

# Background

No. 1684  
September 3, 2003



Published by The Heritage Foundation

## How Members of Congress Practice School Choice

*Krista Kafer and Jonathan Butcher*

Members of Congress will soon have the opportunity to approve legislation that will grant low-income families in the District of Columbia the chance to choose where their children attend school. If every Member of Congress who uses private schools votes to give disadvantaged D.C. families the same access, the legislation will pass. In the past three years, every piece of parental choice legislation would have passed if those who exercised choice in their own families had voted with supporters of school choice.

Earlier this year, The Heritage Foundation conducted a survey of Members of Congress on school choice. Of those who responded to the survey, 41 percent of U.S. Representatives and 46 percent of U.S. Senators send or have sent at least one of their children to a private school.<sup>1</sup> In the general population, only about 10 percent of students attend private schools. Heritage Foundation surveys of Congress conducted in 2001 and 2000 yielded similar results.<sup>2</sup>

Despite the popularity of private schools among Members of Congress, however, many of the same policymakers who exercise choice in their own chil-

1. Poll results reflect individuals who have or have had school-age children. For more detailed results from the survey, see the Appendix.
2. See Jennifer Garrett, "Another Look at How Members of Congress Exercise School Choice," Heritage Foundation *Background* No. 1553, May 22, 2002, and Nina Shokraii Rees and Jennifer Garrett, "How Members of Congress Practice School Choice," Heritage Foundation *Background* No. 1377, June 13, 2000.

- About 42 percent of the Members of Congress who are parents have sent at least one of their children to a private school. In the general population, only about 10 percent of students attend private schools.
- Many of the same Members of Congress have voted to block legislation that would have given other families the same range of options.
- In the past three years, every piece of parental choice legislation would have passed if those who exercised choice in their own families had voted with supporters of school choice.
- The Supreme Court has upheld vouchers as constitutional, and 11 states have enacted state-funded scholarship programs or tax credits for education expenses or contributions to scholarship funds.
- A proposal currently before Congress would provide \$15 million in scholarships to enable low-income parents in the District of Columbia to enroll their children in private schools.

This paper in its entirety can be found at:  
[www.heritage.org/research/education/bg1684.cfm](http://www.heritage.org/research/education/bg1684.cfm)

Produced by the Domestic Policy Studies Department

Published by The Heritage Foundation  
214 Massachusetts Ave., N.E.  
Washington, DC 20002-4999  
(202) 546-4400 • [heritage.org](http://heritage.org)

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

dren's education have voted to block legislation that would have given other families the same range of options. For example, if every member of the House who practices school choice had voted to grant similar options for families with disabled children, Amendment 90 would have passed. Amendment 90 to the reauthorization of the Individuals with Disabilities Education Act (H.R. 1350) was a modest proposal by Representative Jim DeMint (R-SC) to give states the flexibility to establish innovative parental choice programs for students with disabilities. (See Table 1.) The proposal was defeated by a vote of 182 to 240 on April 30, 2003. The Senate has not voted on parental choice legislation this term.

### Parental Choice Survey of Members of Congress

In 2003, The Heritage Foundation conducted an anonymous survey of Members of Congress to determine how many practice private school choice. The results of the survey show that private school choice continues to be an important option for these elected leaders. (See Table 2.) It also remains a popular option for Members who serve on committees with jurisdiction over education legislation as well as those who represent minority populations.

Of those responding, the percentage of Members of Congress who send their children to private schools is disproportionate to that of the general populace:

- While only 10 percent of American students attend private schools, 41 percent of Representatives and 46 percent of Senators responded that they had sent children to private school;
- 45 percent of House Ways and Means Committee members and 31 percent of House Educa-

3. The Heritage Foundation conducted this survey by telephone between June 5 and July 22, 2003. Both voting and non-voting Members were called.

Members	Number with Children in Private School	Number With Children in Private School Who Voted Against Amendment 90 to H.R. 1350	
		Did not vote	Did not vote
U.S. House Republicans	72	13	2
U.S. House Democrats	52	48	4

Source: *Congressional Record*, House 3531, Roll Call 151, April 30, 2003.

tion and the Workforce Committee members exercised private school choice;

- 56 percent of Senate Health, Education, Labor, and Pensions Committee and 47 percent of Senate Finance Committee members exercised private school choice; and
- 29 percent of Congressional Black Caucus members and 46 percent of Congressional Hispanic Caucus members chose to send at least one child to private school.

