,500,000	$17,500,000	$52,500,000
Total	—	$301,575,280	$257,175,280	$245,641,680	$803,397,840

Source: Table prepared by CRS, based on CRS analysis of relevant laws and data available from the U.S. Department of Education, Office of Innovation and Improvement, available online at http://www.ed.gov/programs/dcchoice/funding.html.

a. As enacted, P.L. 108-199 provided $13 million for DCPS, $13 million for charter schools, and $14 million for the DC OSP. P.L. 108-199 also included a 0.59% across-the-board rescission of discretionary funding that reduced these funding amounts.

b. As enacted, P.L. 108-335 provided $13 million for DCPS, $13 million for charter schools, and $14 million for the DC OSP. P.L. 108-447 subsequently included a 0.80% across-the-board rescission of discretionary funding that reduced these funding amounts.

c. As enacted, P.L. 109-115 provided $13 million for DCPS, $13 million for charter schools, and $14 million for the DC OSP. P.L. 109-148 subsequently included a 1.0% across-the-board rescission of discretionary funding that reduced these funding amounts.

d. P.L. 110-5 provided for continuing funding for the programs at their FY2006 levels after taking into account the across-the-board rescission of discretionary funding included in P.L. 109-148 that reduced FY2006 funding.

e. For FY2009, P.L. 111-8 including an additional federal payment of $20 million to the District of Columbia to "jump start" the reform of public education. This amount is not included in the table.

f. P.L. 113-6 would have provided $20 million for FY2013 for each of the activities included in the table. However, on March 1, 2013, the President issued a sequestration order in accordance with the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901a) that affected FY2013 appropriations, reducing the funding to the amount shown in the table. The sequestration order is available at https://obamawhitehouse.archives.gov/sites/default/files/2013sequestration-order-rel.pdf.

Student and Private School Participation in the DC OSP

This section of the report provides data on student and private school participation in the DC OSP. The data discussed in this section have been taken from publicly available reports or have been provided by the DC OSP local program administrator. Depending on when in each school year the data were collected, there may be some inconsistencies in the data, particularly with respect to student participation.[31]

[31] The DC OSP has been administered by three different entities. Obtaining consistent data from the 2004-2005 school year to the current school year is challenging. In addition, different metrics were used over time, so some data are only

Student Participation

Since the program's inception in the 2004-2005 school year through the 2018-209 school year, 24,351 applications have been submitted, and 10,701 scholarships have been awarded.[32] The number of students participating from year-to-year has ranged from just over 1,000 students to over 1,900 students for a total of 22,493 non-unique students through the 2018-2019 school year (**Table 2**).[33] From the 2009-2010 school year through the 2017-2018 school year,[34] most student participants used a scholarship to enroll in grades pre-kindergarten through 8th grade, but the number of enrollees in these grade levels has fluctuated by year (**Figure 1**). While a smaller number of students have used a scholarship to attend a high school, the number of students using a scholarship at that level has fluctuated less over this time period, particularly in recent school years. **Appendix A** includes detailed data on scholarship use by grade level.

Table 2. Students Participating in the DC OSP, by School Year

School Year	Number of Participating Students
2004-2005	1,022
2005-2006	1,711
2006-2007	1,795
2007-2008	1,930
2008-2009	1,721
2009-2010	1,322
2010-2011	1,017
2011-2012	1,615
2012-2013	1,584
2013-2014	1,638
2014-2015	1,442
2015-2016	1,244
2016-2017	1,154
2017-2018	1,653
2018-2019	1,645

Source: Table prepared by CRS based on unpublished data provided by Serving Our Children and Serving Our Children, *Program Fact Sheet, 2018-19*, https://servingourchildrendc.org/wp-content/uploads/2019/01/DC-OSP-Program-Fact-Sheet-SY-2018-19.pdf.

Notes: An individual student using a scholarship may be counted in multiple school years. For example, if a student may have used a scholarship every school year from 2009-2010 through 2016-2017, the student would appear in each school year's student count.

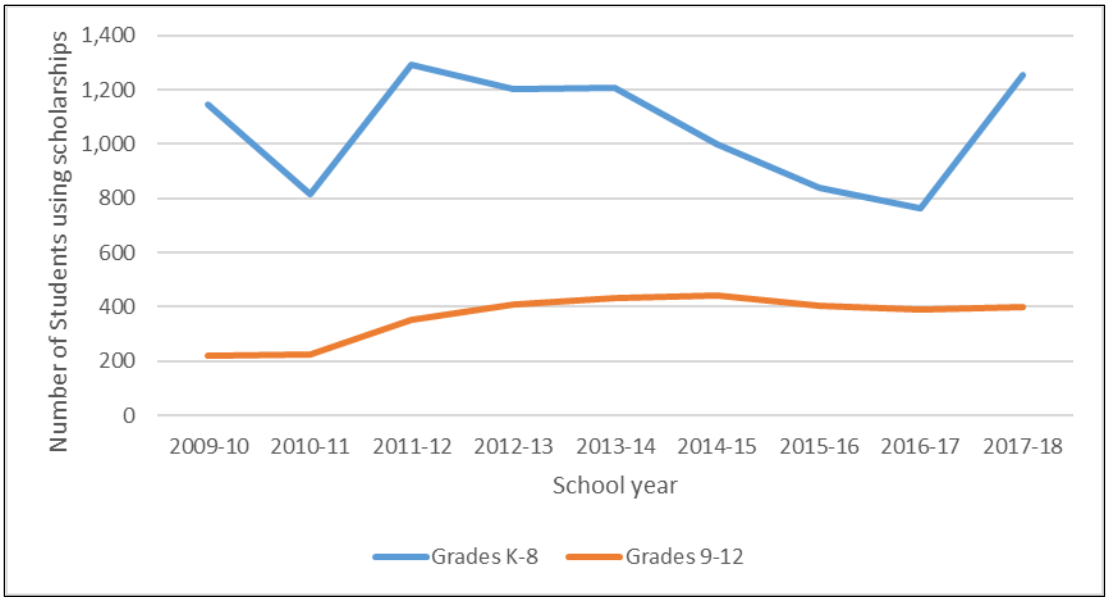
available for the more recent years of the program. Also, depending on when during the school year data were collected (e.g., beginning, middle, end), data may vary.

[32] Serving Our Children, *D.C. Opportunity Scholarship Program Fact Sheet: 2018-19*, https://servingourchildrendc.org/wp-content/uploads/2019/01/DC-OSP-Program-Fact-Sheet-SY-2018-19.pdf.

[33] A student was counted in each school year in which s/he participated. It is not a unique count of students participating in the program.

[34] Data were not provided by Serving Our Children for the 2018-2019 school year.

Figure 1. DC OSP Scholarship Use by Grade Level, 2009-2010 School Year Through 2017-2018 School Year



Source: Table prepared by CRS based on unpublished data provided by Serving Our Children.

Notes: Data for scholarship use prior to the 2009-2010 school year were not available from the local program administrator, Serving Our Children.

Data on applications to the program are available for school years 2011-2012 through 2018-2019 but only sporadically in prior years (**Table 3**). For the first year of the program (2004-2005 school year), almost 2,700 students applied for a scholarship. Four years later (2008-2009 school year), the number of scholarship applications was 726 with the majority of the applications coming from returning students.[35] During the 2012-2013 school year, the number of applications exceeded 1,550 with over 1,000 applications coming from new students. Since that school year, the program has received over 3,000 applications each year.

Table 3. Number of DC OSP Applications Received from New Applicants and Returning Students, by School Year

School Year	New Applicants	Applications from Returning Students	Total Number of Applications
2004-2005	2,692	N/A	2,692
2005-2006	na	na	na
2006-2007	na	na	na
2007-2008	na	na	na
2008-2009	288	438	726
2009-2010	na	na	na
2010-2011	na	na	na
2011-2012	1,014	544	1,558

[35] As previously discussed, a student has to reapply for a scholarship each school year.

School Year	New Applicants	Applications from Returning Students	Total Number of Applications
2012-2013	1,457	1,558	3,015
2013-2014	1,515	1,828	3,343
2014-2015	1,774	1,898	3,672
2015-2016	1,567	1,679	3,246
2016-2017	2,349	1,549	3,898
2017-2018	2,551	1,356	3,907
2018-2019	1,333	1,961	3,294

Source: Table prepared by CRS based on unpublished data provided by Serving Our Children for school years 2004-2005 through 2012-2013 and data available from Program Fact sheets for schools years 2013-2014 through 2018-2019. Program Fact sheets are available online at https://servingourchildrendc.org/blog/program-facts/.

N/A: Not applicable

na: Not available

For the 2018-2019 school year, a total of 3,294 applications were received with 1,961 applications submitted by returning students and 1,333 applications submitted by new students.[36] Of these students, 1,645 students—1,329 returning students and 316 new students—used a scholarship in 44 of the 46 participating private schools.[37] Among the students using a scholarship during the 2018-2019 school year, the average annual family income was $23,285.[38] In addition, 43% of the participating students were eligible for SNAP or Temporary Aid for Needy Families (TANF) benefits.[39] The majority of the participating students were African-American/Black (73.7%), followed by Hispanic and/or Latino (17.3%).[40]

Private School Participation

Since the inception of the DC OSP program, the number of participating schools has ranged from 46 schools to 68 schools (**Table 4**). With the exception of the first two years of the program, there has been a generally downward trend in the number of participating private schools. As students choose which participating private school they would like to attend and have to meet any relevant admission criteria at such school, not every participating school may enroll a participating eligible student. As shown in **Table 4**, there has never been a school year in which all of the participating private schools also enrolled a scholarship recipient. The percentage of participating schools enrolling scholarship recipients has ranged from 78.8% to 98.0%.[41]

[36] Serving Our Children, *D.C. Opportunity Scholarship Program Fact Sheet: 2018-19*, https://servingourchildrendc.org/wp-content/uploads/2019/01/DC-OSP-Program-Fact-Sheet-SY-2018-19.pdf.

[37] Ibid.

[38] Ibid.

[39] Ibid.

[40] Ibid

[41] Serving Our Children did not provide any data on which participating private schools did or did not enroll scholarship recipients, citing privacy concerns.

Table 4. Number of Participating Private Schools and Number of Participating Private Schools Enrolling Scholarship Recipients, by School Year

School Year	Number of Participating Private Schools	Number of Participating Private Schools Enrolling Scholarship Recipients	Percent of Participating Private Schools Enrolling Scholarship Recipients
2004-2005	57	53	93.0%
2005-2006	68	59	86.8%
2006-2007	66	58	87.9%
2007-2008	60	56	93.3%
2008-2009	51	50	98.0%
2009-2010	55	46	83.6%
2010-2011	52	41	78.8%
2011-2012	53	45	84.9%
2012-2013	52	46	88.5%
2013-2014	52	47	90.4%
2014-2015	51	47	92.2%
2015-2016	49	42	85.7%
2016-2017	47	42	89.4%
2017-2018	48	44	91.7%

Source: Table prepared by CRS based on unpublished data provided by Serving Our Children.

Appendix B provides more detailed information about participating private schools for the 2018-2019 school year. For the 2018-2019 school year, 46 private schools are participating in the DC OSP. Of these schools, 39 serve students in elementary or middle schools and 20 serve students in high school.[42] For participating private schools that reported data on tuition, the scholarship could fully cover tuition at 11 schools for all or some of the grades served by the school. Of the 46 participating private schools, 33 schools indicated they were accredited, 1 school indicated that it was a candidate for accreditation, and 8 schools did not provide any information on their accreditation status.

Program Management and Evaluation

Since the enactment of the DC OSP and through each subsequent reauthorization of the DC OSP, statutory language has required ED to award one or more grants to an eligible entity to administer the program. Since the inception of the program, ED has only awarded a grant to one eligible entity through each grant competition. To date, three different organizations have served as the local program administrator for the DC OSP.

[42] Several schools serve students in elementary or middle school and high school. See **Appendix B** for more information.

Washington Scholarship Fund

The Washington Scholarship Fund (WSF) was the first organization to serve as the local program administrator for the DC OSP. At the time it was selected, the WSF was the largest and oldest granter of privately financed scholarships in the District of Columbia.[43] WSF's contract to administer the program was for the five-year period that corresponded with the original program authorization of the DC OSP (FY2004 though FY2008). In its first evaluation of the program, the Government Accountability Office found that WSF expanded its operations from "$150,000 in federal and foundation grants in fiscal year 2004 to $12.9 million in 2006 without sufficient accountability mechanisms to govern the use of the OSP funds."[44] GAO also determined that WSF "did not have the capacity to oversee participating private schools and administer a growing scholarship program funded with federal dollars."[45] GAO made several recommendations to ED about directing the grantee to improve internal controls, continue to integrate its financial systems, improve monitoring, and "provide accurate and complete information to parents."[46] A more detailed discussion of the findings from the GAO evaluation are discussed in greater detail below.

