

**Congress of the United States**  
**Washington, DC 20515**

February 1, 2013

The Honorable Arne Duncan  
Secretary  
U.S. Department of Education  
400 Maryland Ave, S.W.  
Washington, D.C. 20202

Dear Mr. Secretary:

In our continued effort to ensure the robust implementation of the D.C. Opportunity Scholarship Program (OSP) we ask the U.S. Department of Education (the department) to work with us to ensure as many scholarships as possible are made available to eligible students, in accordance with Congressional intent.

The purpose of the OSP is clear: “to provide low-income parents residing in the District of Columbia...with expanded opportunities for enrolling their children in other schools in the District of Columbia...”<sup>1</sup> President Obama signed the reauthorization of the program into law,<sup>2</sup> yet from its inception the administration has tried to thwart its success.

Over the past few years, the department has rescinded scholarships from eligible students,<sup>3</sup> requested to zero out the program in FY 2012 and 2013 budgets submitted by the president,<sup>4</sup> and, the day before the lottery, limited eligibility for students applying for scholarships because they attended a private school in the previous year.<sup>5</sup> In each case, the House of Representatives and Senate raised concerns and, in some cases, the issue was addressed. The OSP is a rarity among federal programs in demonstrating empirical evidence of its success in consistently providing value to program participants.<sup>6</sup> The administration has downplayed this success and managed the program ineffectively.

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<sup>1</sup> P.L. 112-10 (Department of Defense and Full-Year Continuing Appropriations Act, 2011), Section 3003. Purpose.

<sup>2</sup> P.L. 112-10 (Department of Defense and Full-Year Continuing Appropriations Act, 2011), signed into law April 15, 2011.

<sup>3</sup> *Washington Times*, Editorial, “Rallying for School Vouchers,” October 1, 2009.

<sup>4</sup> The President’s Budget for Fiscal Year 2012, page 1212, and The President’s Budget for Fiscal Year 2013, page 1317.

<sup>5</sup> Council for American Private Education (CAPE), Letter to Secretary Duncan, May 24, 2012.

<sup>6</sup> <http://dcscholarships.org/news/default.asp>

Following a May 2012 meeting, you gave assurances to House and Senate leaders that the department would no longer set up artificial road blocks to hinder the implementation of OSP. Despite these assurances, our offices continue to be concerned that the department is pursuing arbitrary policies and procedures that will hinder the implementation of the program. As the grantee and other partners conduct a vigorous outreach effort to ensure the maximum number of eligible students receive scholarships and a statistically significant study mandated by the law can be conducted, it is our hope the department will provide all necessary assistance. Regrettably, based on past performance, we are concerned the department will continue to hinder the implementation of the program through the guise of budget constraints or other challenges.

We urge you to keep your commitment to us, as well as the deserving children in our nation's capital. As such, we request a meeting no later than February 22, 2013 to ensure the department authorizes the maximum number of scholarships given the continued appropriations for the program.

Further, we request your staff be prepared to provide our staffs the following information at the meeting:

1. What actions has the department taken to ensure the D.C. Children and Youth Investment Trust is reaching as many eligible applicants as possible to ensure the maximum number of scholarships are awarded based on available funding?
2. Please provide a current accounting of available funds for the D.C. Opportunity Scholarship Program, including reasons for any unused or unobligated funds. In your response, please include a detailed breakdown of dollars spent in the previous school year for scholarships for all grade levels.
3. Please provide an update on the funds available to D.C. Public Schools and D.C. public charter schools under the SOAR Act and the latest monitoring reports reviewing the use of these funds. If funds have not been distributed, please provide the legal rationale for delayed disbursement. In your response, please include a detailed funding breakdown for all dollars spent for school improvement measures at these public institutions.

President Obama has said, "If we want America to lead in the 21st century, nothing is more important than giving everyone the best education possible — from the day they start preschool to the day they start their career."<sup>7</sup> The OSP affords D.C. students that chance, and the department should do everything it can to ensure the program funds the maximum number of scholarships allowed for by appropriations made by Congress.

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<sup>7</sup> <http://www.whitehouse.gov/issues/education> (screen grab January 17, 2013).

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Thank you for your attention to this matter. If you have any questions, please contact Mandy Schaumburg (Chairman Kline) or James Robertson (Chairman Issa) at (202) 225-4527 or (202) 225-5074, respectively.

Sincerely,



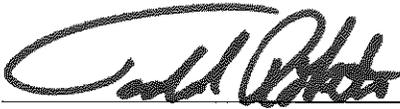
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JOHN KLINE  
Chairman  
Committee on Education and the Workforce



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DARRELL E. ISSA  
Chairman  
Committee on Oversight and Government Reform



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TODD ROKITA  
Chairman  
Subcommittee on Early Childhood, Elementary,  
and Secondary Education