
Thank you, Mr. Speaker,

I would like to thank Chairwoman Erickson, Representative Elliott, Catholic Diocese, Palmetto Promise, and Gov. Jeb Bush with Excel in Ed for their advocacy on this issue. While I do not agree with them on this issue, I know they are attempting to improve education in South Carolina. Those reps and groups I agree with on probably 90% of education issues. Disagreement makes friendship awkward, but as Speaker Lucas and Leader Simrill mentioned yesterday, we have a solemn duty to spend these precious seconds we have here in service refining public policy for the good. By the way, after their speeches, I ran the math. The average life expectancy of an American is 76.1 years. That's only 2.4 billion seconds, so use them wisely and positively. But to add onto that, what a responsibility we have! A responsibility to effect positive change in the number one issue facing our state - education. That immense responsibility reminds me of another leader. Before DDay in WWII, Gen. Patton told his troops, "Thank God that 30 years from now, when you are sitting around the fireside with your grandson and he asks what you did in the great WWII, you won't have to say, 'I shoveled shit in Louisiana.'" I love that. My interpretation of Patton's words are anyone can be mediocre, but why not be supreme and do something significant. For those who don't know, especially the freshmen, my focus since I've been here has been on education policy. I served on the Education Committee, I served on CERRA, Children's Committee, I have made trips to Finland, MA, GA, and SC to study their schools and systems, I currently serve in EOC, EIA subcommittee, and on the K-12 subcommittee on W&M.

There are 4 reasons I'm against this bill and, more generally, the idea of public money going to private and religious schools in a k-12 setting:

One, it's unconstitutional. Two, it's ineffective. Three, practically, it will do nothing. And four, it takes the precious seconds we have on this floor from doing something meaningful in the public k-12 arena.

Article XI of the South Carolina Constitution reads: System of free public schools and other public institutions of learning. The General Assembly shall provide for the maintenance and support of a system of free public schools open to all children in the State and shall establish, organize and support such other public institutions of learning, as may be desirable.

Less than 3 years ago, the SC Supreme Court held by unanimous decision in *Adams v. McMaster* held "the Governor's allocation of \$32 million in GEER funds to support the SAFE Grants Program constitutes the use of public funds for the *(continues on next page...)*"

direct benefit of private educational institutions within the meaning of, and prohibited by, Article XI of the South Carolina Constitution." Senate bill 39 would allow \$6,000 to pay for private or religious k-12 expenses. While I am an attorney, I do not profess to be a constitutional scholar; however, I don't believe one needs a legal background to read Article XI and this bill and come to the conclusion that we are prohibited from using public funds in a private or religious k-12 setting.

My best guess on what will happen if this bill is to pass is that it, too, will be challenged in court, and the court will strike down the bill for violating the plain reading of our state constitution. The proper route constitutionally to allow public money to go to private or religious schools is to amend the constitution as Speaker Smith's bill does.

Second, the idea of using public money in private or religious schools is ineffective, whether it is vouchers, educational savings accounts, or any other creative wording one has for using public money in private or religious schools. For those who don't know, I'm pursuing a master's in government through Harvard Extension. I intentionally took the course Saving American Schools. In part of the course we studied the idea of using public money in private or religious schools. I can tell you the conclusion in one concerning sentence and that is - the evidence-based data show no improvement. The concept of using public money in private or religious schools is not new. Milton Friedman argued for it in the 1950s. In the 1990s & early 2000s, it was a Democratic Party initiative. Milwaukee implemented their program in the 1990. In 2004, DC implemented their program. During the Obama years, the idea transitioned to a Republican initiative. Since 2010, Florida, Louisiana, Arizona, Indiana, Oklahoma have all implemented some sort of program for public money to private & religious schools.

Point being - both parties have been wrong. Milwaukee has been an experiment for 30+ years. Does anyone want to move their children to Milwaukee for its education prowess? DC has been for 20 years. Does anyone want to move their children to DC for its education excellence? Louisiana anyone?