When the Omnibus Appropriations Act, 2009 (P.L. 111-8) extended the DC OSP beyond its original authorization period, ED held a competition in FY2009 to select a local program administrator for a one-year period.[47] WSF was once again selected as the local program administrator. However, WSF was unable to continue administering the program beyond the 2009-2010 school year "because it was unable to obtain the additional funding commitments necessary to serve the participating families and fulfill school oversight responsibilities."[48] The WSF transferred administration of the DC OSP to the DC Children and Youth Investment Trust Cooperation (hereafter referred to as the Trust) in 2010.[49]

DC Children and Youth Investment Trust Cooperation

To receive the grant following the transfer of local program administration from WSF to the Trust, the Trust was required to submit a grant transfer agreement to ED that had to address the absolute priority that FY2009 appropriations only be used to provide scholarships to currently enrolled students and that FY2010 and prior-year appropriations only be used to provide

[43] John Gehring, "Group Picked to Run Voucher Program for D.C. Students," *Education Week*, March 31, 2004.

[44] U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program: Additional Policies and Procedures Would Improve Internal Controls and Program Operations, GAO-08-9, November 2007, p. 3, https://www.gao.gov/products/GAO-08-9.

[45] U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program: Actions Needed to Address Weaknesses in Administration and Oversight, GAO-13-805, September 2013, p. 2, https://www.gao.gov/products/GAO-13-805.

[46] U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program: Additional Policies and Procedures Would Improve Internal Controls and Program Operations, GAO-08-9, November 2007, p. 5, https://www.gao.gov/products/GAO-08-9.

[47] For more information on the request for applicants, see http://www.ed.gov/legislation/FedRegister/announcements/2009-2/042309b.html. Due to an error in the directions explaining how applications were to be submitted, ED had to reopen the competition. For more information on the second competition, see http://www2.ed.gov/legislation/FedRegister/announcements/2009-3/070609a.html.

[48] U.S. Department of Education, "Waiver and Extension of Project Period," 75 *Federal Register* 41837, July 19, 2010.

[49] Ibid.

scholarships during the 2010-2011 school year to students who received scholarships during the 2009-2010 school year.[50, 51]

ED subsequently granted a waiver and extension of the one-year project period to the Trust. ED did not think it would be in the public interest to run another grant competition for FY2010 and FY2011, if funds were appropriated, especially since it was anticipated that the project would only operate for a short period of time and serve a limited population of students.[52] ED did not run another grant competition to select a local program administrator until FY2015.

GAO conducted a second evaluation of the DC OSP while the Trust was serving as the local program administrator.[53] It found that the Trust was unable to provide accurate and timely information to parents about participating schools. The GAO also found that the Trust lacked the internal controls necessary for effective implementation and oversight of the DC OSP. In addition, GAO found that ED had provided limited assistance to the Trust with respect to several areas outlined in a MOU and made 10 recommendations for how ED could improve the program. A more detailed discussion of the findings from the GAO evaluation are included below. Ultimately, the Trust decided to no longer serve as the program administrator.

Serving Our Children

On August 19, 2015, ED awarded a grant to Serving Our Children to be the program administrator for the DC OSP.[54] The grant was for a three-year period from October 1, 2015 to September 20, 2018. In January 2018, ED proposed granting a waiver to extend the period of performance for the current grantee for up to two years to allow Serving Our Children to receive additional funds in FY2018 and FY2019 to continue serving DC students.[55] ED proposed the waiver be based on four factors:[56]

1. Extending Serving Our Children's project period would "create stability and continuity" as the DC OSP enters its last two years of its program authorization.
2. Based on the number of eligible applications to serve as the program administrator that were submitted during past DC OSP competitions, ED

[50] U.S. Department of Education, "Waiver and Extension of Project Period," 75 *Federal Register* 41836-41837, July 19, 2010.

[51] The Administration did not support the reauthorization of the DC OSP and, therefore, did not want to enroll new students in the program, despite Congress continuing to appropriate funds for the program. For more information, see for example, Shailagh Murray, "Obama Offers D.C. Voucher Program Extension for Existing Students," *Washington Post*, May 6, 2009, http://voices.washingtonpost.com/44/2009/05/06/obama_proposes_extending_dc_vo.html?wprss=44.

[52] U.S. Department of Education, "Waiver and Extension of Project Period," 75 *Federal Register* 41836-41838, July 19, 2010.

[53] U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program: Actions Needed to Address Weaknesses in Administration and Oversight, GAO-13-805, September 2013, https://www.gao.gov/products/GAO-13-805.

[54] U.S. Department of Education, *District of Columbia Opportunity Scholarship Program*, https://www2.ed.gov/programs/dcchoice/index.html. For the Federal Register announcement inviting applications for a DC OSP program administrator, see U.S. Department of Education, "Applications for New Awards; District of Columbia Opportunity Scholarship Program," 80 *Federal Register* 9448-9453, February 23, 2015.

[55] U.S. Department of Education, "Proposed Waiver and Extension of the Project Period; DC Opportunity Scholarship Program," 83 *Federal Register* 3336-3338, January 24, 2018.

[56] U.S. Department of Education, "Proposed Waiver and Extension of the Project Period; DC Opportunity Scholarship Program," 83 *Federal Register* 3337, January 24, 2018.

indicated that "few organizations are eligible for and have the capacity to administer" the DC OSP.

3. Extending Serving Our Children's grant period would allow the organization to "fully implement the new recruitment and marketing strategies designed to significantly increase scholarship usage rates."
4. Extending Serving Our Children's project period would align the next DC OSP competition with the "next anticipated reauthorization of the SOAR Act."[57]

ED subsequently issued a final waiver and extension of the project period in April 2018.[58] GAO has not conducted an evaluation of DC OSP program management since Serving Our Children was granted the contract to administer the program.

Evaluations Conducted by GAO

GAO examines how federal funds are spent. It provides Congress and federal agencies with information on how to save money and work more efficiently.[59] With respect to the DC OSP, GAO has evaluated certain accountability mechanisms and whether they are operating as intended, such as the program's use of funds and general adherence to statutory requirements. GAO also has evaluated how ED and the District of Columbia fulfilled their roles and responsibilities for the DC OSP.

As mentioned above, GAO has conducted two evaluations of the DC OSP. The first evaluation was published in 2007 when the DC OSP was administered by the WSF.[60] This evaluation primarily used data collected and reported during the 2005-2006 school year. The second evaluation was published in 2013 when the program was administered by the Trust.[61] This evaluation primarily used data from a performance audit from May 2012 to September 2013, as well as program documentation from 2010-2013.

Evaluation of the DC OSP under the Washington Scholarship Fund

The GAO's first evaluation of the DC OSP included an assessment of three program goals: (1) accountability mechanisms governing the use of funds, (2) results of WSF's efforts to meet the program's recruiting priorities and eligibility requirements and inform parents of their choices, and (3) the extent that the evaluation of the DC OSP reflects statutory requirements and the implementation of the program supports the detection of useful and generalizable findings.

For the first goal, GAO found that WSF's accountability mechanisms regarding the use of funds were not strong, and WSF did not adhere to its own procedures. For example, WSF used OSP funds to pay tuition for students that attended schools that typically did not charge students tuition, which was not in accordance with statutory requirements. In addition, the WSF used funds to pay before-and-after care fees, and GAO was unable to determine whether this use of

[57] At the time of the *Federal Register* announcement, the DC OSP was authorized through FY2019.

[58] U.S. Department of Education, "Final Waiver and Extension of the Project Period for the Opportunity Scholarship Program," 83 *Federal Register* 14265-14266, April 3, 2018.

[59] For more information about GAO, see https://www.gao.gov/about/.

[60] U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program: Additional Policies and Procedures Would Improve Internal Controls and Program Operations, GAO-08-9, November 2007, https://www.gao.gov/products/GAO-08-9.

[61] U.S. Government Accountability Office, District of Columbia Opportunity Scholarship Program: Actions Needed to Address Weaknesses in Administration and Oversight, GAO-13-805, September 2013, https://www.gao.gov/products/GAO-13-805.

funds was in accordance with statutory requirements. WSF's accountability mechanisms were weakened by rapid expansion and limited time to design and implement the internal controls necessary to manage the major increase in operations. WSF also experienced a high rate of staff turnover during the first several years of administering the DC OSP.

With regard to WSF's efforts to meet the recruiting priorities, GAO found that WSF was not able to recruit an appropriate number of students from schools in need of improvement. Specifically, the proportion of students from schools in need of improvement that received a scholarship was lower than the proportion of such students attending DC public schools. WSF also had difficulty finding placements for students at the secondary level because there were fewer openings available at participating private schools. WSF also faced challenges in providing parents with accurate information regarding private schools. For example, in some cases, WSF provided inaccurate information on teacher qualifications and tuition for some schools.

In terms of meeting statutory evaluation requirements, GAO found that the research design was strong and that the use of random assignment facilitated appropriate comparisons between students who received a scholarship and similar students who attended DC public schools. Over the course of the program evaluation, however, the DC public schools changed the assessment measure used to measure student achievement. The original assessment used to evaluate the DC OSP was chosen in accordance with statutory requirements. However, it became mismatched with the assessment used by DC public schools. The lack of consistency in the assessment measure between the DC OSP students and the DC public school students limited the ability to make comparisons and generalize findings.

Evaluation of the DC OSP under the DC Children and Youth Investment Trust Corporation

The GAO's second evaluation of the DC OSP included an assessment of three program goals: (1) the extent to which the Trust provides information that enables families to make informed school choices, (2) whether the Trust's internal controls ensure accountability for the DC OSP, and (3) how ED and the District of Columbia agencies have performed their stated roles and responsibilities.

The Trust made efforts to inform families of their school choices through various outreach activities, including advertising through print, radio, bus ads, newspapers, and flyers posted in public areas. The GAO, however, found that the Trust was not able to provide accurate and timely information to parents about participating schools. For example, the participating school directory was published 9 months after the start of the school year and lacked key information about tuition, fees, and accreditation.

The GAO found that the Trust lacked the internal controls necessary for effective implementation and oversight of the DC OSP. For example, the Trust did not have a process for verifying self-reported information from private schools, including eligibility information. Additionally, while there were adequate procedures in place for financial reporting, the Trust did not submit mandatory financial reports on time and in accordance with statutory requirements. In some cases, reports were one or two years late.

ED and the District of Columbia have a MOU to clarify roles and responsibilities in the implementation of certain aspects of the DC OSP. These agencies worked in a cooperative agreement with the Trust to meet program goals. GAO found that ED provided limited assistance to the Trust with regard to several areas outlined in the MOU. For example, ED was responsible for helping the Trust make improvements to financial reporting procedures and site visit policies, as well as improving the accuracy of information provided to parents. ED provided general

assistance with administrative and operational functions; however, the GAO found that ED did not provide assistance in these specific areas of the MOU. In addition, there was a lack of clarity regarding the responsibility of the Trust to conduct building, zoning, health, and safety inspections in participating schools. As a result, inspections were not conducted as described in the MOU.

Impact Evaluations

In addition to the previously discussed DC OSP evaluations conducted by GAO which focused largely on program implementation issues, ED has conducted impact evaluations of the participation of schools, parents, and students in the DC OSP, as well as the effectiveness of the program on student achievement and other outcome measures. These evaluations focused on determining the effectiveness of the DC OSP in increasing student achievement, parent and student satisfaction, school safety, and parental involvement. The impact evaluations were designed to provide evidence for whether the DC OSP works to improve academic achievement for students and expand school choice options for parents. **Appendix C** provides a link to each of these evaluation studies. A summary of the results of each of the impact evaluations is discussed below and more detailed results are presented in **Appendix D**.

Evaluations Conducted by ED

IES has conducted six evaluations of the DC OSP.[62] The first two evaluations gathered data on schools, students, and parents that chose to participate in the program. These participation evaluations, however, did not gather achievement data or other outcomes that would allow for the evaluation of the effectiveness of the program. The next four evaluations were impact evaluations that measured the effectiveness of the DC OSP with student achievement data and other outcomes of interest. These six evaluations took place under different legislative requirements over a period of twelve years. A seventh evaluation is beginning with data collected during school year 2018-2019. **Table 5** provides a list and descriptive characteristics of evaluations of the DC OSP conducted by ED. It depicts how DC OSP evaluations correspond to the school years in which data were collected. **Appendix C** provides links to the ED reports corresponding to each evaluation.

