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**TESTIMONY IN OPPOSITION TO
20-H 7171, ARTICLE 8 - GOVERNOR'S BUDGET AMENDMENT 2 –
TAX CREDITS FOR CONTRIBUTIONS TO SCHOLARSHIP ORGANIZATIONS
March 3, 2020**

The ACLU opposes this proposed amendment to the budget, which would increase, from \$1.5 million to \$2 million, the tax credit program for businesses that make donations to “scholarship organizations” that funnel money to private and parochial schools for tuition purposes. At a time when public schools’ budgets across the state continue to face severe hardships, it is simply unacceptable to be expanding the aid the state provides to private schools, even if done indirectly through a tax credit.

For many years, supporters of this program have argued that low and middle- income parents need alternatives to poorly performing public schools. The solution to failing public schools, however, is not to use tax dollars to divert select students to private schools. Doing so undermines the premise of a public school system that serves all, with the support of all, and it undercuts efforts to address the financial difficulties that the public schools face. The substantial additional allocation for these credits proposed by this legislation should be spent to improve the public schools instead of further depriving them.

The vast majority of the tax funds under this program go to pay for tuition at religious schools. While a 1983 U.S. Supreme Court decision, by a 5-4 vote, did uphold this type of program as not violating the First Amendment’s principle of separation of church and state, as a matter of policy we strongly object to the use of tax credits for the main benefit of sectarian education.

We would like to make a few specific points about the actual implementation of the program. Over the many years of the program, a significant amount of the tax credits has gone to *just two* schools – the Jewish Community Day School and the Providence Hebrew Day School. In 2017, for example, these two schools received \$750,000 in funds. Largely as a result of this, more students benefitting from this aid program came from Zip Code 02906 than any other zip code in the state. (82 of the 95 students benefitting from the scholarships from these two schools were from 02906.) We recognize that the aid only goes to families meeting specific income eligibility requirements, but a statistic like this remains quite striking when considering the actual impact of this tax credit program and its benefits. While the 2019 data is not quite as stark, almost 80% of the funds last year went to religious schools.

If anything, we believe the scope of the program should be reduced, not expanded. Parents should certainly have the right to send their children to private schools, but they should not expect taxpayer support beyond the tens of thousands of dollars they already receive in other aid off the backs of school districts and taxpayers, such as textbook and transportation aid. We therefore respectfully urge the Committee to reject this proposal.