What the evidence shows is in Milwaukee, between years 1991 and 2015, analysts found that 41 percent of the 247 schools that participated for at least one year failed--meaning that they were terminated via regulatory action or else voluntarily shut their doors. Another 11 percent either merged with another school or converted to a charter school. That's 52% of schools closed or merged over a 14 year period. In DC, scores decreased in math. In Louisiana, those who received vouchers had a .4 standard deviation lower than public school students - that is statistically, catastrophically bad. It's twice as bad as covid loss or Hurricane Katrina loss. A study on LA indicated that the use of vouchers negatively affected both English and mathematics achievement. A study on Indiana's voucher system found that voucher students experienced an average achievement loss of 0.15 SDs in mathematics during their first year of attending a private school compared with matched students who remained in public school.

Evidence shows that public money to private or religious schools can work, but in a targeted, limited setting. For example, it can work if focused on a large metro area for low-income students stuck in a failing system. But, for good or bad, SC does not have a large metro area. Maybe Charleston? Maybe downtown Greenville?

So why go down this road that has been tried for 30+ years without any amazing results anywhere?

Third, practically, this bill will do very little as written. Think about it. I just imagine my city of Easley. The closest private or religious schools are Christ Church or Bob Jones. Do you really think I have a child that will attend one of these schools because of this bill? Christ Church's tuition is \$20,000. The \$6,000 reduces that to \$14,000 but that doesn't include transportation. My bet is not one child will apply for this money. But, Neal, schools will move to Easley. Really? Do you think a quality school can be created at \$6,000 a student? The best a new private or religious school can do is run a one-room classroom out of a church basement or strip mall at that price. So, practically speaking, we're only talking about the current private or religious schools. Ask yourself, will there be a great influx of opportunity? My bet is that the answer is no in 90+% of the areas in SC. Even Gov. Bush admitted to us that FL didn't see schools built in rural FL.

[2nd TAG] In a 2018 study, the conclusion was "school-choice initiatives seem to work better in cities than statewide because it is easier to exercise choice where there is better mass transit and higher population density, and the performance of traditional public schools is generally worse in urban areas, making it less challenging for choice programs to improve on baseline student outcomes."

Practically, what this may do, though, is increase tuition at private and religious schools. Since there is no cap on increase in tuition in this bill, if I am a private or religious school, one of the levers I have is to increase tuition due to any new demand in the market.

The fourth reason I'm against this bill is because we need to be cognizant of what separation of church and state means ... how it protects government from the church but it also protects the church from the government. The moment a private or religious school accepts public money, they are forever at risk of public scrutiny and public norms. Ask Bob Jones. On the same hand, the moment government gives public money to some private and religious schools, government needs to be ready to give public money to ALL private and religious schools. Family & Freedom Caucus ...

The fifth and final reason I'm against this bill is the most important and that is that legislative time is so very precious. As the freshmen are probably realizing now - we only have 7 days left, legislative time is precious. It's why some of us get upset at theatrics and procedural maneuvers that waste time. So, Mr. Know It All, if not ESAs, what do we do with this precious time?

The 4 solutions. After 9 years of focusing almost solely on education policy in SC, the first thing - and don't say this to voters - is that we need to increase the educational levels of our adults in SC. For the majority of our students, the parents are the primary teachers. Why were we behind MA students when we were in school? Why are our children behind MA students now a generation or two later? Because education is strongly correlated with family. It's why we celebrate first generation high school graduate, first generation college, first generation attorney, etc. By percentage, nearly twice the number of adults have an advanced degree in MA than SC. 31% of SC adults have a college education. It's 45% in MA. So, instead of public money to private or religious schools, we need to support programs and ideas that will further educate our adults. We have a microcosm of this in Pickens Co. Y'all know Clemson is in Pickens Co. Well, lo and behold, the best high school in the county and one of the best in the state is in Clemson. It's Daniel High. Are they doing something in Clemson the rest of the state is not? Yes, they have a higher percentage of educated adults who take part in their children's education. It's not rocket science.