Table 5. DC OSP Evaluations Correspondence to School Years

Evaluation	Evaluation Type	School Years of Data Collection	Legislative Requirements	Achievement Assessment Measure	Report Released
1	Participation	2004-2005	P.L. 108-199	N/A	April 2005
2	Participation	2005-2006	P.L. 108-199	N/A	April 2006
3	Impact	2004-2008[a]	P.L. 108-199	Stanford Achievement Test	March 2009
4	Impact	2004-2009[b]	P.L. 108-199	Stanford Achievement Test	June 2010

[62] To date, evaluations have been subject to two sets of evaluation requirements (P.L. 108-199 and P.L. 112-10), and beginning in school year 2018-2019, evaluations are subject to the requirements in P.L. 115-31.

Evaluation	Evaluation Type	School Years of Data Collection	Legislative Requirements	Achievement Assessment Measure	Report Released
5	Impact	2012-2015[c]	P.L. 112-10	TerraNova	June 2017
6	Impact	2012-2016[d]	P.L. 112-10	TerraNova	May 2018
7	Impact	2018-2019	P.L. 115-31	Assessment measure used by the District of Columbia to comply with Section 1111(b) of the ESEA.	N/A

Source: Table based on CRS analysis of evaluations conducted by the U.S. Department of Education since the enactment of the DC Opportunity Scholarship Program.

a. The 2009 Impact Evaluation collected achievement data for five years. Data were collected from the spring of 2004 through the spring of 2008. In the impact analysis, the impact of being offered or using a scholarship was examined for cohort 1 (applied in 2004) and cohort 2 (applied in 2005).

b. The 2010 Impact Evaluation collected achievement data for six years. Data were collected from the spring of 2004 through the spring of 2009. By the final year of evaluation, the number of students in each cohort became too small to analyze reliably.

c. The 2017 Impact Evaluation collected achievement data for four years. Data were collected from the spring of 2012 through the spring of 2015.

d. The 2018 Impact Evaluation collected achievement data for five years. Data were collected from the spring of 2012 through the spring of 2016.

The four impact evaluations published to date are similar in their design and presentation of results. The first two were conducted under the legislative requirements of P.L. 108-199 and the second two were conducted under the legislative requirements of P.L. 112-10. While there are some differences between the requirements, both evaluations were required to use the strongest possible research design to determine the effectiveness of the DC OSP and both evaluations used similar outcome measures (e.g., student achievement in reading and mathematics, parent and student satisfaction, perceptions of school safety, and parental involvement). Due to these similarities, results are reported by outcome measure. For each outcome measure, the results of evaluations required by P.L. 108-199 are discussed first and the results of evaluations required by P.L. 112-10 are discussed second.

As previously discussed, the evaluations were required to use the strongest possible research design for determining the effects of the DC OSP. The use of lotteries in the DC OSP allowed the evaluation to use the "gold standard" of evaluation, which is randomization. The lottery created two randomly selected groups: students who were selected to receive a scholarship (treatment group) and students who applied for but were not selected to receive a scholarship (control group). For those students who received a scholarship, some students chose to use the scholarship (scholarship use group) and some students chose not to use the scholarship (scholarship offer group).

The evaluations use three groups to determine the effectiveness of the program (two treatment groups and one control group): (1) students who were offered a scholarship (scholarship offer group), (2) students who used a scholarship (scholarship use group), and (3) students who were

not offered a scholarship (control group). For the purposes of the evaluation, the scholarship offer group and the scholarship use group are considered treatment groups.[63]

Treatment groups and the control group were compared on the following outcome measures: (1) reading and mathematics achievement on a grade-appropriate, nationally norm-referenced standardized test;[64] (2) parent and student satisfaction (surveys); (3) parent and student perceptions of school safety (surveys); and (4) parental involvement (surveys). The effects of each outcome measure were disaggregated by several subgroups. Across the four evaluation studies, subgroups included the following: (1) students who previously attended a school in need of improvement (SINI), [65] (2) students who did not attend a SINI (non-SINI), (3) students in elementary school, (4) students in secondary school, (5) students who had lower levels of achievement (below the median) when entering the scholarship program, (6) students who had higher levels of achievement (above the median) when entering the scholarship program, (7) male students, (8) female students, (9) students in cohort 1 (students who applied in 2004), and (10) students in cohort 2 (students who applied in 2005). All subgroups were not examined in all evaluations.

The following section discusses the results of the four impact evaluations, comparing the treatment groups (scholarship offer and scholarship use groups) to the control group (scholarship not offered) on the four outcome measures.

Results of Impact Evaluations for Scholarship Offer and Use

Appendix D provides summary tables describing the results of the four impact evaluations conducted by ED. There is one table for each outcome measure: (1) reading and mathematics achievement (**Table D-1**), (2) parent and student satisfaction (**Table D-2**), (3) parent and student perceptions of school safety (**Table D-3**), and (4) parental involvement (**Table D-4**). The tables report each outcome measure disaggregated by subgroups (e.g., SINI, non-SINI, elementary, secondary, etc.).

Reading and Mathematics achievement

Table D-1 presents the results for reading and mathematics achievement.

Evaluations conducted under the requirements of P.L. 108-199 report the following:

- For *reading achievement*, students who were offered or used a scholarship scored significantly higher overall than students in the control group in the first impact

[63] A direct comparison can be made between the *scholarship offer* group and the *control* group because students were randomly assigned into these two groups. Since the evaluation cannot control which students chose to use the scholarship, there is no direct comparison for the *scholarship use* group. In the first three years of the lottery, the average scholarship use rate was 70%. The evaluation uses an estimation procedure to determine the effect of scholarship use. The effect is estimated by dividing the impact of being offered a scholarship by the fraction of the treatment group that used the scholarship. For more information, see Appendix B at https://ies.ed.gov/ncee/pdf/20074010.pdf.

[64] P.L. 108-199 used the *Stanford Achievement Test, version 9*. P.L. 112-10 used the *TerraNova, Third Edition*. The difference in achievement measure is not relevant to the results reported here because students who participated in the DC OSP who were assessed by the *Stanford Achievement Test* were compared to a control group of students assessed by the same assessment. Likewise, students who participated in the DC OSP who were assessed by the *TerraNova* were compared to a control group of students assessed by the same assessment. Students who were assessed with the *Stanford Achievement Test* were never compared to students who were assessed with the *TerraNova*.

[65] Schools in need of improvement include public elementary and secondary schools that were identified for school improvement, corrective action, or restructuring under the requirements of Title I-A of the ESEA, prior to the enactment of the Every Student Succeeds Act (ESSA; P.L. 114-95) in 2015.

evaluation; however, the effect was not observed in the second impact evaluation. In the second impact evaluation, the overall effect on reading achievement was not significant, but there were some statistically significant positive effects for subgroups (e.g., students in elementary school, students who had higher levels of achievement entering the year, and female students).

- For *mathematics achievement,* students who were offered or used a scholarship did not score significantly differently than students in the control group.

Evaluations conducted under the requirements of P.L. 112-10 report the following:

- For *reading achievement*, students who were offered or used a scholarship did not score significantly differently overall than students in the control group in both impact evaluations. In some subgroups, there were statistically significant negative effects of scholarship offer and scholarship use. For example, students in secondary schools showed statistically significant negative effects on reading achievement across both impact evaluations.
- For *mathematics achievement*, across both impact evaluations, students who were offered or used a scholarship scored statistically significantly lower overall than the control group in both impact evaluations.

Parent and Student Satisfaction

Table D-2 presents the results for parent and student satisfaction.

Evaluations conducted under the requirements of P.L. 108-199 report the following:

- *Parent satisfaction* for parents of students who were offered or used a scholarship was significantly higher than parents of students in the control group for both impact evaluations. At the subgroup level, this trend was seen consistently across the evaluations for the subgroups of students from non-SINI schools and students who entered the scholarship program with higher levels of achievement.
- *Student satisfaction* for students who were offered or used a scholarship was not significantly different than students in the control group for both impact evaluations.

Evaluations conducted under the requirements of P.L. 112-10 report the following:

- *Parent satisfaction* for parents of students who were offered or used a scholarship was not significantly different than parents of students in the control group for both impact evaluations. In the second impact evaluation, there were some positive subgroup effects for parents of higher achieving students, but the effect was not observed in the overall group.
- *Student satisfaction* for students who were offered or used a scholarship was not significantly different than students in the control group for both impact evaluations.

Parent and Student Perceptions of School Safety

Table D-3 presents the results for parent and student perceptions of school safety.

Evaluations conducted under the requirements of P.L. 108-199 report the following:

- *Parent perceptions of school safety* for parents of students who were offered or used a scholarship were significantly higher compared to parents of students in the control group. In the first impact evaluation, all subgroups of parents reported higher perceptions of safety. In the second impact evaluation, only one subgroup of parents reported higher perceptions of school safety (i.e., parents of students who previously attended non-SINI schools).
- *Student perceptions of school safety* for students who were offered or used a scholarship were not significantly different than students in the control group for both impact evaluations.

Evaluations conducted under the requirements of P.L. 112-10 report the following:

- *Parent perceptions of school safety* for parents of students who were offered or used a scholarship were significantly higher compared to parents of students in the control group. The positive effect was observed across most subgroups in both impact evaluations.
- *Student perceptions of school safety* for students who were offered or used a scholarship were not significantly different compared to students in the control group in the first impact evaluation. However, in the second impact evaluation, students reported significantly higher perceptions of school safety if they were offered or used a scholarship. The positive effect was observed for several subgroups of students, including students from SINI schools, students in secondary schools, and students who entered the program with lower levels of mathematics achievement.

Parental Involvement

Table D-4 presents the results for parental involvement.

Evaluations conducted under the requirements of P.L. 108-199 report the following:

- *Parental involvement* of parents of students who were offered or used a scholarship were not significantly different from the control group. In some subgroups, the first impact evaluation showed that parental involvement of parents in the treatment group was lower than the control group (i.e., parents of students who previously attended non-SINI schools, parents of secondary students, parents of students who entered the program with higher levels of achievement, and parents of females).

Evaluations conducted under the requirements of P.L. 112-10 report the following:

- *Parental involvement* of parents of students who were offered or used a scholarship were not significantly different from the control group. In the first impact evaluation, there was one positive effect of parental involvement for one subgroup (i.e., parents of students in secondary school), but the effect was not observed in the overall group.

Evaluation Related Issues

The federal government has provided over $245 million since FY2004 to support the DC OSP. These grants have been accompanied by program evaluation results to examine the return on the federal government's investment. The findings from these evaluations over the course of the existence of the program have been mixed (see **Appendix D**). This leads to questions about

whether the program is successful and how success should be measured. Another question that arises is whether the results of these evaluations can be used to replicate the DC OSP in other locations. Each of these issues is discussed briefly below.

Managing Expectations of Impact Evaluation Results

When evaluating a new program, some expect immediate positive results. In the evaluation studies of the DC OSP, students who were offered or used a scholarship made some significant gains in reading compared to the control group and had similar or sometimes lower mathematics achievement compared to the control group. While these results may not be overwhelmingly positive, it is difficult to gauge how much achievement gain to expect.

To create a context for interpreting the results of the DC OSP evaluation, it may be helpful to consider the results of other impact evaluations of similar scholarship programs. Several states have similar scholarship programs and have conducted impact evaluations. The Louisiana Scholarship Program (LSP), for example, offers publicly funded vouchers for low-performing students to attend private schools if their family income does not exceed 250% of the poverty line. In the first two years, there were significant negative effects for students who participated in the LSP program. The evaluation of the LSP after three years, however, found no statistically significant differences in reading or mathematics. [66] A retrospective analysis of records for the Indiana Choice Scholarship Program found that scholarship recipients scored similarly in reading but significantly lower in math after four years.[67] Based on the results of these evaluations, results from the DC OSP seem to be in line with what is typical for students after several years of participation in this type of scholarship program.[68]

Another issue related to evaluating the program is whether the evaluations are focused on the appropriate outcome measures and how much weight should be afforded to a given outcome measure. There is a substantial focus on student academic performance, which is a common focus of the evaluation of education programs, including those offered in public schools. The DC OSP evaluations have also looked at other factors such as perceptions of school safety, parent involvement, and high school graduation rates. As with other academic programs, if academic performance is comparable to or lagging behind that of a comparison group but some gains are seen on other outcome measures, the question becomes one of whether those other gains are sufficient to merit program continuation or possible program expansion. This question is difficult to grapple with as school voucher advocates may point to any successes as a reason for program continuation, while opponents of school vouchers may point to any shortcomings as a reason for the program to be eliminated.

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[66] The LSP is evaluated by a team of researchers from the University of Arkansas. To read the evaluation reports, see https://www.uaedreform.org/louisiana-sseep-evaluation/.

[67] Waddington, J.R. & Berends, M. (2018). *Impact of the Indiana School Choice Scholarship Program: Achievement Effects for Students in Upper Elementary and Middle School.* Journal of Policy Analysis and Management, vol. 37, no. 4, pp. 783-808; https://onlinelibrary.wiley.com/doi/abs/10.1002/pam.22086.

