

**THE Center for Education Reform**

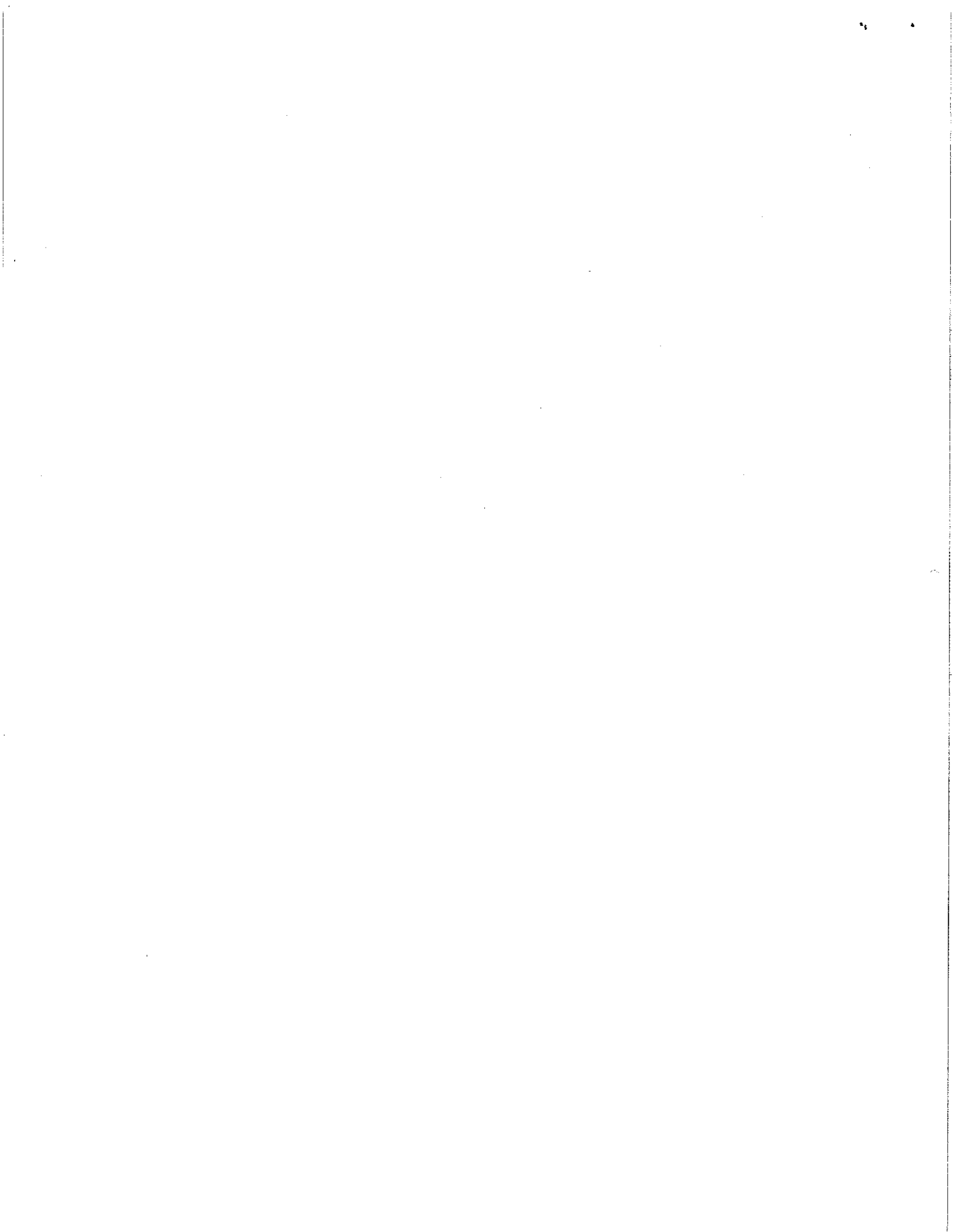


1001 Connecticut Avenue, NW  
Suite 920 • Washington, DC 20036

Tel 202-822-9000  
Fax 202-822-5077

# **SCHOOL CHOICE IN THE UNITED STATES**

**STATE BY STATE ANALYSIS  
FALL, 1993**



## A SCHOOL CHOICE GLOSSARY OF TERMS

**Charter School:** A "public" school created and run by a group of teachers and staff and largely free from state and district oversight. Differs from a magnet school in its method of creation and its autonomy.

