

Texas Legislature
House Committee on Public Education
March 11, 2025

Chairman Buckley, Vice-Chair Bernal, and Members of the Committee,

My name is Josh Cowen. I'm an education policy expert based at Michigan State University and—until May—I also have a visiting role at the Education Law Center. I won't recite each of my other credentials. For the purposes of this hearing, I'll simply say three things:

- I've been studying vouchers and school choice for twenty years.
- I used to be optimistic that vouchers could be part of a targeted solution to some shortcomings of educational policy.
- But over the last decade I changed my mind, as vouchers caused some of the worst academic results in the history of the field.

I have read HB3 and its companion bill in your senate. I recognize its language as similar to bills introduced all over the country. To level-set, I need to tell you that [all education savings accounts are vouchers](#). Although not all vouchers are ESAs. The private school tuition piece of HB3 is a voucher. The rest are add-ons.

Although I applaud what I believe to be good faith attempts to address shortcomings in those other state bills, I see little in the current language to avoid three key problems: first, that in today's form, these bills prioritize the rights of private schools over the rights of parents. They give [the schools choice](#)—not school choice for kids and families.

Second, and related: please know that eligibility isn't the same as access. Although I applaud the eligibility criteria laid out in the bill for students from lower income families and those with disabilities, without meaningful provisions to compel *or at least incentivize* private providers to admit those children, the *take-up rate* among Texas families will reflect [wealthier and disproportionately white families](#), and those [already in a private school](#). This is what happens in every single other state.

Finally, these bills offer what I call education's version of predatory lending. Only about 25-30% of kids who use these funds were ever in public schools. For them, a typical school is not the elite provider of Hollywood lore or lobby marketing set before you. They're sub-prime, often financially distressed providers. That is why voucher results over the last decade have shown [learning loss on par with what COVID19 or Hurricane Katrina did](#) to test scores. It's that bad.

Moreover, there is no reason to think that for at-risk families, the results in HB3 or similar bills across the country will be any different. [The bigger, and the more recent the voucher plan, the worse the results have been.](#)

What a universal bill does is simply add the outcomes of children already in private school—including those from some of the wealthiest families in the state—to these results for lower and middle income families. That has the result of making results appear on average more favorable than in the past—when in fact all that’s happening is something of a flood-the-zone pattern where the worst results for kids remain dangerously present, but hidden among the outcomes for more advantaged families. This is what voucher lobbyists mean when they say universal vouchers will “work better” than earlier versions.

You may hear testimony from those lobby groups—and maybe even from researchers aligned with them—disputing what years of careful, independent data show. You may hear fancy language about “randomized designs” showing something other than the academic loss I describe. Such claims belie the way science works:

Imagine that small, clinical trials 30 years ago showed a miracle vaccine had modest health improvements for kids who used it. But that when that drug was released to the general population—thousands upon thousands of kids—many became sick or even died. No serious person today would say “keep that pill on the market because randomized trials showed good things 3 decades ago.” No, we’d pull the medicine off the shelves instantly. And yet voucher lobby groups would have you do the opposite: spend Texas taxpayer dollars on private tuition because 30 years ago a couple studies produced by their allies showed good things for a few hundred kids.

Despite the fact that thousands more suffered learning loss in the years since—nearly all of whom were from middle and lower income families shuttled into low quality providers.

What about parent satisfaction? Parents should have the first and the last say when it comes to their child’s schooling. But the question before this committee isn’t about that. It’s about how to spend taxpayer dollars. And whether to do so in a way that puts the interests of private schools ahead of those parents.

A pro-parent version of this bill would require private schools taking taxpayer cash as payment to a.) offer open admissions or b.) administer the state exam. That way all parents could truly choose those private schools, and they’d be able to compare apples-to-apples the results of that choice.

If I had to sum up my concerns about this bill in one sentence it would be just that: there is nothing in this bill that will prevent parents from getting something other than what they were looking for when it came to their choice of schools. There is nothing about this bill that allows parents to know—even from a private school trying desperately to help—whether these best efforts are coming up short. There is nothing that gives parents—or Texas taxpayers—a refund or a right to object if the education they actually get under this bill comes up short of what they are promised.

In fact, the bill explicitly rules out such a refund.

None of what I have to say here means that public schools have always fulfilled their mission in the way I would want, or the way all other parents would want. But under current law, we do have a recourse there that would be unavailable in this private school market. And research shows that although some public schools do realize tiny academic gains from [the introduction of voucher competition](#) those gains are dwarfed by (about 3 times less than) improvements from simply investing more in public schools in the first place.

And, distinguished members of this committee: [no state can afford two sectors of education in the long run](#). Passing this bill will starve Texas public schools years from now, obligating more and more of the state portion of the state budget to families already in private school, and leaving local districts to bear more and more of their costs from local revenue. Including from local property taxes.

Our Bible tells us that where our treasure is, our hearts will be also. I urge you to think a bit more about how to spend vital taxpayer treasure in the form of these funds under consideration here. Texas kids and families can do, and deserve, better.

Thank you.

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and the Education Law Center