The Heritage Foundation asked the staff of each Member of the House and Senate whether they have children and, if so, whether the children attend or have attended public or private schools. For purposes of survey tabulation, Members who have sent at least one child to private school at any time were judged to have exercised the private school option. Interviewers made three attempts to gain a response. If no response was given, data from the 2001 survey were used. If no data were available, the Member was included in the "No Response" category.<sup>3</sup>

Although Members of Congress are more likely to exercise private school choice than are other Americans, many of these lawmakers have not supported legislation that would enable other parents—particularly low-income parents who cannot afford to send their children to another school—to exercise that same option.

Table 2

B:1684

### School Choice by U.S. Representatives and Senators

Legislative Body	Private School		Public School	
	Number	Percentage	Number	Percentage
U.S. House of Representatives*	124	41%	182	59%
House Republicans	72	43%	95	57%
House Democrats	52	38%	86	62%
House Independents	0	0%	1	100%
House Ways and Means	13	45%	16	55%
House Ways and Means Republicans	8	53%	7	47%
House Ways and Means Democrats	5	36%	9	64%
House Education and Workforce	11	31%	24	69%
House Education and Workforce Republicans	8	40%	12	60%
House Education and Workforce Democrats	3	20%	12	80%
Senate	37	46%	43	54%
Senate Republicans	23	52%	21	48%
Senate Democrats	14	40%	21	60%
Senate Independents	0	0%	1	100%
Senate Health, Education and Labor	9	56%	7	44%
Senate Health, Education and Labor Republicans	7	78%	2	22%
Senate Health, Education and Labor Democrats	2	33%	4	67%
Senate Health, Education and Labor Independents	0	0%	1	100%
Senate Finance	8	47%	9	53%
Senate Finance Republicans	5	50%	5	50%
Senate Finance Democrats	3	50%	3	50%
Senate Finance Independents	0	0%	1	100%
Congressional Hispanic Caucus	6	46%	7	54%
Congressional Black Caucus	8	29%	20	71%

\*Counts for the U.S. House of Representatives include the non-voting delegates from American Samoa, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands.

Source: Heritage Foundation survey, 2003.

In the 107th Congress, the survey found similar results.<sup>4</sup> In 2001, the House of Representatives voted down two amendments to give scholarships to children in low-performing or dangerous public schools so that they could attend better-performing independent schools under the No Child Left Behind Act. The Senate defeated a similar amendment. All three amendments would have passed if Members had voted in a way consistent with their

own practices. Likewise, in the 2000 survey, if all those who practiced school choice had supported it for less-fortunate families, all three parental choice proposals would have passed.

#### Growing Public Support for School Choice

Although some Members of Congress continue to oppose legislation that would give disadvantaged

4. Garrett, "Another Look at How Members of Congress Exercise School Choice."

and at-risk students the chance to succeed, public support is growing, particularly among minorities, for such programs. Moreover, existing programs enjoy a high level of parental satisfaction.

A poll conducted in July 2002 by Zogby International Polling on behalf of the Center for Education Reform found that 76 percent of respondents “strongly” or “somewhat” supported “providing parents with the option of sending their children to the school of their choice—either public, private, or parochial—rather than only to the school to which they are assigned.” When asked specifically whether they were “in favor of or against allowing poor parents to be given the tax dollars allotted for their child’s education and permitting them to use those dollars in the form of a scholarship to attend a private, public, or parochial school of their choosing,” 63 percent of respondents favored the proposal. Rates of approval were even higher among minority respondents.<sup>5</sup>

A 2002 National Opinion Poll conducted by the Joint Center for Political and Economic Studies found that 57.4 percent of African-American respondents favored a voucher system when asked, “Would you support a voucher system where parents would get money from the government to send their children to the public, private, or parochial school of their choice?”<sup>6</sup>

A July 2001 poll by the Latino Coalition and Hispanic Business Roundtable found that 73.3 percent of Hispanic adults answered “yes” when asked “should the government provide taxpayer-funded vouchers to help low-income families send their children to a better public, private, or church-run school?” An even larger percentage (87 percent) of

respondents supported giving all parents a \$1,000 tax credit for educational expenses, including tuition.<sup>7</sup>

Support is especially strong in the nation’s capital. Shortly after former President Bill Clinton vetoed the D.C. Student Opportunity Scholarship Act of 1997, a bill similar to the current voucher legislation, *The Washington Post* published the results of a May 1998 poll of District residents that found significant support for using federal dollars to send children to private or religious schools: 65 percent of the District’s African-Americans surveyed who had incomes under \$50,000 favored the option. Overall, 56 percent of District residents supported school choice.<sup>8</sup>

The demand for choice is also evident in the city’s higher-than-average charter school attendance and participation in private scholarship programs. There are hundreds of private schools in the D.C. metro area, most with tuitions that are less than the per-pupil expenditure in public schools.