[68] There is one exception to the trend in results discussed here. Researchers have reported overwhelmingly positive results for the North Carolina Opportunity Scholarship Program. The impact evaluation of this program, however, is significantly different than the evaluations discussed above. The North Carolina impact study used a volunteer sample for the scholarship group and a matched sample for the comparison group to estimate the impact of the program. In addition, researchers administered an additional assessment measure because no common measure was used across public and private schools. While the researchers provided results using the best available data, the limitations of the findings are significant due to the voluntary nature of the sample and potential positive bias in the assessment measure used. For more information on the research design and results, see https://ced.ncsu.edu/elphd/wp-content/uploads/sites/2/2018/06/OS-Test-Score-Impact-Working-Paper.pdf.

Lack of Direct Comparison for Scholarship Use

The "gold standard" in any experimental evaluation is the use of random assignment into treatment and control groups. The evaluations described above required IES to use the strongest possible research design for determining the effectiveness of the opportunity scholarship program. The DC OSP evaluation used random assignment to choose students who would be offered a scholarship and students who would not be offered a scholarship. It was not practical or feasible, however, to randomly assign students to use the scholarship and other students not to use the scholarship. By the nature of the program, parents and students were provided with a choice. As such, the random assignment allows for a direct comparison between students who were offered a scholarship and those who were not offered a scholarship. It did not, however, allow for a direct comparison between students who used the scholarship and those who were not offered a scholarship. To determine the effect on students who used the scholarship, researchers used a mathematical adjustment. The effect of using a scholarship was estimated by dividing the impact of being offered a scholarship by the fraction of the treatment group that used the scholarship.

Because researchers are not able to use random assignment of students to require the use of a scholarship in a school choice program, it may be more practical to use quasi-experimental research designs. P.L. 115-31 allows IES to use an acceptable quasi-experimental research design for determining the effectiveness of the DC OSP. This approach does not use a control group of students who applied for but did not receive a scholarship. A well-designed, quasi-experimental approach, however, would allow IES to make reasonable comparisons between students who use a scholarship to students of similar backgrounds in DC public schools and DC public charter schools.

Response Rate and Attrition

During the impact evaluations, IES was required to work with eligible entities to ensure that parents of each student who applies for a scholarship agree to allow their child to participate in the assessment for the evaluation. Evaluations need a certain level of participation, or "response rate" to have results be considered reliable and valid. Response rates are not typically 100%. For example, the final evaluation report under P.L. 108-199 finds that the effective response rate for reading and mathematics assessments was 69.4% for the control group and 69.5% for the treatment group. That is, approximately 69.5% of students who were offered a scholarship participated in reading and mathematics assessments. The What Works Clearinghouse[69] considers response rates below 70%, or a difference in response rates between treatment and control groups of over 5%, to be a possible attrition problem.

Another potential source of attrition is natural attrition as students either graduate or leave secondary education. The DC OSP impact evaluations are part of a longitudinal study that tracks students over time. Some students in the first cohort were in secondary school. Over four years of evaluation under P.L. 108-199, there was a natural attrition of students who could no longer be part of the study because they "graded-out" or left the K-12 education system. By the final year of the evaluation, 13% of the treatment group could no longer be tracked because they "graded-out" or left. When the sample size of an evaluation is reduced due to attrition, it becomes harder to find an effect of the treatment.[70] That is, an effect of a certain size may be significant in one year,

[69] The What Works Clearinghouse is a group of researchers with expertise in education, methodology, and dissemination of education research that work to create standards for education evaluation. For more information, see https://ies.ed.gov/ncee/wwc/WhoWeAre.

[70] See Appendix E of *Evaluation of the DC Opportunity Scholarship Program: Final Report*, available at

but as the sample size is reduced, that same size of effect may become insignificant in the next year because of a lack of power in the study.[71]

Sensitivity of Outcome Measures

The likelihood of finding an effect in an impact evaluation is dependent on the sensitivity of outcome measures. To evaluate reading and mathematics achievement in the DC OSP evaluation, IES used both the Stanford Achievement Test, version 9 (evaluations conducted under the requirements of P.L. 108-199) and the TerraNova, Third Edition (evaluations conducted under the requirements of P.L. 112-10). These assessments were selected because they were considered a grade-appropriate, nationally norm-referenced standardized test for students in grades K-12 with a relatively short administration (90 minutes for the reading and mathematics subtests).[72] These assessments, however, are not aligned with standards and curricula in place at DC private schools, public schools, or public charter schools. It is possible, therefore, that the assessments used in the evaluations were not sensitive to the potential academic gains made by students participating in the evaluation.

P.L. 115-31 has changed the assessment requirements such that future evaluations must use the same reading and mathematics assessments used by the DC public schools to comply with the ESEA.[73] DC public schools currently administer assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC). PARCC assessments are aligned with academic standards used by the DC public schools.[74] These assessments, however, may not be aligned with the standards in place in DC private schools.[75] The PARCC assessments, therefore, may be more sensitive to changes in achievement for students who attend DC public schools than students who attend DC private schools. It is possible that future evaluations will have a positive bias toward DC public school students since the assessment theoretically measures what they are learning in the classroom. The extent to which the assessments measure what DC private school students are learning in the classroom is unknown.

In evaluation terms, therefore, there may be a positive bias toward the control group. If there is a positive bias toward the control group, it would be more difficult to detect a significant effect of the treatment (i.e., the offer or use of a DC opportunity scholarship).

Limited Generalizability to Other Voucher Programs

Positive results of impact evaluations are often used as evidence to "scale-up" a specific education policy or practice. In some cases, an education policy or practice that works in one

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https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf. For more information about effect sizes, see footnote 33 on p. 32 of the aforementioned report.

[71] For a discussion of study power, see Appendix A.2 of *Evaluation of the DC Opportunity Scholarship Program: Final Report*, https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf.

[72] See pg. 8 of *Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year*, https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf.

[73] As a condition of receiving funds under Title I-A of the ESEA, a state was required to develop reading and mathematics assessments that were aligned with state academic standards. For more information, see CRS In Focus IF10556, *Elementary and Secondary Education Act: Overview of Title I-A Academic Accountability Provisions*.

[74] DC public charter schools are not required to use the same standards as DC public schools. However, DC public charter schools must participate in the annual academic assessments required under Title I-A of the ESEA, if the District of Columbia continues to receive Title I-A funds.

[75] Private schools to meet the same state academic standards or participate in the same academic assessments administered to public school students as a condition of a state accepting Title I-A funds under the ESEA. States are only required to apply these standards and assessments to students attending public schools.

setting may also work in another setting. If providing another school choice option to parents and students in the District of Columbia produces positive results, is this evidence that these results would likely be replicated in another state or city? It is difficult to interpret the results of the DC OSP impact evaluations within the context of other school choice programs. DC has a unique structure of governance and a relatively large number of charter schools. If the program has evidence of increasing achievement and expanding choice options for students and their parents, the likelihood that these effects would generalize to other cities remains unknown.

Appendix A. DC OSP Scholarship Use by Grade Level, 2009-2010 School Year Through 2017-2018 School Year

Table A-1. DC OSP Scholarship Use by Grade Level, 2009-2010 School Year Through 2017-2018 School Year

Grade Level	2009-2010 School Year	2010-2011 School Year	2011-2012 School Year	2012-2013 School Year	2013-2014 School Year	2014-2015 School Year	2015-2016 School Year	2016-2017 School Year	2017-2018 School year	Total by grade level
K	11	0	87	71	65	62	58	16	139	509
1	89	10	102	99	96	91	76	69	119	751
2	126	80	115	107	120	92	87	84	147	958
3	156	100	144	124	130	112	96	85	152	1,099
4	149	117	149	146	133	117	94	96	135	1,136
5	177	115	171	146	141	113	100	91	140	1,194
6	157	137	188	167	174	128	108	98	167	1,324
7	143	130	171	176	175	138	106	106	124	1,269
8	139	126	164	162	171	148	113	120	129	1,272
9	74	87	160	148	136	135	113	83	110	1,046
10	49	58	88	125	129	115	114	110	103	891
11	49	40	69	76	111	105	92	106	95	743
12	47	41	37	59	57	86	87	90	93	597
Total by school year	1,366	1,041	1,645	1,606	1,638	1,442	1,244	1,154	1,653	12,789

Source: Table prepared by CRS based on unpublished data provided by Serving Our Children.

Notes: Data for scholarship use prior to the 2009-2010 school year were not available from the local program administrator, Serving Our Children.

Appendix B. Private Schools Participating in the DC OSP, 2018-2019 School Year

Table B-1. Private Schools Participating in the DC OSP, 2018-2019 School Year

School	Tuition	Percent of Tuition Covered by Maximum Scholarship	Accreditation
Academia de la Recta Porta International Christian Day School	$7,600 (K-8); $11,500 (9-12)	Full (K-8); Full (9-12)	Candidate with MSA
Academy for Ideal Education	$8,000 (K-8) $12,950 (9-12)	Full (K-8); Full (9-12)	NR
Aidan Montessori School	$27,745 (K-6)	31% (K-6)	AIMS and AMI
Annunciation Catholic School	$9,900-$10,200 (K-8)	87%-89% (K-8)	AdvancED
Archbishop Carroll High School	$13,672 (9-12)	97% (9-12)	AdvancED
Beauvoir - National Cathedral Elem. School	$35,975 (K-3)	25% (K-3)	MSA
The Bishop John T. Walker School for Boys	$18,000 (K-7)	49% (K-7)	NR
Blessed Sacrament School	$10,275 (K-8)	86% (K-8)	AdvancED
The Bridges Academy	$7,500 (K-8)	Full (K-8)	NR
Calvary Christian Academy	$10,000 (K-8)	89% (K-8)	NR
Christian Family Montessori School	$8,019-$12,659 (K-6)	70%-Full (K-6)	AMI
Cornerstone School	$8,400 (K-8) $12,700 (9-12)	Full (K-8); Full (9-12)	NR
Dupont Park Adventist School	$5,965-$7,350 (K-5) $,6095-$7,455 (6-8)	Full (K-5); Full (6-8)	MSA
Edmund Burke School	$37,775 (6-8) $40,075 (9-12)	23%(6-8); 33% (9-12)	MSA
Emerson Preparatory School	$29,000 (9-12)	46% (9-12)	NR
The Field School	$44,600 (6-12)	20% (6-8); 30% (9-12)	MSA

School	Tuition	Percent of Tuition Covered by Maximum Scholarship	Accreditation
Georgetown Day School	$34,764 (K) $37,159 (1-5) $38,645 (6-8) $39,788 (9-11) $40,023 (12)	25% (K) 24% (1-5) 23% (6-8) 33% (9-11) 33% (12)	AIMS
Georgetown Visitation Preparatory School	$28,300 (9-12)	47% (9-12)	MSA
Gonzaga College High School	$22,100 (9-12)	60% (9-12)	MSA
Holy Trinity School	$14,700 (K); $13,770 (1-8)	60% (K); 64% (1-8)	AdvancED
Howard University Early Learning Program	Unlisted	Unlisted	NAEYC
Kingsbury Day School	$40,000 (K-12)	22% (K-8); 33% (9-12)	AIMS and MSA
Kuumba Preparatory School of the Arts	$8,452 (K-8); $12,679 (9-11)	Full (K-8); Full (9-12)	NAEYC
Lowell School	$35,450 (K-3) $36,135 (4-5) $37,815 (6-8)	25% (K-3) 25% (4-5) 23% (6-8)	AIMS
Milton Gottesman Jewish Day School of the Nation's Capital	$24,950-$27,450 (K-6)	32%-35% (K-6)	AIMS
The Monroe School	$25,500 (6-12)	35% (6-8); 52% (9-12)	NR
National Cathedral School	$40,575 (4-12)	22% (4-8); 33% (9-12)	AIMS and MSA
National Presbyterian School	$30,500 (K-6)	28% (K-6)	AIMS
Our Lady of Victory School	$10,328 (K-8)	86% (K-8)	AdvancED
Parkmont School	$34,600 (6-12)	26% (6-8); 38% (9-12)	AIMS
Preparatory School of DC	$10,800 (K-5) $11,800 (6-8) $12,950 (9-12)	82% (K-5) 75% (6-8) Full (9-12)	NR

School	Tuition	Percent of Tuition Covered by Maximum Scholarship	Accreditation
Randall Hyland Private School	$12,480 (K)	71% (K)	NAEYC
Sacred Heart School	$6,647 (K-8)	Full (K-8)	SACS
San Miguel School	$25,000 (6-8)	35% (6-8)	AdvancED
Sheridan School	$33,850 (K-3) $36,840 (4-8)	26% (K-3) 24% (4-8)	AIMS
Sidwell Friends School	$40,840 (K-12)	22% (K-8) 33% (9-12)	AIMS and MSA
St. Albans School	$44,141 (4-12)	20% (4-8) 30% (9-12)	AIMS
St. Anselm's Abbey School	$26,800 (6-8) $27,800 (9-12)	33% (6-8) 48% (9-12)	MSA
St. Anthony School	$6,647 (K-8)	Full (K-8)	SACS
St. Augustine School	$5,750 (K-8)	Full (K-8)	AdvancED
St. Francis Xavier Academy	$6,647 (K-8)	Full (K-8)	SACS
St. John's College High School	$19,175 (9-12)	69% (K-12)	MSA
St. Peter School	$11,500-$14,500 (K-8)	61%-77% (K-8)	AdvancED
St. Thomas More Academy	$6,647 (K-8)	Full (K-8)	SACS
Washington Jesuit Academy	$18,000 (5-8)	49% (5-8)	AIMS and MSA
Washington School for Girls	$18,000 (3-8)	49% (3-8)	MSA

Source: Table prepared by CRS based on data available from Serving Our Children, D.C. Opportunity Scholarship Program: Participating School Directory, 2018-2019, November 2017.