The second solution is we need to focus on educational finance in SC. Let's just think about this. If you didn't know, local property taxes make up 45% of school funding. We all know that is asinine. We also know that Act 388 has failed. We try our hardest but we don't get credit for the property taxes saved each year yet we exacerbate the financial inequity between our 79 districts. Calhoun Co, because of a nuclear power plant, raises more local funding than Dillon Co can in local, state, and federal. If someone could create a dumber, more inequitable system, I'd like to hear it. What we need is to scrap local millage and replace it with a state millage.

The third solution is we need to centralize education in SC. Some of you may not realize it - the ones that control their school boards do - but we, the state, are actually charged with delivering education. In the 1970s, our enlightened predecessors decided to send authority back home under Home Rule. My suspicion is that it was two-fold (a) they weren't education experts and why not send that trouble to someone else and (b) integration was occurring and fresh on minds. But home rule is a failure statewide. We have 79 districts doing 79 different things. I could speak an hour on this alone but remember that \$4,000 pay raise we gave teachers last year? We didn't. Every district did something different. Vast majority did not give a \$4,000 raise. They spent the money elsewhere. Remember covid and return to face to face? We had some school districts returning in August. By March, we were passing legislation to require a few districts to go back. I don't care what side of covid you're on, but to have some students in class in August and some not until March? To put it simply, instead of one vision, what we have is a superintendent running a department, EOC who tries to hold data accountable, the state board providing directives, 79 superintendents believing their bosses are the 596 school board members who may or may not have a relevant background, 1100+ principals believing their boss is the superintendent, and 50,000+ teachers who primarily do as their told for fear of being sent to a school on the other side of the county. Meanwhile, there is no direction. It is no wonder why there is no accountability or ability to make significant and lasting change in public education. No less than 1,800 adults are in positions of policy and funding leadership in SC. What we need to do is centralize education in SC. That means thinking outside the box. That means open enrollment - thank you Chairwoman Erickson - that means consolidating districts, even across county lines. That means removing authority from school board members to educational experts. That means having fewer superintendents and those fewer superintendents implementing a statewide vision, not a district vision.

The fourth solution is another one that you cannot say. From experience, it never goes well. Don't say it. Especially don't say it to groups of teachers like I do. But we all know that at school, the number one indicator of educational success is through an expert teacher. [PAGE 119 OF SAVING SCHOOLS]

The reality in public education is that until the 1970s, women only had two career choices - nursing or teaching. That meant, to Americans' benefit, one half of our people - some the cream of the crop of their gender chose teaching. The culture change over the past 50 years has been a boon for women, opening all kinds of careers, but has been a bust for education. Instead of realizing the consequences and competing, we have allowed teaching to become a job, not a revered, sought after position that it was and should be. But how do you do that in the 21st century? The first thing, and I don't care what anyone says, is pay. I want to commend the legislature and Gov McMaster. Pay has increased a decent amount. But we have so far to go to make it professional pay that can compete. My high school class had two valedictorians, both female. One is now a dentist and another is a speech pathologist. Along with pay, we need to treat teachers as professionals. A professional to me is someone who is learned or gifted in a skill, who is not supervised or told how or what to do in their profession, who works when it is best, who does not do extra duties outside the performance of their profession. That's not a modern day teacher. A modern day teacher is being told more and more what and how to teach, given a strict schedule, has to do extra duties. So, we should do anything that gives them the power. That's why I'm supportive of Chairwoman Erickson's bill that incorporates Rep. Gilliam and Rep. Felder's ideas of contract protections and elimination of recertifications.

This bill will ultimately cost \$90 million a year. It's true that percentage wise, that's a small amount. Tough to say \$90 million is small, but that is correct percentage wise. But the question becomes, what could we do with \$90 million that would actually have improvement in the 4 issues listed above? Could we consolidate some districts with the carrot of \$90 million? Yes. Could we pay teachers more? With \$90 million, we could raise teacher pay \$1,500. With \$90 million, we could pay for people to do lunch & bus duty freeing teachers. With \$90 million, we could level the financial playing field between districts. With \$90 million, we could give to technical schools to encourage more adults to further their education.

Rep. Hewitt asked Gov Bush what are 3 things SC can do. Gov Bush admitted he was here to advocate for ESAs so he listed ESAs, but then he said K-3 early literacy and educating with career in mind. To those two things, I completely agree.

