



School Choice on the March

Why would anyone think parents should not have the right to decide how and where their children should be educated? The left insists categorically that parents should *not* make these decisions; instead, government and public teachers unions should. Yet the popularity of school choice with parents has led U.S. states to adopt more school choice programs than ever before. More significantly, *in the past year seven states have enacted near-universal school choice programs.*

Each victory for school choice was stoutly resisted, and some efforts went down to defeat. In May North Carolina Governor Roy Cooper actually declared a “state of emergency” to stop a school choice bill from passing his state’s legislature. In a video opposing expansion of school choice including a measure to provide charter school students the same funding as other public school students, Cooper warned apocalyptically, “Put together, these ideas spell disaster that requires emergency action. The North Carolina I know was built on support for public schools, and we can’t let the legislature tear them down.”¹ However, as of this writing Governor Cooper faces veto-proof Republican supermajorities in the legislature and may not be able to stop the bill.

Even members of Cooper’s own party see school choice as an essential parental right and a means of improving public education in North Carolina. State Rep. Tricia Cothan announced that she was leaving the Democratic Party to join the GOP because of her support for school choice. In the past, Governor Cooper has openly opposed private school vouchers, even as his daughter attends a prestigious private school in Raleigh. He has attempted to end the state’s Opportunity Scholarship Program which provides vouchers to lower- and middle-income students.

Meanwhile in Texas, Governor Greg Abbott called for the state House to pass a Senate-approved education savings account bill, but the bill died in late May. Opposition within the Texas

House came from Democrats and a handful of Republicans representing rural districts where around half of the children are below grade level in reading or math.

Currently, *at least 32 states, along with Washington, DC, offer some type of school choice program.*² School choice programs have gained momentum since the Covid-19 school shutdowns. Zoom classes allowed many parents for the first time to see what their kids were learning in the classroom, and parents were shocked. “Woke” education had accelerated and intensified over the last decade as LGBT+ activists and supporters pushed an education curriculum obsessed with sexuality. Graphic sexual material and divisive concepts of racial and sexual identity had been inserted into classrooms.

If this was not enough, parents saw for the first time just how poor an education their children were receiving in basic reading, writing and arithmetic skills. Many parents pulled their kids from their public schools to enroll them in private religious schools, public charter schools, or homeschooling. State legislatures responded by expanding school choice programs.³

Types of School Choice

School choice programs take a number of forms. The most common type is scholarship tax credit programs, which give state tax credits for donations to nonprofit organizations that grant scholarships to private schools. Some 15 states have tax credit programs. Other types of school choice include vouchers, education savings accounts, open-enrollment laws, charter schools, magnet schools, virtual schools, and individual tax deductions or credits. Historical barriers to allowing school choice programs to benefit religious private schools have been eroded by a series of U.S. Supreme Court decisions.

Beginning with Arizona, seven states enacted universal or nearly universal school choice programs in the last year. The

other states are Arkansas, Florida, Indiana, Iowa, Utah and West Virginia. While in the past, school choice programs have focused on low-income or special-needs students, the newer programs aim to make funds available to all or nearly all families in the state. Florida, a leader in the school choice movement, recently expanded its voucher programs to offer approximately \$8,700 for every student.⁴ Even before this expansion, almost half of Florida students were learning outside of an assigned traditional public school, and three-quarters of Miami-Dade students were enrolled in a school choice program.

Conservatives like to say “ideas matter.” And they do. The idea of school choice has certainly been impactful. Two states had voucher programs in the 19th century, Vermont and Maine. But the real debate over school choice began with the Milwaukee Parental Choice Program, instituted in 1990.

How School Choice Started

The idea of school choice came from an essay written in 1955 by Milton Friedman, “The Role of Government in Education.” Friedman, a University of Chicago economist and later a Nobel laureate, argued for competition and consumer freedom in the education marketplace through “school choice.” He explained that state governments effectively hold a monopoly on education by assigning children to specific public schools. Private schools offered an alternative to public schools, but many low- and middle-income families were hard pressed to pay both taxes for public schools and tuition for private schools.

He proposed a “voucher” plan to give parents a tuition voucher to send their children to another school, public or private. It would be their choice. Such a program, he maintained, would empower parents, not the state, and would place pressure on school districts to improve their educational standards in order to keep and recruit students.

