

Senate Bill 451 – Public Hearing – Testimony
Joseph Cohen

My name is Joseph Cohen and I am the Executive Director of the ACLU of West Virginia. I was very glad to see that the version of SB 451 that left the House Education Committee had removed the education savings accounts provision. And I speak now to urge every member of this body to ensure that ESAs or other voucher schemes are not part of any education reform package going forward.

ESA programs lack accountability. They do not improve educational outcomes of students. They strip students of their rights. And they do real harm to the public school systems that educate the majority of students in the state.

One thing that was particularly disturbing about the bill that passed the Senate is that our tax dollars would have gone to private schools that discriminate against students. Under the version of SB 451 that passed the Senate, private schools that received state ESA funds would have merely had to have certified that they complied with 42 USC 1981. That is the civil rights of 1866. That's right, EIGHTEEN 66.

As such, there was nothing in the bill that would have prohibited private schools that say “no Jews allowed” or “no LGBTQ kids allowed” or “no girls allowed” or “no kids in wheel chairs” or “no immigrants” or “no pregnant kids” or “no poor kids allowed” from receiving our tax dollars. I cannot believe that Senate actually believed it would be acceptable for our tax dollars to go to schools that discriminate against any children.

And guess what? We already have a system of schools that serve any and all students that walk through the school house doors. Of course I'm talking about our public school system. We would be much better off if the legislature would serve all children by using funds to make the public schools stronger and safer than by creating any new ESA voucher program.

Thank you.