### Developments Since the Previous Survey

Since the previous Heritage Foundation survey, the U.S. Supreme Court has upheld vouchers as constitutional.<sup>9</sup> Before the first anniversary of the Court’s decision, Colorado Governor Bill Owens signed into law the Colorado Opportunity Contract Pilot Program, which will provide vouchers to low-income students in low-performing school districts. Today, 11 states have enacted state-funded scholarship programs or tax credits for education expenses or contributions to scholarship funds.<sup>10</sup>

New research on the efficacy of parental choice confirms older findings that students do as well or

5. Press release, “Poll Finds 63 Percent of Americans Favor School Choice,” Center for Education Reform, August 20, 2002.
6. Center for Education Reform, *Education Reform Newswire*, July 10, 2001, at [www.edreform.com](http://www.edreform.com). For the full report, see David A. Bosisis, “2002 National Opinion Poll on Education,” Joint Center for Political and Economic Studies, 2003, at [www.joint-center.org/whatsnew/2002-education-poll.pdf](http://www.joint-center.org/whatsnew/2002-education-poll.pdf).
7. Latino Coalition and Hispanic Business Roundtable, “National Survey of Hispanic Adults,” July 24, 2001, at [hbri.org/surveys/010724.htm](http://hbri.org/surveys/010724.htm).
8. Sari Horowitz, “Poll Finds Backing for D.C. School Vouchers; Blacks Support Idea More than Whites,” *The Washington Post*, May 23, 1998, p. F1.
9. *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002).
10. For more information on school choice programs, see Krista Kafer, *School Choice 2003: How States Are Providing Greater Opportunity in Education* (Washington, D.C.: The Heritage Foundation, 2003), at [www.heritage.org/Research/Education/Schools/schoolchoice\\_2003.cfm](http://www.heritage.org/Research/Education/Schools/schoolchoice_2003.cfm).

better at their new schools, parents are more satisfied, and public schools improve with competition.

According to research conducted by Harvard University professor Paul Peterson, the academic achievement of low-income African-American students who received scholarships offered by the School Choice Scholarships Foundation (SCSF) rose significantly. African-American students who participated in the program for three years had scores on the Iowa Test of Basic Skills that were 9.2 percentile points higher than the scores of students who remained in the public schools. Students who participated in the program for fewer than three years also experienced gains. The study also found that parents were significantly more satisfied with their children's new schools.<sup>11</sup>

A 2003 Manhattan Institute analysis of the Florida A+ program found that vouchers provided a strong incentive for schools to improve. In Florida, schools receive grades ranging from A to F, based on the proportion of students who pass the state's proficiency tests. Students who attend schools that receive a failing grade twice within a four-year period can receive a voucher to attend another public or private school of choice. Researchers found that schools in direct competition for students made educational gains greater than those of other low-performing schools that are not facing voucher competition.<sup>12</sup>

Harvard professor Caroline Hoxby also found that increased school choice raises school productivity and student achievement within the public school system. Hoxby's report found that competition from charter schools in Michigan and Arizona and from Milwaukee's voucher program has compelled public schools to raise their productivity, as measured by students' achievement gains.<sup>13</sup>

## Conclusion

In the near future, the House of Representatives will have the opportunity to vote on amendment to the D.C. appropriations bill modeled after the committee-passed D.C. Parental Choice Incentive Act introduced by Representative Tom Davis (R-VA). The proposal would enable low-income parents in the District of Columbia to enroll their children in private schools through a scholarship program. Under the bill, the maximum scholarship is \$7,500, and \$15 million is authorized for the program.

If every member of the House of Representatives who practices private school choice votes with supporters of school choice to extend the same access to disadvantaged students in the District of Columbia, the amendment will pass. It will likewise pass in the Senate if those who practice choice vote for it.

Frustrated parents and other residents, as well as prominent elected leaders such as Mayor Anthony A. Williams (D) and School Board President Peggy Cooper Cafritz, are calling on Congress to pass this legislation. Despite a per-pupil expenditure of over \$12,000 and a pupil-teacher ratio of 15 to 1, D.C. students continue to fall behind. Less than 10 percent of the District's 8th grade students are proficient in reading, math, and science according to national assessments, and more than half lack even a basic knowledge of these subjects.<sup>14</sup>

A similar proposal was passed in 1998 under the leadership of former Senator Dan Coats (R-IN) and Senators Sam Brownback (R-KS), Joseph Lieberman (D-CT), Mary Landrieu (D-LA), and Judd Gregg (R-NH). Speaking of the need for a scholarship program, Senator Lieberman stated:

We believe that we have a moral obligation to offer those children a way out. That is why many of us view this question not just

11. Daniel Mayer, Paul Peterson, Christina Clark Tuttle, and William Howell, "School Choice in New York After Three Years: An Evaluation of the School Choice Scholarship Program Final Report," Harvard University, Mathematica Policy Research, Inc., and University of Wisconsin, February 2002.
12. Jay P. Greene and Marcus A. Winters, "When Schools Compete: The Effects of Vouchers on Florida Public School Achievement," Manhattan Institute *Education Working Paper* No. 2, August 2003.
13. Caroline Hoxby, "School Choice and School Productivity (Or, Could School Choice Be a Tide That Lifts All Boats?)," National Bureau of Economic Research *Working Paper* No. 8873, April 2002, at [www.nber.org/digest/aug02/w8873.html](http://www.nber.org/digest/aug02/w8873.html).
14. See National Center for Education Statistics, "State Profiles: District of Columbia," updated June 10, 2003, in *National Assessment of Educational Progress: The Nation's Report Card*, at [nces.ed.gov/nationsreportcard/states/profile.asp](http://nces.ed.gov/nationsreportcard/states/profile.asp).

as a matter of education, but a question of fairness. This is all about our values, specifically the value we place on giving every child—no matter their income, where they live or how they live—the opportunity to fulfill their God-given promise.<sup>15</sup>

Congress will soon have a new opportunity to support these children and give to them what they give their own children—a chance to succeed.

—*Krista Kafer is Senior Policy Analyst for Education and Jonathan Butcher is Research Assistant for Domestic Policy at The Heritage Foundation. Heritage Foundation interns Alex Potapov, Ellie Bradsher, and Bob Nardo contributed to this report.*

---

15. Senator Joseph Lieberman, "Statements on Introduced Bills and Joint Resolutions," *Congressional Record*, Senate, June 5, 1997.

Appendix B 1684

### School Choice by U.S. Representatives and Senators

Legislative Body	Child in Private School	Child in Public School	No Children Now or Have Never Had School Age			Response Rate	Percentage Private School		Percentage Public School		Percentage No Children or Never Had School Age Children	Percentage No Response
			No Response	Percentage Private School	Percentage Public School		Percentage No Children or Never Had School Age Children	Percentage No Response				
<b>U.S. House of Representatives*</b>	124	182	78	56	87%	41%	59%	20%	13%			
House Republicans	72	95	34	27	88%	43%	57%	17%	12%			
House Democrats	52	86	44	29	86%	38%	62%	24%	14%			
House Independents	0	1	0	0	100%	0%	100%	0%	0%			
House Ways and Means	13	16	9	3	93%	45%	55%	24%	7%			
House Ways and Means Republicans	8	7	9	0	100%	53%	47%	38%	0%			
House Ways and Means Democrats	5	9	0	3	82%	36%	64%	0%	18%			
House Education and Workforce	11	24	5	9	82%	31%	69%	10%	18%			
House Education and Workforce Republicans	8	12	2	5	81%	40%	60%	11%	19%			
House Education and Workforce Democrats	3	12	3	4	82%	20%	80%	10%	18%			
<b>Senate</b>	37	43	9	11	89%	46%	54%	10%	11%			
Senate Republicans	23	21	3	4	92%	52%	48%	6%	8%			
Senate Democrats	14	21	6	7	85%	40%	60%	15%	15%			
Senate Independents	0	1	0	0	100%	0%	100%	0%	0%			
Senate Health, Education and Labor	9	7	3	2	90%	56%	44%	14%	10%			
Senate Health, Education and Labor Republicans	7	2	0	2	82%	78%	22%	0%	18%			
Senate Health, Education and Labor Democrats	2	4	3	0	100%	33%	67%	33%	0%			
Senate Health, Education and Labor Independents	0	1	0	0	100%	0%	100%	0%	0%			
Senate Finance	8	9	2	2	90%	47%	53%	10%	10%			
Senate Finance Republicans	5	5	1	0	100%	50%	50%	9%	0%			
Senate Finance Democrats	3	3	1	2	78%	50%	50%	11%	22%			
Senate Finance Independents	0	1	0	0	100%	0%	100%	0%	0%			
Congressional Hispanic Caucus	6	7	4	3	85%	46%	54%	24%	15%			
Congressional Black Caucus	8	20	8	4	90%	29%	71%	21%	10%			

\*Counts for the U.S. House of Representatives include the non-voting delegates from American Samoa, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands.

Source: Heritage Foundation survey, 2003.