Friedman called for parental control of their children’s education. As he put it, “Parents could express their views directly, by withdrawing their children from one school and sending them to another, to a much greater extent than is now possible.”⁵ *What Friedman sought was to introduce consumer freedom and competition into the educational marketplace.*

Friedman’s proposal for a school voucher program took root slowly. In 1989, Assemblywoman Polly Williams introduced the Milwaukee Parental Choice Program. The bipartisan legislation allowed low-income families to use vouchers to pay for tuition at the city’s private schools. In the following

decades, 18 states and the District of Columbia initiated similar voucher programs. At the same time, states began offering scholarships that allowed individuals and businesses to receive tax credits for donating to nonprofits that fund private school scholarships.

Further advances in educational freedom occurred when the city of Milwaukee enacted the Milwaukee Parental Choice Program, which created public charter schools. This program allowed charter schools to operate with greater autonomy and at less cost than their traditional public counterparts. Charter schools were allowed to tailor their curriculum and teaching environments to their students.

Ray Budde, a professor of education at the University of Massachusetts, presented the foundational concepts of charter schools in his 1974 paper “Education by Charter.”⁶ Budde, who was concerned about declining public schools, proposed the idea of granting teachers charters to operate schools independently from their district governance structure. The idea of charter schools—that is, teacher-chartered schools—was picked up by Albert Shanker, president of the American Federation of Teachers from 1974 to 1997. In a 1988 speech, Shanker proposed charter schools as a way for teachers to introduce new teaching methods and curriculum to their students. His proposal failed to attract wide support at the time.

Asked about Shanker’s proposal, Bill Kristol, chief of staff to President Reagan’s Secretary of Education William J. Bennett, dismissed the idea of charter schools. He told the press that “we think there is lots of evidence that traditional methods are working.”⁷ Yet today *charter schools constitute 8 percent of U.S. public schools.*

An Educational Revolution

Ideas matter, even if Republicans sometimes have difficulty in seizing on new ideas. An educational revolution had begun, initiated by a libertarian economist at the University of Chicago, an obscure education professor in Massachusetts, and a teachers union leader. Conservatives came on board with education reform; teachers unions, however, saw the threat to their monopoly in education and quickly mobilized against choice, charter schools, education savings accounts, and educational scholarship accounts.

Conservatives emerged as the revolutionaries, and organized labor became the reactionaries. Progressive reaction against education reform was evident when the Obama administration, though generally supportive of more charter schools, decided in 2009 to put an end to the successful DC

school voucher program. This decision came even though the Department of Education found that students in the capital using the DC Opportunity Scholarship program were ahead of their peers in reading achievement.

Even some progressives could not believe Obama's decision. Columnist Juan Williams called the decision to end the program "Obama's outrageous sin against our kids."⁸ Williams accused the Obama administration of bending to the teachers unions, which battle "charter schools and every other effort at reforming public schools that continue to fail the nation's most vulnerable young people, low income blacks and Hispanics."⁹ When Republicans gained control of the U.S. House in 2010, they pushed through additional funding for the DC Opportunity Scholarship Program. Republicans pointed out that the Obamas sent their children to an expensive private school, Sidwell Friends.

In 2011—called "the year of school choice"—12 states passed legislation that created new school choice programs or expanded existing programs. Arizona implemented the country's first education savings account option, which was later expanded under the leadership of Governor Doug Ducey. These programs provide state funds for parents to pay for tuition, tutors, textbooks and other educational expenses.

The Covid shutdowns in 2020-21 intensified demands for school choice and education savings accounts. Republican-controlled state legislatures have pushed forward this agenda, but they have faced opposition from Democratic legislators and the teachers unions. In some states Republican legislators representing rural districts have voted against school choice.

Opposition to Choice in States

In May 2023, the Nebraska legislature proposed a measure to offer school choice. As usual, teachers unions and their allies fought hard against the program to give tax credits for donations to scholarship organizations. Leading the fight was the OpenSky Institute, a left-of-center think tank based in Omaha. The executive director of the OpenSky Institute, Rebecca Firestone, told the press that the measure would benefit only students from wealthy families, not low-income kids, and she questioned whether tax credits should support students at private Catholic schools. Archbishop of Omaha George Lucas, Lincoln Bishop James Conley and other Catholic bishops backed the legislation, stating, "Every child deserves an education that nurtures their intellectual, spiritual, and moral growth."¹⁰

These were fighting words to Firestone and her public school teacher allies in the Nebraska State Education Association who led the campaign Support Our Schools Nebraska. Dunixi

Guereca, the executive director of Support Our Schools Nebraska, called the tax credit legislation a "dark new era for schooling in Nebraska."¹¹ Firestone and Support Our Schools Nebraska called for a public referendum initiative to be put on the ballot in 2024 to overturn the legislation.