Notes: According the Serving Our Children website (as of December 17, 2018), the scholarship amounts for the 2018-2019 school year are up to $8,857 for elementary and middle school and up to $13,287 for high school. The percentage of tuition covered assumes a student receives the maximum scholarship amount for his/her relevant grade level. If the amount of funding provided by the scholarship is sufficient to cover the full amount of tuition, the percentage covered is listed as "full." In some instances, the scholarship amount may only cover full tuition for some, but not all, grades served by a given school.

AIMS: The Association of Independent Maryland Schools

AMI: Association Montessori Internationale
AMS: The American Montessori Society
MSA: Middle States Association of Colleges and Schools
NAEYC: National Association for the Education of Young Children
NR: School did not report information on its accreditation status
SACS: The Southern Association of Colleges and Schools

Appendix C. Impact Evaluation Reports

Table C-1. Report Associated with Each DC OSP Participation or Impact Evaluation

Evaluation	School Years of Data Collection	Report
1	2004-2005	*Evaluation of the D.C. Opportunity Scholarship Program: First Year Report on Participation* Available at https://www2.ed.gov/rschstat/eval/choice/dcchoice-yearone/choice.pdf.
2	2005-2006	*Evaluation of the D.C. Opportunity Scholarship Program: Second Year Report on Participation* Available at https://ies.ed.gov/ncee/pdf/20064003.pdf.
3	2004-2008	*Evaluation of the D.C. Opportunity Scholarship Program: Impacts After Three Years* Available at https://files.eric.ed.gov/fulltext/ED504783.pdf.
4	2004-2009	*Evaluation of the D.C. Opportunity Scholarship Program: Final Report* Available at https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf.
5	2012-2015	*Evaluation of the D.C. Opportunity Scholarship Program: Impacts After One Year* Available at https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf.
6	2012-2016	*Evaluation of the D.C. Opportunity Scholarship Program: Impacts After Two Year* Available at https://ies.ed.gov/ncee/pubs/20184010/pdf/20184010.pdf.

Source: Table prepared by CRS based on information available from the U.S. Department of Education.

Appendix D. Summary of Impact Evaluation Results

Interpreting the Results of the Impact Evaluations

Each appendix table has columns for treatment groups only (i.e., scholarship offer group and scholarship use group). The arrows in the table are an indication of whether there was a significant difference between the treatment groups and the control group. An upward arrow (also colored in green) indicates that the treatment group (one of the scholarship groups) scored statistically significantly higher than the control group. A downward arrow (also colored in red) indicates that the treatment group scored statistically significantly lower than the control group. Sideways arrows indicate that there was no statistically significant difference between the treatment group and the control group.

The arrows in these tables indicate statistical significance at the $p<0.05$ level. The arrows do not, however, provide information on the magnitude of the effect. For an interpretation of the magnitude of the effect, see the IES evaluation reports listed in **Appendix C**.

Table D-1. Summary of DC OSP Impact Evaluation Results: Reading and Mathematics Achievement

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
Reading	Overall scholarship group	↑	↑	↔	↔	↔	↔	↔	↔
	SINI[a]	↔	↔	↔	↔	↔	↔	↔	↔
	Non-SINI[b]	↑	↑	↑	↑	↓	↓	↔	↔
	Elementary[c]	↑	↑	N/A	N/A	↓	↓	↓	↓
	Secondary[d]	↔	↔	N/A	N/A	↔	↔	↔	↔
	Lower achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Lower achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Higher achievement in reading at the beginning of the year[e]	↑	↑	↑	↑	↔	↔	↔	↔

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Higher achievement in mathematics at the beginning of the year[e]	↑	↑	↑	↑	↔	↔	↔	↔
	Male	↔	↔	↔	↔	N/A	N/A	N/A	N/A
	Female	↑	↑	↑	↑	N/A	N/A	N/A	N/A
	Cohort 1[f]	↑	↑	N /A	N/A	N/A	N/A	N/A	N/A
	Cohort 2[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A
Mathematics	Overall scholarship group	↔	↔	↔	↔	↓	↓	↓	↓
	SINI[a]	↔	↔	↔	↔	↔	↔	↓	↓
	Non-SINI[b]	↔	↔	↔	↔	↓	↓	↓	↓
	Elementary[c]	↔	↔	N /A	N/A	↓	↓	↓	↓
	Secondary[d]	↔	↔	N/A	N/A	↔	↔	↔	↔
	Lower achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↓	↓	↔	↔

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Lower achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↓	↓
	Higher achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↓	↓
	Higher achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↓	↓
	Male	↔	↔	↔	↔	N/A	N/A	N/A	N/A
	Female	↔	↔	↔	↔	N/A	N/A	N/A	N/A
	Cohort 1[f]	↔	↔	N /A	N/A	N/A	N/A	N/A	N/A
	Cohort 2[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A

Source: Table prepared by CRS based on an examination of the results presented in the following U.S. Department of Education reports: (1) Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years, https://ies.ed.gov/ncee/pubs/20094050/pdf/20094050.pdf; (2) Evaluation of the DC Opportunity Scholarship Program: Final Report, https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf; (3) Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year, https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf; and (4) Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied, https://ies.ed.gov/ncee/pubs/20184010/pdf/20184010.pdf.

Notes:

↔ Indicates that there was no statistically significant difference between the scholarship group and control group.

↓ Indicates that the scholarship group scored statistically significantly lower than the control group.

↑ Indicates that the scholarship group scored statistically significantly higher than the control group.

N/A indicates that the results were not reported.

a. The "SINI" subgroup includes students who attended a school in need of improvement the year prior to applying for a scholarship. This designation refers to public schools that were identified for school improvement, corrective action, or restructuring under Title I-A of the ESEA, prior to the enactment of the Every Student Succeeds Act (ESSA; P.L. 114-95).

b. The "non-SINI" subgroup includes students who did not attend a school in need of improvement the year prior to applying for a scholarship.

c. "Elementary" is defined differently in the evaluations. Under P.L. 108-199, elementary was defined as grades K-8. Under P.L. 112-10, elementary was defined as grades K-5.

d. "Secondary" is defined differently in the evaluations. Under P.L. 108-199, secondary was defined as grades 9-12. Under P.L. 112-10, secondary was defined as grades 6-12.

e. The "Lower achievement in reading" and "Lower achievement in mathematics" subgroups includes students who were performing below the median at the beginning of the year. The "Higher achievement in reading" and "Higher achievement in mathematics" subgroups includes students who were performing above the median at the beginning of the year. In evaluations under P.L. 108-199, "Lower achievement" and "Higher achievement" were not separated into reading and mathematics. If a result was significant for this subgroup, this chart assumes the effect was for both subgroups (e.g., if there was a significant effect for "Higher Achievement," this chart reports a significant effect for "Higher Achievement in Reading and Higher Achievement in Mathematics).

f. Evaluations under P.L. 108-199 had a sample large enough to examine cohort effects in some cases. Cohort 1 students applied in 2004. Cohort 2 students applied in 2005.

Table D-2. Summary of DC OSP Impact Evaluation Results: Parent and Student Satisfaction

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
Parent satisfaction	Overall scholarship group	↑	↑	↑	↑	↔	↔	↔	↔
	SINI[a]	↔	↔	↔	↔	↔	↔	↔	↔
	Non-SINI[b]	↑	↑	↑	↑	↔	↔	↔	↔
	Elementary[c]	↑	↑	N/A	N/A	↔	↔	↔	↔
	Secondary[d]	↔	↔	N/A	N/A	↔	↔	↔	↔

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Lower achievement in reading at the beginning of the year[e]	↔	↔	↑	↑	↔	↔	↔	↔
	Lower achievement in mathematics at the beginning of the year[e]	↔	↔	↑	↑	↔	↔	↔	↔
	Higher achievement in reading at the beginning of the year[e]	↑	↑	↑	↑	↔	↔	↑	↑
	Higher achievement in mathematics at the beginning of the year[e]	↑	↑	↑	↑	↔	↔	↑	↑
	Male	↑	↑	↔	↔	N/A	N/A	N/A	N/A
	Female	↑	↑	↑	↑	N/A	N/A	N/A	N/A
	Cohort 1[f]	↑	↑	N/A	N/A	N/A	N/A	N/A	N/A
	Cohort 2[f]	↑	↑	N/A	N/A	N/A	N/A	N/A	N/A

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
Student satisfaction	Overall scholarship group	↔	↔	↔	↔	↔	↔	↔	↔
	SINI[a]	↔	↔	↔	↔	↔	↔	↔	↔
	Non-SINI[b]	↔	↔	↔	↔	↔	↔	↔	↔
	Elementary[c]	↔	↔	N/A	N/A	↔	↔	↔	↔
	Secondary[d]	↔	↔	N/A	N/A	↔	↔	↔	↔
	Lower achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Lower achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Higher achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Higher achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Male	↔	↔	↔	↔	N/A	N/A	N/A	N/A
	Female	↔	↔	↔	↔	N/A	N/A	N/A	N/A
	Cohort 1[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A
	Cohort 2[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A

Source: Table prepared by CRS based on an examination of the results presented in the following U.S. Department of Education reports: (1) Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years, https://ies.ed.gov/ncee/pubs/20094050/pdf/20094050.pdf; (2) Evaluation of the DC Opportunity Scholarship Program: Final Report, https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf; (3) Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year, https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf; and (4) Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied, https://ies.ed.gov/ncee/pubs/20184010/pdf/20184010.pdf.

Notes:

↔ Indicates that there was no statistically significant difference between the scholarship group and control group.

↓ Indicates that the scholarship group scored statistically significantly lower than the control group.

↑ Indicates that the scholarship group scored statistically significantly higher than the control group.

N/A indicates that the results were not reported.

a. The "SINI" subgroup includes students who attended a school in need of improvement the year prior to applying for a scholarship. This designation refers to public schools that were identified for school improvement, corrective action, or restructuring under Title I-A of the ESEA, prior to the enactment of the Every Student Succeeds Act (ESSA; P.L. 114-95).

b. The "non-SINI" subgroup includes students who did not attend a school in need of improvement the year prior to applying for a scholarship.

c. "Elementary" is defined differently in the evaluations. Under P.L. 108-199, elementary was defined as grades K-8. Under P.L. 112-10, elementary was defined as grades K-5.

d. "Secondary" is defined differently in the evaluations. Under P.L. 108-199, secondary was defined as grades 9-12. Under P.L. 112-10, secondary was defined as grades 6-12.

e. The "Lower achievement in reading" and "Lower achievement in mathematics" subgroups includes students who were performing below the median at the beginning of the year. The "Higher achievement in reading" and "Higher achievement in mathematics" subgroups includes students who were performing above the median at the beginning of the year. In evaluations under P.L. 108-199, "Lower achievement" and "Higher achievement" were not separated into reading and mathematics. If a result was significant for this subgroup, this chart assumes the effect was for both subgroups (e.g., if there was a significant effect for "Higher Achievement," this chart reports a significant effect for "Higher Achievement in Reading and Higher Achievement in Mathematics).

f. Evaluations under P.L. 108-199 had a sample large enough to examine cohort effects in some cases. Cohort 1 students applied in 2004. Cohort 2 students applied in 2005.