**Controlled Choice:** Choice that is limited by court-ordered desegregation guidelines. Because such choice programs limit parents to choices that do not upset the racial balance of a particular school, school districts with these programs can control parental choices based on race and space limitations.

**Full Choice:** Includes private as well as public schools.

**Inter-district Choice:** Students are permitted to cross district lines to attend schools. Some states allow inter-district choice among a limited number of districts.

**Intra-district Choice, or Transfers:** Open enrollment among schools within a district.

**Magnet Schools:** Public schools offering specialized programs to attract students. This is used as a voluntary method of achieving racial balances when districts are under court order to desegregate. Magnets are offered to students as an optional substitute for their location-based school assignment.

**Mandatory Statewide Choice :** See **Open Enrollment**

**Open Enrollment:** Parents in a state have the right to decide which public school their children attend anywhere in the state, rather than having children irrevocably assigned to a school based on location. With voluntary open enrollment, the district is not required to offer choice among its schools, but it can allow parents to choose a school. With mandatory open enrollment, the district must allow parents this option.

**Post-secondary Enrollment Options:** High school students (usually juniors or seniors) are permitted to enroll in courses at state universities or community colleges at government expense and to receive high school graduation credits and college credits toward future enrollment. Public money allocated for the child's high school education is used to pay for the post-secondary courses, and thus forces high schools to compete with colleges for student funds.

**Private Scholarship Programs:** Scholarship programs set up by private corporations or foundations to provide low income parents with tuition assistance for the private or parochial education of their child. Such programs offer anywhere from half to full tuition to allow these children to attend the school of their choice, including religiously affiliated schools.

**Public School Choice:** Choice only among public schools.

**Site-based Management:** Management, personnel and educational policy decisions are made by teachers and the principal (and perhaps parents) of an individual public school, rather than at the district level by a central administration or school board.

**Tax Credits:** A funding method for educational choice in which parents receive a credit against income or property taxes for money spent on school tuition, books, or other expenses associated with sending their child to a private school.

**Voluntary Choice:** See **Open Enrollment**

**Vouchers:** Certificates having a designated dollar value which may be "spent" at the educational institution of the parents' choice — public or private. They are used in much the same way that food stamps are used to buy food.

## STATE BY STATE ANALYSIS

Virtually every state in the nation allows some form of school choice to families, but the degree to which parents can choose varies greatly. Governors, by a two to one margin, support choice or have endorsed legislative proposals in their states — again, however, to varying degrees depending upon a number of factors.

Eleven states currently have statewide public school choice; three other states offer public school choice only within districts. At least fifteen states have school choice legislation pending, or are scheduled to introduce new legislation in 1994. Private school tuition assistance programs — either through public funding or private scholarship programs — are in effect in school districts in twelve states. Charter school legislation has been passed in seven states.

The latest updates on education choice issues, state by state, are listed below.

### ALABAMA

A group of business leaders and community activists are submitting an education reform bill as an alternative to the one the Governor is currently proposing. Their bill would strengthen the curriculum and authorize the creation of charter schools.

### ALASKA

Several state board of education officials strongly back educational choice. At their urging, Governor Wally Hickel, an Independent, appointed a special commission to examine the school choice issue. The Alaska commission's report, released in March of 1992, falls short of advocating full choice and favors instead experimenting with charter schools, magnet schools, and other types of choice within the public system. There has been no legislative action in 1993 to implement the task force recommendations.

### ARIZONA

The Arizona Business Leaders for Education has recommended to the Governor the adoption of statewide school choice, and a group of activists there are working with legislators on a voucher bill scheduled to be introduced in 1994. There is also the potential for an initiative should these routes fail. In Phoenix, 49 children receive privately funded scholarships through the Arizona School Choice Trust, Inc., for half tuition, up to \$800. There are 750 students on the program's waiting list.

### ARKANSAS

The state provides a full public school choice option to parents, although it is rarely publicized. A local businessman started the Free to Choose Trust to provide low-income children with scholarships to attend private schools. For the 1993-94 school year, 17 children received full tuition, up to \$1,000.