Public school choice initiatives are running into walls in other states. Georgia and Kansas illustrate how the opposition mobilizes. In Georgia, 16 state House Republicans voted against a bill that would have helped students in poorly performing schools to obtain access to educational alternatives. In both of these states (as well as in Texas, mentioned earlier), opposition to school choice developed within the legislatures in a strange alliance between Democrats and rural Republicans.

The Rural Resistance

In Georgia, six House Republicans voted against school choice legislation in March 2023, after a bill passed the state Senate providing for \$6,500-per-student education savings accounts. The bill was supported by Governor Brian Kemp. The six House Republicans who voted no argued that the bill would hurt rural public schools. The Georgia House can take up the bill next year without the Senate having to pass the bill again. The state identified 175 schools serving low-income students that are in need of support because of poor academic performance.

In April 2023, a similar story of defeat played out in Kansas, where a bill providing school vouchers was opposed by Democrats and a small group of Republicans representing rural districts. Kansas has been under a court-ordered funding plan for its schools, which complicated proposed legislation for the voucher program. Opposition came from Democrats and 20 Republicans representing rural districts. The teachers union saw this legislation as an attack on teachers and public education itself. Leah Fliter, a lobbyist for the Kansas Association of School Boards, told the press that Republicans supporting the voucher program "spend a lot of time bashing public schools."¹²

Educational choice programs enjoy broad popular support, especially since the Covid-19 school shutdowns. *A national poll conducted in February 2022 found overwhelming support for school choice (specifically including education savings accounts and tax credits for donations to nonprofits for scholarships), with big majorities across all party lines and racial divides.*¹³ The 2022 midterm elections saw numerous electoral victories for pro-school-choice governors.¹⁴ Still, opposition to school choice remains fierce.

Rallying Popular Support

Popular support proved essential in supporting an historic education savings account program in Arizona in the last year. Arizona pioneered education savings accounts, and under Governor Ducey's leadership in his last year in office, 2022, the Republican legislature expanded funding for this program. Arizona Democrats went white with rage. The newly elected Democratic Governor Katie Hobbs threatened to veto funding of the accounts, but she faced a slight Republican majority in the legislature which understood that the scholarship program was broadly popular. Hobbs capitulated in the final legislative budget for 2023-24 that provided funds for the new program, which made all parents of schoolchildren eligible to apply for vouchers.

Many of the kinks of school choice programs need to be worked out as they are implemented. As with any government spending program, mismanagement, waste and fraud seem to come with the territory. States will need to create systems that better protect the integrity of these programs.

In the end, however, school choice comes down to a fight over whether parents have a right to make decisions about where and how their children are educated. Progressives want government to make these decisions. Once again, we see overreliance on "expertise" and big government to decide what is best for the people.

Parents across the country are standing up in defense of their children. The *Mindszenty Report* supports these parents. This fight is more important than ever as public schools increasingly indoctrinate children with offensive race and gender theories.

¹ <https://www.foxnews.com/media/north-carolina-gov-roy-cooper-declares-state-emergency-school-choice-bill>.

² <https://www.usnews.com/education/k12/articles/what-school-choice-is-and-how-it-works>.

³ <https://www.thepennyhoarder.com/save-money/school-vouchers/>.

⁴ <https://cascadepolicy.org/education/with-new-laws-in-florida-and-indiana-7-states-have-universal-school-choice/>.

⁵ <https://la.utexas.edu/users/hcleaver/330T/350kPEEFriedmanRoleOfGovttable.pdf>; <https://www.heritage.org/education/commentary/free-succeed-brief-history-school-choice>.

⁶ https://books.google.com/books/about/education_by_Charter.html?id=48Y1AQAAIAAJ; <https://www.educationevolving.org/pdf/Ray-Budde-Origins-Of-Chartering.pdf>.

⁷ <https://www.nytimes.com/2014/08/31/opinion/sunday/albert-shanker-the-original-charter-school-visionary.html>.

⁸ Peter Roff, "Obama Wrong on D.C. School Vouchers and Hypocritical, Just Like Congress," *US News & World Report*, April 22, 2009.

⁹ Ibid.

¹⁰ <https://www.wowt.com/2023/05/24/groups-planning-protest-nebraska-ballot-initiative-after-school-choice-bill-passes/>.

¹¹ Ibid.

¹² Andrew Bahl and Jason Tidd, "Controversial School Choice Bill Flops in Kansas Legislature," *The Topeka Capital-Journal*, April 7, 2023.

¹³ <https://www.nationalreview.com/2022/03/exclusive-poll-finds-soaring-support-for-school-choice/>.

¹⁴ Corey DeAngelis, "The School-Choice Election Wave," *Wall Street Journal*, November 11, 2022.

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