Table D-3. Summary of DC OSP Impact Evaluation Results: Parent and Student Perceptions of School Safety

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
Parent perceptions of school safety	Overall scholarship group	↑	↑	↑	↑	↑	↑	↑	↑
	SINI[a]	↑	↑	↔	↔	↑	↑	↑	↑
	Non-SINI[b]	↑	↑	↑	↑	↔	↔	↑	↑
	Elementary[c]	↑	↑	N/A	N/A	↑	↑	↑	↑
	Secondary[d]	↑	↑	N/A	N/A	↑	↑	↑	↑
	Lower achievement in reading at the beginning of the year[e]	↑	↑	↔	↔	↔	↔	↑	↑

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Lower achievement in mathematics at the beginning of the year[e]	↑	↑	↔	↔	↑	↑	↑	↑
	Higher achievement in reading at the beginning of the year[e]	↑	↑	↔	↔	↑	↑	↑	↑
	Higher achievement in mathematics at the beginning of the year[e]	↑	↑	↔	↔	↑	↑	↑	↑
	Male	↑	↑	↔	↔	N/A	N/A	N/A	N/A
	Female	↑	↑	↔	↔	N/A	N/A	N/A	N/A
	Cohort 1[f]	↑	↑	N/A	N/A	N/A	N/A	N/A	N/A
	Cohort 2[f]	↑	↑	N/A	N/A	N/A	N/A	N/A	N/A
Student perceptions of school safety	Overall scholarship group	↔	↔	↔	↔	↔	↔	↑	↑
	SINI[a]	↔	↔	↔	↔	↔	↔	↑	↑

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Non-SINI[b]	↔	↔	↔	↔	↔	↔	↔	↔
	Elementary[c]	↔	↔	N/A	N/A	↔	↔	↔	↔
	Secondary[d]	↔	↔	N/A	N/A	↔	↔	↑	↑
	Lower achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Lower achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↑	↑
	Higher achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Higher achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Male	↔	↔	↔	↔	N/A	N/A	N/A	N/A
	Female	↔	↔	↔	↔	N/A	N/A	N/A	N/A

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Cohort 1[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A
	Cohort 2[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A

Source: Table prepared by CRS based on an examination of the results presented in the following U.S. Department of Education reports: (1) Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years, https://ies.ed.gov/ncee/pubs/20094050/pdf/20094050.pdf; (2) Evaluation of the DC Opportunity Scholarship Program: Final Report,https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf; (3) Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year, https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf; and (4) Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied, https://ies.ed.gov/ncee/pubs/20184010/pdf/20184010.pdf.

Notes:

↔ Indicates that there was no statistically significant difference between the scholarship group and control group.

↓ Indicates that the scholarship group scored statistically significantly lower than the control group.

↑ Indicates that the scholarship group scored statistically significantly higher than the control group.

N/A indicates that the results were not reported.

a. The "SINI" subgroup includes students who attended a school in need of improvement the year prior to applying for a scholarship. This designation refers to public schools that were identified for school improvement, corrective action, or restructuring under Title I-A of the ESEA, prior to the enactment of the Every Student Succeeds Act (ESSA; P.L. 114-95).

b. The "non-SINI" subgroup includes students who did not attend a school in need of improvement the year prior to applying for a scholarship.

c. "Elementary" is defined differently in the evaluations. Under P.L. 108-199, elementary was defined as grades K-8. Under P.L. 112-10, elementary was defined as grades K-5.

d. "Secondary" is defined differently in the evaluations. Under P.L. 108-199, secondary was defined as grades 9-12. Under P.L. 112-10, secondary was defined as grades 6-12.

e. The "Lower achievement in reading" and "Lower achievement in mathematics" subgroups includes students who were performing below the median at the beginning of the year. The "Higher achievement in reading" and "Higher achievement in mathematics" subgroups includes students who were performing above the median at the beginning of the year. In evaluations under P.L. 108-199, "Lower achievement" and "Higher achievement" were not separated into reading and mathematics. If a result was significant for this subgroup, this chart assumes the effect was for both subgroups (e.g., if there was a significant effect for "Higher Achievement," this chart reports a significant effect for "Higher Achievement in Reading and Higher Achievement in Mathematics).

f. Evaluations under P.L. 108-199 had a sample large enough to examine cohort effects in some cases. Cohort 1 students applied in 2004. Cohort 2 students applied in 2005.

Table D-4. Summary of DC OSP Impact Evaluation Results: Parent Involvement

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
Parent involvement	Overall scholarship group	↔	↔	↔	↔	↔	↔	↔	↔
	SINI[a]	↔	↔	↔	↔	↔	↔	↔	↔
	Non-SINI[b]	↓	↓	↔	↔	↔	↔	↔	↔
	Elementary[c]	↔	↔	N/A	N/A	↔	↔	↔	↔
	Secondary[d]	↓	↓	N/A	N/A	↑	↑	↔	↔
	Lower achievement in reading at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Lower achievement in mathematics at the beginning of the year[e]	↔	↔	↔	↔	↔	↔	↔	↔
	Higher achievement in reading at the beginning of the year[e]	↓	↓	↔	↔	↔	↔	↔	↔

		Evaluations Under P.L. 108-199				Evaluations Under P.L. 112-10			
		School Years 2004-2008		School Years 2004-2009		School Years 2012-2015		School Years 2012-2016	
Outcome	**Subgroup**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**	**Scholarship Offer**	**Scholarship Use**
	Higher achievement in mathematics at the beginning of the year[e]	↓	↓	↔	↔	↔	↔	↔	↔
	Male	↔	↔	↔	↔	N/A	N/A	N/A	N/A
	Female	↓	↓	↔	↔	N/A	N/A	N/A	N/A
	Cohort 1[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A
	Cohort 2[f]	↔	↔	N/A	N/A	N/A	N/A	N/A	N/A

Source: Table prepared by CRS based on an examination of the results presented in the following U.S. Department of Education reports: (1) Evaluation of the DC Opportunity Scholarship Program: Impacts After Three Years, https://ies.ed.gov/ncee/pubs/20094050/pdf/20094050.pdf; (2) Evaluation of the DC Opportunity Scholarship Program: Final Report, https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf; (3) Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year, https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf; and (4) Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied, https://ies.ed.gov/ncee/pubs/20184010/pdf/20184010.pdf.

Notes:

↔ Indicates that there was no statistically significant difference between the scholarship group and control group.

↓ Indicates that the scholarship group scored statistically significantly lower than the control group.

↑ Indicates that the scholarship group scored statistically significantly higher than the control group.

N/A indicates that the results were not reported.

a. The "SINI" subgroup includes students who attended a school in need of improvement the year prior to applying for a scholarship. This designation refers to public schools that were identified for school improvement, corrective action, or restructuring under Title I-A of the ESEA, prior to the enactment of the Every Student Succeeds Act (ESSA; P.L. 114-95).

b. The "non-SINI" subgroup includes students who did not attend a school in need of improvement the year prior to applying for a scholarship.

c. "Elementary" is defined differently in the evaluations. Under P.L. 108-199, elementary was defined as grades K-8. Under P.L. 112-10, elementary was defined as grades K-5.

d. "Secondary" is defined differently in the evaluations. Under P.L. 108-199, secondary was defined as grades 9-12. Under P.L. 112-10, secondary was defined as grades 6-12.

e. The "Lower achievement in reading" and "Lower achievement in mathematics" subgroups includes students who were performing below the median at the beginning of the year. The "Higher achievement in reading" and "Higher achievement in mathematics" subgroups includes students who were performing above the median at the beginning of the year. In evaluations under P.L. 108-199, "Lower achievement" and "Higher achievement" were not separated into reading and mathematics. If a result was significant for this subgroup, this chart assumes the effect was for both subgroups (e.g., if there was a significant effect for "Higher Achievement," this chart reports a significant effect for "Higher Achievement in Reading and Higher Achievement in Mathematics).

f. Evaluations under P.L. 108-199 had a sample large enough to examine cohort effects in some cases. Cohort 1 students applied in 2004. Cohort 2 students applied in 2005.

Appendix E. Glossary of Acronyms

DC OSP:	District of Columbia Opportunity Scholarship Program
DCPCSB:	District of Columbia Public Charter School Board
DCPS:	District of Columbia Public Schools
ED:	U.S. Department of Education
ESA:	Education savings account
ESEA:	Elementary and Secondary Education Act
GEPA:	General Education Provisions Act
GAO:	Government Accountability Office
IDEA:	Individuals with Disabilities Education Act
IES:	Institute of Education Sciences
LSP:	Louisiana Scholarship Program
MOU:	Memorandum of Understanding
NAEP:	National Assessment of Educational Progress
OSSE:	Office of the State Superintendent of Education
SEO:	State Education Office
SINI:	School in need of improvement
SNAP:	Supplemental Nutrition Assistance Program
SOAR:	Scholarships for Opportunity and Results
SOAR TCA:	Scholarships for Opportunity and Results Technical Corrections Act
TANF:	Temporary Aid to Needy Families
WSF:	Washington Scholarship Fund

Appendix F. Legislative History of the DC Opportunity Scholarship Program

This appendix traces the DC OSP from the efforts associated with its initial enactment through its current authorization. With the exception of the SOAR Technical Corrections Act (P.L. 112-92), the enacting legislation and all subsequent amendments related to the DC OSP have been included in appropriations bills. Funding for the DC OSP is provided under the Federal Payment for School Improvement account under the District of Columbia title, which is included in the Financial Services appropriations act. This account was established with the enactment of the DC OSP in FY2004. Other changes to the DC OSP, such as program reauthorizations, have also been included in annual appropriations bills but have been detailed elsewhere in the appropriations bills. This discussion includes each relevant bill that has been enacted since the DC School Choice Incentive Act of 2003. While the discussion includes some information about provisions specifically affecting DC public schools and DC public charter schools, the focus of the discussion is on the DC OSP.

Enactment of the Opportunity Scholarship Program

In the Bush Administration's FY2004 budget submission, the Administration requested $75 million for a Choice Incentive Fund that would have provided competitive grants to states, local educational agencies (LEAs), and community-based organizations that expanded opportunities for parents of children who attend low-performing schools to attend higher-performing schools, including charter schools and private schools.[76] Under the Administration's proposal, a portion of the funds would have been reserved for school choice programs in the District of Columbia. Both the Mayor of the District of Columbia (hereafter referred to as the Mayor), Anthony Williams, and the President of the District of Columbia Board of Education, Peggy Cooper Cafritz, endorsed the concept of private school vouchers as a means of improving education options for DC public school students and as a means for transforming the city's faltering public school system.[77] Local supporters of a voucher program insisted that the program had to be federally funded and could not result in a reduction of funds to the city's traditional public schools and public charter schools. Eleanor Holmes Norton, the District of Columbia's Delegate to Congress, subsequently criticized the Mayor's support for a federally funded voucher program, noting that the proposal was an affront to home rule.[78] Other opponents of the voucher program argued that the program would reduce needed funding for public education and be of minimal benefit to most of the city's students.

The establishment of a federally supported voucher program met with both support and resistance in Congress. In July 2003, the House Committee on Government Reform passed H.R. 2556, the DC Parental Choice Incentive Act of 2003, by a vote of 22 to 21. The act would have created a federally funded scholarship program to serve low-income students in the District of Columbia. The program would have established a competitive grant program under which the Secretary of

[76] This was not the first attempt by Congress to establish a voucher program in the District of Columbia. In 1998, President Clinton vetoed the District of Columbia Student Opportunity Scholarship Act of 1997 (S. 1502), which would have created a federally funded scholarship program in the District of Columbia for purposes of awarding scholarships to enable children from low-income families to attend schools of choice in the Washington, DC, metropolitan area.

[77] Peggy Cooper Cafritz, "Making the Most of Vouchers," *Washington Post*, March 3, 2003, p. 17.

[78] Craig Timberg and Justin Blum, "Mayor Endorses Vouchers in D.C.; Norton Criticizes Statement as 'Selling Out' Home Rule," *Washington Post*, May 2, 2003, p. A1.

Education would award grants to eligible entities for the operation of one or more scholarship programs. Grantees would have awarded scholarships of up to $7,500 per academic year to students who are residents of the District of Columbia and whose family income did not exceed 185% of the poverty level to enable them to attend private elementary and secondary schools located in the District of Columbia. The program would have been authorized at $15 million for FY2004 and at such sums as may be necessary through FY2008.

Later that month, the House Committee on Appropriations reported H.R. 2765, which would have provided $10 million for a school choice program in the District of Columbia in the FY2004 appropriations bill for the District of Columbia. The program was substantively similar to the program proposed under H.R. 2556. During floor debate on H.R. 2765 two voucher-related amendments were offered. The first, offered by Delegate Norton, would have eliminated the proposed voucher program. The amendment failed to pass by a vote of 203 to 203. A second amendment was offered by Representative Tom Davis that would have established eligibility criteria for students to receive a voucher and cap the maximum amount of funding a voucher could provide for any given school year. The amendment passed by a vote of 209 to 206.