## **CALIFORNIA**

Proposition 174 was defeated in November—the measure would have provided parents with vouchers for \$2,600, half the current per student cost of California public education, to put toward their child's education at the private school of their choice. Exit polls showed, however, that the majority of Californians are in favor of some form of school choice.

This year, the legislature passed a bill providing for statewide open enrollment. The state also enacted a charter school bill that has already had dozens of applications from communities wanting to charter their own school.

## **COLORADO**

Public school choice within school districts has been mandatory since the 1990-1991 school year. In 1990, Colorado also enacted a seven-year pilot public school choice program that allows parents to choose a school outside their own district. A ballot initiative failed last year, but the same organizers plan to try again in 1996.

This year, Education Options Children, a private fund in Denver, provided partial-tuition scholarships up to \$1,250 to 38 children attending 12 private schools.

## **CONNECTICUT**

Several legislative efforts to provide children with vouchers are currently pending, as is a bill to permit public school choice. The Democratic majority leader has said he'll propose voucher legislation in 1994 that will include sectarian as well as non-sectarian private schools. Meanwhile, the Coalition to Empower Fairfield is proposing a voucher plan to help alleviate overcrowding problems and cut operating costs in its district's public schools.

School districts in Connecticut are allowed to offer transportation to non-public school students and are reimbursed by the state. New Haven has a widely publicized magnet school program that began in 1974.

## **DISTRICT OF COLUMBIA**

The Washington, DC, School Superintendent favors public school choice and hopes to expand the District's existing magnet programs into a citywide school choice program within the next five years.

## **FLORIDA**

A large group of community activists and several legislators are supporting a pilot project for low-income children in Dade County, to be voted on in 1994.

Florida also has a few public school site-management programs. In 1991 Miami school officials contracted with a private firm, Education Alternatives, Inc., to set up and run the newly established South Pointe elementary school.

## **GEORGIA**

A law on the books since 1961 provides for parents to obtain a voucher to send their children to private schools. Several minority parents who have been denied that voucher are taking the matter to court; the Lt. Governor held hearings on the matter in October. Choice advocates are also formulating legislation for consideration in 1994.

The Georgia Public Policy Foundation, a strong supporter of school choice, last summer announced a private scholarship program in Atlanta. The program gives low-income parents scholarships up to \$3,000 to pay for half of their child's tuition at any private school. Currently, 163 students receive scholarships; 652 are on the waiting list.

## **IDAHO**

Idaho enacted a statewide, voluntary, open enrollment plan in 1990. Under this law, state funds follow the child to the chosen school, effective with the 1991-1992 school year.

## **ILLINOIS**

The debate over school choice in Illinois has intensified due to the declining quality and rising costs of Chicago's public schools. Several bills are pending to enact school choice in Chicago and throughout Illinois. Given the climate in which the schools opened this year, support for a choice initiative has intensified; a coalition of businesses and civic groups has mobilized to push through legislation. Bills under consideration in each of the past two years have only made it past one of the two authorizing committees.

## **INDIANA**

Indiana has no state programs for educational choice, but the public schools in Indianapolis' three districts have choice within each district for elementary and middle schools, and citywide choice for its seven high schools.

The state gives financial assistance to some children who attend private and parochial schools. The state provides transportation for children attending private schools if they are on the same bus routes as public school children. In addition, low income children who attend private and parochial schools are entitled to state financial support for textbooks.

Golden Rule Insurance Company, based in Illinois with a major office in Indianapolis, started a national trend among corporate and philanthropic charities in 1991 with an innovative scholarship program. Golden Rule's "CHOICE Charitable Trust" helps low income children in Indianapolis attend the private school of their choice by awarding them scholarships to cover up to half of tuition costs. Now in its fourth year, the program serves over 1,100 children.

## **IOWA**

The state is in its fourth year of a mandatory, statewide inter-district open enrollment program, though the Department of Education does little to publicize it. Approximately 7,500 students are currently taking advantage of the open enrollment option, up from 1,700 in the program's first year.

## **KANSAS**

Last year, Wichita Republican Senator Eric Yost introduced a statewide voucher bill titled the "G.I. Bill for Children." Representative Tom Bishop, a Democrat, proposed a one year pilot voucher bill for low-income Sedgewick county students. No action was taken on either piece of legislation.