The Senate's version of the FY2004 District of Columbia appropriations bill (S. 1583) included the DC Student Opportunity Scholarship Act of 2003. This bill was substantively similar to H.R. 2556, and contained the framework on which the final provisions for the DC School Choice Incentive Act were based. It was placed on the Senate calendar but was never considered on the Senate floor. The Senate-passed version of H.R. 2765, however, did not include funding to establish a scholarship program for low-income students. It did include funding for school improvement for public schools and public charter schools in the District of Columbia.[79] The House-passed version of H.R. 2765 did not include funding for these specific purposes.

The DC School Choice Incentive Act, which created the DC Opportunity Scholarship Program, was authorized and funded by the Consolidated Appropriations Act, 2004 (H.R. 2673; P.L. 108-199), which included the FY2004 District of Columbia appropriations bill. Specific funding for the DC OSP was provided under the header "Federal Payment for School Improvement," which also included funding for DCPS for the improvement of public education and the SEO for the expansion of public charter schools. This approach, commonly known as the three-pronged approach to funding elementary and secondary education in the District of Columbia, was initially suggested by Mayor Williams when he asked for federal assistance for public education in the District of Columbia.[80] The proposal was supported by the Administration[81] and many Members of Congress. While concerns were raised during consideration of the bill that only the DC OSP—not school improvement funding for DCPS or public charter schools—was authorized

[79] When H.R. 2765 was initially considered on the Senate floor, it contained $10 million for a school voucher program in the District of Columbia but did not contain funding for traditional public schools or public charter schools. S.Amdt. 1783 would have amended the bill to provide $40 million for these purposes with traditional public schools, public charter schools, and a school voucher program each receiving $13 million and $1 million provided for evaluation. Prior to voting on S.Amdt. 1783, the amendment was modified by S.Amdt. 2201, which eliminated funding for the school voucher program. S.Amdt. 1783 was then passed by unanimous consent.

[80] For more information, see letter from Mayor Anthony Williams inserted into the *Congressional* Record, Senator Mike DeWine, "District of Columbia Appropriations Act, 2004," Remarks in Senate, *Congressional Record*, September 25, 2003, pp. S11954-S11955.

[81] For more information, see letter from Secretary of Education Rod Paige, inserted into the *Congressional Record*, Senator Mary Landrieu, "District of Columbia Appropriations Act, 2004," Remarks in the Senate, *Congressional Record*, September 26, 2003, p. S12044.

for five years, each year the DC OSP has been funded, the federal government has also provided funds to support school improvement in DC public schools and DC public charter schools.

DC School Choice Incentive Act (FY2004 Appropriations)

The DC School Choice Incentive Act of 2003 (P.L. 108-199, Title III)[82] authorized the DC OSP to provide the families of low-income students, particularly students attending elementary or secondary schools identified for improvement, corrective action, or restructuring under the ESEA, as amended by the No Child Left Behind Act (NCLB; P.L. 107-110), with expanded opportunities to enroll their children in schools of choice located in the District of Columbia. The program was authorized for FY2004 through FY2008 as a five-year demonstration program. An appropriation of $14 million was specified for FY2004; appropriations for the subsequent fiscal years were for "such sums as may be necessary."

Under the DC OSP, the Secretary was permitted to award grants to eligible entities for a period of not more than five years to make scholarships to eligible students. Thus, the eligible entity functions as the local program administrator in practice. An eligible entity was defined as an educational entity of the DC government, a nonprofit organization, or a consortium of nonprofit organizations. In selecting one or more eligible entities to operate the program, the Department of Education (ED) was required to give priority to eligible entities who would most effectively give priority to eligible students who, in the school year preceding the school year for which the student is seeking a scholarship, were attending a school that was identified for improvement, corrective action, or restructuring under the ESEA. In addition, ED was required to give priority to eligible applicants that would target available resources to students and families who lacked the financial resources to take advantage of school choice options and that would provide students and families with the widest range of school options. The eligible entity was permitted to use up to 3% of the funds it receives for administrative expenses.

Student eligibility for the program was open to children from families with incomes not exceeding 185% of the poverty line who were entering kindergarten through 12th grade or who turned five years old by September 30 of the school year for which scholarships are awarded.[83] Eligible students could apply to receive a scholarship valued at up to $7,500 to cover the costs of tuition, fees, and transportation expenses associated with attending participating private elementary and secondary schools located in the District of Columbia. Scholarships provided to students were considered assistance to the student (as opposed to the school) but were not treated as income of the parents for federal tax purposes or for determining eligibility for other federal programs. Students were required to reapply each year to participate in the program. Scholarship recipients remained eligible to continue to participate in the scholarship program, as long as their family income did not exceed 200% of the poverty level. Students enrolled in public schools identified for school improvement, corrective action, or restructuring under Title I-A of the ESEA were given priority in receiving scholarships;[84] however, all students meeting program eligibility criteria were eligible for scholarships regardless of whether they were previously enrolled in a public or private school.

In general, private schools participating in the DC OSP were prohibited from discriminating against program participants or applicants on the basis of race, color, national origin, religion, or

[82] P.L. 108-199 was the Consolidated Appropriations Act, 2004.

[83] Information on student eligibility by age or grade level is available online at http://www.washingtonscholarshipfund.org/programs/opportunity/index.html.

[84] The priority is provided through weighting procedures in the lottery.

gender. The latter prohibition did not apply, however, to single sex schools that were operated by, supervised by, controlled by, or connected to a religious organization to the extent that nondiscrimination based on gender would be inconsistent with the religious tenets or beliefs of the school. In addition, nothing in the DC School Choice Incentive Act allowed participating schools to alter or modify the provisions of the Individuals with Disabilities Education Act.[85] With respect to sectarian private schools that accepted scholarship students, nothing in the School Choice Incentive Act prohibited the school from hiring in a manner consistent with the school's religious beliefs or require the school to alter its mission or remove religious symbols from its building. All participating private schools were required to comply with requests for data and information with respect to program evaluations required by the DC School Choice Incentive Act.

The DC School Choice Incentive Act required the DC OSP to be evaluated annually. The Secretary and Mayor were required to jointly select an independent entity to conduct these evaluations. The independent entity evaluating the program was required to measure the academic achievement of participating students, use the same measurement to assess participating students as is used to assess students in DC public schools, and work with the eligible entity to ensure that the parents of all students who apply for a scholarship, regardless of whether a scholarship is received, agree that the student will participate in measurements conducted by the independent evaluator for the period for which the student applied for or received a scholarship.[86] The evaluation was required to compare the academic achievement of scholarship recipients with students in the same grades attending DC public schools and the eligible students who applied for but did not receive a scholarship. The evaluation also had to examine the extent to which the program expanded choice options for parents; the reasons parents chose to participate in the program; retention rates, dropout rates, graduation rates, and college admissions rates for participating students with students of similar backgrounds who did not participate in the scholarship program; the impact of the program on students and public elementary and secondary schools in DC; the safety of the participating private schools attended by scholarship recipients compared with schools attended by students who were not participating in the DC; and other issues as designated by the Secretary.

FY2004 Appropriations

The Consolidated Appropriations Act, 2004 (P.L. 108-199), which authorized the DC School Choice Incentive Act, also appropriated funds for the DC OSP as well as funds for DCPS and the SEO for DC public charter schools. P.L. 108-199 specified that up to $1 million of the funds appropriated for the DC OSP could be used to administer and fund assessments. There were also requirements that applied specifically to DCPS.[87]

FY2005 Appropriations

The District of Columbia Appropriations Act, 2005 (P.L. 108-335) provided appropriations for the DC OSP, DCPS, and the SEO for DC public charter schools. While several statutory requirements

[85] For more information about IDEA, see CRS Report R41833, *The Individuals with Disabilities Education Act (IDEA), Part B: Key Statutory and Regulatory Provisions*.

[86] The independent evaluator is required to administer the assessments. Schools participating in the DC OSP were not required to administer the assessments.

[87] DCPS was required to submit a plan for the use of funds to various congressional committees. No funds under the DC School Choice Incentive Act could be made available for public education until 30 calendar days after the submission of the funding plan.

were attached to the funding provided to charter schools[88] and DCPS, with respect to the funds appropriated for the DC OSP, the law required that up to $1 million could be used to administer and fund required assessments.

FY2006 Appropriations

The Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (P.L. 109-115) provided funding for the DC OSP, DCPS, and the SEO for DC public charter schools for FY2006. With respect to the DC OSP, it included a provision that permitted up to $1 million provided for scholarships to be used to administer and fund assessments.

FY2007 Appropriations

The Revised Continuing Appropriations Resolution, 2007 (P.L. 110-5) authorized a long-term continuing resolution for FY2007 appropriations. This provided funding for the DC OSP, DCPS, and the SEO for DC public charter schools for FY2007. In addition, under the long-term continuing resolution, the provisions included in the FY2006 appropriations act relevant to the DC School Choice Incentive Act remained in effect with the addition of a new requirement related to charter schools.[89]

FY2008 Appropriations

The Consolidated Appropriations Act, 2008 (P.L. 110-161) provided funding for the DC OSP, DCPS, and the SEO for DC public charter schools for FY2009. With respect to the DC OSP, it permitted up to $1.8 million of the funds provided for the scholarship program to be used to administer and fund assessments.

FY2009 Appropriations

While the Omnibus Appropriations Act, 2009 (P.L. 111-8) provided funding for the DC OSP, DCPS, and the SEO for DC public charter schools.[90] With respect to the DC OSP, it added additional requirements for schools to be eligible to participate in the program and included language limiting the appropriation of funds for the program beyond FY2010. P.L. 111-8 added two requirements for participating private schools. First, participating private schools were required to have and maintain a valid certificate of occupancy issued by the District of Columbia. Second, a core subject matter[91] teacher of scholarship recipients was required to hold a four-year

[88] For example, the law required that of the $13 million provided for charter schools, $2 million was directed to the City Build Initiative, $2.75 million was directed to the Direct Loan Fund for charter Schools, and $4 million had to be used for the development of a charter school incubator facility. With respect to DCPS, the law required, for example, that of the $13 million provided for DCPS, not less than $2 million had to be used for a new incentive fund to reward high performing or significantly improved public schools.

[89] Funds available to expand charter schools were to remain available until expended to the extent that the funds were being used for public charter school credit enhancement and direct loans.

[90] The authorization of appropriations for the DC School Choice Incentive Act expired in FY2008. The General Education Provisions Act (GEPA) provided for a one-year extension of the authorization of appropriations. Following FY2009, Congress continued to appropriate funds for the DC OSP, DC public schools, and DC public charter schools. Thus, the DC OSP was considered to have an implicit authorization of appropriations until the enactment of the SOAR Act.

[91] The law did not define the term "core subject matter."

bachelor's degree.[92] Statutory language did not require that the bachelor's degree be held in the subject area of instruction. That is, it was not required, for example, that only a teacher with a four-year bachelor's degree in English can teach English classes for scholarship recipients.

P.L. 111-8 further specified that the use of any funds *in any act* for scholarships after the 2009-2010 school year shall be available only upon reauthorization of the program and the adoption of legislation by the District of Columbia approving such reauthorization. Senator Ensign (NV) offered an amendment (S.Amdt. 615) to strike the requirement that additional funding could only be provided to the program if the program was reauthorized by Congress and subsequently approved by the District of Columbia. He noted that other federal education programs, including the Higher Education Act, continued to receive federal funding despite having expired authorizations. Further he argued that the final program evaluation had not been completed and ending the program after the 2009-2010 school year would force students, including those who had been scholarship recipients for several years, to find new schools. The amendment failed to pass by a vote of 39-58.[93]

The explanatory statement accompanying P.L. 111-8[94] specified that appropriations provided for opportunity scholarships in the FY2009 Omnibus Appropriations Act could only be used to provide scholarships for *students currently participating in the program*. That is, the funds could not be used to expand program participation. The explanatory statement also directed the Chancellor of DCPS to take steps to minimize the potential disruption and ensure the smooth transition for any scholarship recipients seeking to enroll in the public school system as a result of changes made to the DC OSP after the 2009-2010 school year.

FY2010 Appropriations

The Omnibus Appropriations Act, 2010 (P.L. 111-117) provided funding for the DC OSP, DCPS, and the SEO for DC public charter schools. With respect to the DC OSP, it did not apply the provision in P.L. 111-8 that required that DC OSP funds be available only upon reauthorization of the program and the adoption of legislation by the District of Columbia to the FY2010 appropriations. Of the funds available for the DC OSP, the law specified that up to $1 million could be used to administer and fund assessments and up to $1 million could be used to administer student testing to allow for comparisons of the academic performance of participating private schools enrolling scholarship participants. Consistent with the previous year's appropriations language, P.L. 111-117 maintained that the DC OSP funds could only be used to provide opportunities to students who received scholarships in the 2009-2010 school year.

P.L. 111-117 also added additional requirements for participating private schools. Participating private schools were required to be in compliance with accreditation and other standards under the District of Columbia compulsory school attendance laws that applied to educational institutions that are not affiliated with DCPS. In addition, the Secretary was required to submit a report to Congress by June 15, 2010, that provided information on the academic rigor and quality of each participating school.[95] To obtain comparable data for the report, the Secretary was required to ensure that all eligible scholarship recipients participated in the same academic

[92] Issues related to having a certificate of occupancy and teachers holding a bachelor's degree were mentioned in GAO's report on the implementation of the DC Opportunity Scholarship Program. For more information, see U.S. Government Accountability Office, *District of Columbia Opportunity Scholarship Program*, GAO-08-9, November 2007, pp. 1-98, http://www.gao.gov/new.items/d089.pdf.

[93] For more information, see Senate Record Vote Number: 94.

[94] H.Rept. 111-366.

[95] It does not appear that this report has been submitted to Congress.

performance assessments as students enrolled in DCPS during the 2009-2010 school year. The Secretary was also required to ensure that at least two site inspections are conducted at each participating school on an annual basis.

Scholarships for Opportunity and Results (SOAR) Act

The SOAR Act was authorized under Division C of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10). The SOAR Act replaced the DC School Choice Incentive Act, reauthorized the DC OSP, and authorized appropriations for DC public schools and DC public charter schools for FY2012 through FY2016. Many of the provisions included in the SOAR Act continue to be reflected in current law (see previous discussion of current law provisions), so they are not discussed in detail in this section. Subsequent acts that amended the SOAR Act are discussed below, including information on the changes they made to the SOAR Act.

FY2011 Appropriations

The Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10) provided FY2011 appropriations for the DC OSP, DC public schools, and DC public charter schools. It specified that up to $1 million could be used to administer and fund assessments and also specified that no funds could be used to administer student testing to allow for comparisons of the academic performance of participating private schools enrolling scholarship participants. In addition, the act removed the requirement that DC OSP funds be used to provide scholarships only to students who had received scholarships during the 2009-2010 school year. It further specified that scholarships could be provided to eligible students regardless of whether they had received a scholarship in any prior school year. The act did continue to require the Secretary to submit a report, detailing the academic rigor and quality of each participating private school and the associated assessments that were included in the FY2010 appropriations. Finally, the act changed the requirement the Secretary ensure that site visits were conducted at least twice annually at participating private schools to requiring that the Secretary ensure that site visits are conducted annually.

FY2012 Appropriations

The Consolidated Appropriations Act, 2012 (P.L. 112-74) provided FY2012 appropriations for the three parts of the SOAR Act. The act did not include any DC OSP specific provisions beyond appropriating funds for the program.

SOAR Technical Corrections Act

The SOAR Technical Corrections Act (SOAR TCA; P.L. 112-92) made changes to three sections of the SOAR Act. First, with respect to the Section 3007 requirement that teachers of core academic subjects who are teaching participating students must hold a baccalaureate degree or its equivalent, the SOAR TCA specified that the term "core academic subjects" was to be defined as it was in the ESEA Section 9101(11).[96] Second, the SOAR TCA, added requirements to Section 3008 regarding the administration of nationally norm-referenced standardized tests. The act

[96] At the time, the ESEA defined "core academic subjects" to include English, reading, or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

required IES to administer the relevant assessment to students participating in the evaluation, unless the student is attending a participating private school that is administering the same assessment.[97] If the participating private school is administering the assessment to an eligible student, it must make the assessment results available to the Secretary as necessary for the evaluation of the DC OSP. Finally, the SOAR TCA amended the DC OSP evaluation requirements included in Section 3009. With respect to the responsibilities of the Institute of Education Sciences, requirements were added to align the use of a grade appropriate, nationally norm-referenced standardized test with the new provisions added to Section 3008 of the SOAR Act by the SOAR TCA. The SOAR TCA also added language to the provision that IES was required to work with the eligible entity to ensure that each student who applied for a scholarship, regardless of whether a scholarship was received, and the parents of such student agrees to participate in the measurements given by the IES to specify that the provision applied only to students asked to participate in the measurements by IES.

FY2013 Appropriations

The Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6) provided FY2013 appropriations for the three parts of the SOAR Act. The act did not include any DC OSP specific provisions beyond appropriating funds for the program.

FY2014 Appropriations

The Consolidated Appropriations Act, 2014 (P.L. 113-76) provided FY2014 appropriations for the three parts of the SOAR Act. The act did not include any DC OSP specific provisions beyond appropriating funds for the program.

FY2015 Appropriations

The Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) provided funding for the three parts of the SOAR Act for FY2015. It also specified that of the funds provided for the DC OSP, $3 million had to be used for administrative expenses, student academic assistance, and evaluation.

DC OSP School Certification Requirements Act

Section 917 of the Consolidated Appropriations Act, 2016 (P.L. 114-113), amended the SOAR Act to include new requirements that private schools have to meet to participate in the DC OSP, including accreditation requirements for the first time. A participating private school was required to be provisionally or fully accredited by a national or regional accrediting agency that is

[97] Statutory language refers to the administration of a nationally norm-referenced test but also clearly references the assessment requirements in Section 3009(3)(A). The latter is a reference to the reading and mathematics assessments DC administers to comply with requirements to receive Title I-A funding under the ESEA. DC currently administers the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments, which are technically not nationally norm-referenced tests. For more information about how performance standards were established for the PARCC assessments, see Letter from Jack R. Smith to Members of the Maryland State Board of Education, Use of Impact Data in Setting Performance Standards for the PARCC Assessments, January 26, 2016, https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&cad=rja&uact=8&ved=2ahUKEwj4oML2l__fAhUttlkKHYIDDwcQFjADegQIBxAC&url=http%3A%2F%2Fmarylandpublicschools.org%2Fstateboard%2FDocuments%2F02122016%2FTabsE1-E2-UseImpactDataSettingPerformanceStandards.pdf&usg=AOvVaw03A0Id7I2t6DrXqLGjGkI4.

recognized in the DC School Reform Act of 1995[98] or any other body deemed appropriate by the Office of the State Superintendent of Education for the purpose of accrediting an elementary or secondary school. However, if the private school was participating in the DC OSP as of the day prior to the enactment of the DC OSP School Certification Requirements Act and did not meet the aforementioned accreditation requirement, the school could remain eligible to participate in the DC OSP if not later than one year after such date of enactment, the school had to pursue accreditation from one of the aforementioned accrediting agencies and not later than five years after such date of enactment be provisionally or full accredited by such accrediting agency. The eligible entity was permitted to grant a one-time, one-year extension of this requirement to a participating private school that could demonstrate that it would be awarded accreditation prior to the end of the one-year extension period. A private school that was not participating in the DC OSP prior to the enactment of such Act was not permitted to participate in the program unless it was actively pursuing provisional or full accreditation from one of the aforementioned accrediting agency and met all of the other requirements for participating private schools. The eligible entity was directed to assist the parents of a participating eligible student in identifying, applying to, and enrolling in another participating private school if the student was enrolled in a participating private school that could not meet the requirements of the act or was enrolled in a participating private school that ceases to participate in the DC OSP.

The eligible entity was also required to ensure that each participating private school submits within five years after the date of enactment of the DC OSP School Certification Requirements Act, a certification that the school has been awarded provisional or full accreditation or has received a one-year accreditation extension from the eligible entity.

In addition to the accreditation requirements, all participating public schools were required to conduct criminal background checks on school employees who have direct and unsupervised interaction with students. The participating private schools were also required to comply with all data and information requests regarding the DC OSP reporting requirements.

FY2016 Appropriations

The Consolidated Appropriations Act, 2016 (P.L. 114-113) provided funding for all three parts of the SOAR Act for FY2016. With respect to the DC OSP, the statutory language also required that the Secretary follow the priorities for awarding scholarships and make them available to eligible students, including those who were not offered a scholarship during any previous school year. Further, the law required that $3.2 million be used for administrative expenses, student academic assistance, and evaluation.

SOAR Funding Availability Act

The SOAR Funding Availability Act, Section 162 of the Further Continuing and Security Assistance Appropriations Act, 2017 (P.L. 114-254), amended the SOAR Act in multiple ways. First, it amended Section 3007 of the SOAR Act to require that any funds appropriated for the DC OSP that remained available on the date of enactment of the SOAR Availability Act and any remaining funds appropriated on or after the date of enactment by the first day of the subsequent fiscal year had to be used by the eligible entity administering the program in at least one of two ways. First, the eligible entity was required to use at least 95% of these funds to provide additional scholarships or to increase the amount of the scholarships during such year. Second,

[98] For more information, see §38-1802.02 (16) of the DC School Reform Act of 1995, https://code.dccouncil.us/dc/council/code/titles/38/chapters/18/subchapters/II/.

the eligible entity was permitted to use not more than 5% of such funds for administrative expenses, parental assistance, or tutoring. If funds were used for the latter purposes, the funds had to be in addition to any funds that the eligible entity was already required to use for those purposes during that year. Further, the law specified that all funds appropriated for scholarships at any time would remain available until expended.

FY2017 Appropriations and SOAR Reauthorization Act

The Consolidated Appropriations Act, 2017 (P.L. 115-31) provided FY2017 appropriations for the DC OSP, DC public schools, and DC public charter schools. It also reauthorized the SOAR Act. The law continued the same requirements regarding the following of priorities and awarding scholarships to eligible children as well as using $3.2 million for administrative expenses, parental assistance, student academic assistance, and evaluation.

The law made numerous changes with respect to reauthorizing the SOAR Act. As these changes are included in the previous discussion of current law provisions, this discussion provides only an overview of the changes made to the SOAR Act by the SOAR Reauthorization Act.

The law repealed the DC Opportunity Scholarship Program School Certification Requirements Act included in P.L. 114-113. The SOAR Reauthorization Act included requirements related to provisions that participating private schools must meet to participate in the DC OSP, including provisions related to accreditation, background checks, and complying with data and information requests.

- The law added prohibitions on the imposition of limits on eligible students participating in the DC OSP. For example, the Secretary was prohibited from preventing an otherwise eligible student from participating in the DC OSP based on the type of school the student previously attended; whether a student previously received a scholarship or participated in the program, regardless of how many years a student received but did not use a scholarship; and whether a student previously participated in a DC OSP evaluation control group.
- The law limited the number of site visits at each participating school to one visit.
- The law required the eligible entity to ensure the financial viability of participating public schools in which 85% or more of the enrolled students were using a scholarship to attend.
- The law added new requirements related to internal fiscal and quality controls and financial reporting for the eligible entity serving as the local program administrator.
- The law updated references to the District of Columbia's accountability system used to comply with the requirements of Title I-A of the ESEA and clarified that eligible students who had previously attended a private school could still receive a scholarship. The law also added a definition of "core subject matter" and dropped the reference to "core academic subjects," as the definition was no longer included in the ESEA.
- The law included accreditation requirements for participating private schools.
- The law specified that the eligible entity must treat a participating eligible student who received, but did not use, a scholarship in a previous year as a renewal student and not as a new applicant.

- The law made some changes to administrative expenses and uses of funds. For example, the law changed the requirement that not more than 3% of the funds available for the DC OSP could be reserved for administrative expenses to requiring $2 million to be made available each fiscal year for administrative expenses and parental assistance.
- The law made numerous changes to the DC OSP program evaluation requirements, including with respect to the duties of the Secretary and Mayor, the duties of IES, and the issues to be evaluated. For example, the law amended the requirement that the Secretary ensure that the DC OSP evaluation was conducted "using the strongest possible research design" to require that an "acceptable quasi-experimental research design" be used. The law included provisions prohibiting the disclosure of personal information. It also included transition provisions requiring the termination of previous evaluations and provisions regarding new evaluations. A provision was also added requiring the Mayor to ensure IES has all the information needed to carry out the evaluation.
- The law gave the Secretary the authority to withhold funds from DC public schools or DC public charter schools under certain circumstances and included new requirements regarding the distribution of funds to public charter schools.
- The law required the Secretary and the Mayor to review their MOU in specific ways.

FY2018 Appropriations

The Consolidated Appropriations Act, 2018 (P.L. 115-141) provided FY2018 appropriations for the DC OSP, DC public schools, and DC public charter schools. It included the same requirements as the FY2017 act regarding priorities and the awarding of scholarships to eligible children and using $3.2 million for administrative expenses, parental assistance, student academic assistance, and evaluation.

FY2019 Appropriations

The Consolidated Appropriations Act, 2019 (P.L. 116-6) provided FY2019 appropriations for the DC OSP, DC public schools, and DC public charter schools. It included the same requirements as the FY2017 act regarding priorities and the awarding of scholarships to eligible children. It allowed up to $1.2 million of the funds provided for the DC OSP to be used administrative expenses, parental assistance, and student academic assistance, and up to $500,000 of the funds provided for the DC OSP to be used for evaluations.

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