## **KENTUCKY**

A 1990 law gives parents limited authority to remove their children from an assigned public school. The Kentucky law was enacted after the Kentucky Supreme Court ruled that the state's entire system of public education was unconstitutional.

## **LOUISIANA**

Legislation for parental choice in education has been introduced almost annually in recent years. Although every bill has been defeated, support for choice continues in the state. Because of procedural restrictions, legislation cannot be introduced again until 1995, except under special order of the governor.

## **MARYLAND**

There is a high level of interest in Maryland in promoting choice for low-income students, particularly in areas with high concentrations of disadvantaged children. The Governor endorsed a bill funding a pilot voucher program to allow low-income children to attend public or private school. That legislation was not reported out of committee last year, but will be introduced in 1994.

In Baltimore, the City School District contracted with the private company Education Alternatives, Inc., to take over the running of nine schools, beginning September, 1993. Teachers remain employees of the district, but other services are contracted out, and EAI has implemented curriculum and teaching method innovations culled from educational programs in other school systems.

## **MASSACHUSETTS**

A 1991 Massachusetts law permits students to attend a public school in a district other than their own, unless the receiving district declines to participate. The program began operation in September, 1991. Governor Weld has indicated he would support a voucher program, and supporters suggest that a bill currently pending may be passed in 1994. A bill was passed to allow the establishment of charter schools beginning September, 1995.

## **MICHIGAN**

The Michigan legislature is under pressure to enact a new system of education and new financing measures to replace the property taxes that were abolished this August. Governor John Engler proposed a charter school plan that would provide parents with a \$4,500 voucher to attend any public or charter school in the state. Both the House and Senate have passed charter school packages, each a modification on the Governor's plan, and the bills now go to conference.

Another coalition, TEACH Michigan, is pursuing a ballot initiative which would amend the state's constitution to allow for vouchers among public and private schools.

## **MINNESOTA**

Minnesota in many ways has led the school choice movement at the state level. In 1988 it became the first state to enact mandatory, statewide open-enrollment for all students. During the 1992-93 school year 113,000 Minnesota students (of about 750,000 total enrollment) actively selected the public school which they attended. Last year 12,500 students used the open enrollment option to attend schools outside of their home district, an increase of 26% from 1991-92, and a 110% percent jump from 1990-91. The state has three alternative school programs for students and dropouts. It also enacted the first charter schools plan in 1991, and this year legislation expanded the number of charters available from 8 to 20. The newly introduced appeals process provides more options to teachers and parents seeking approval for their charter proposal.

In 1985 Minnesota became the first state to permit high school student enrollment in college for dual credits. This program allows high school juniors and seniors to take courses at local colleges for both high school and future higher education credit. A share of the money allocated for the students' high school course work follows them to the colleges they choose. As a result, local high schools have quadrupled the advanced placement courses offered in order to meet the new competition from colleges for student funds.

Minnesota also allows households to take a tax deduction for private school expenses. The tax deduction applies if the child attends either private or parochial school.

## **MISSISSIPPI**

In 1991 Governor Kirk Fordice ran and won on a platform that included private school choice. Fordice enjoys widespread support in the business community and there is discussion that a school choice measure will be considered in 1994.

## **MISSOURI**

Magnet schools were instituted in Kansas City in the late 1970s as a way of attracting suburban white children to central city schools, thus promoting voluntary desegregation.



## **NEBRASKA**

In 1990 Nebraska became the fourth state to adopt an open enrollment measure.

## **NEW JERSEY**

In Jersey City, Mayor Bret Schundler has fashioned voucher legislation to benefit inner-city children, for vote in 1994. Governor-elect Christine Whitman has promised her support of his efforts. The legislature is also considering a public school choice bill for a limited number of districts.

The state currently has a few intra-district choice programs in place. Montclair operates a nationally recognized district-wide magnet school program that has boosted student achievement. A 1990 report by the Educational Testing Service (ETS) found that between 1984 and 1988, the median reading and mathematics scores of minority and non-minority students rose in all grades. In most grades, minority students made greater gains than non-minority students. Overall, the gap between minority and non-minority academic achievement was reduced by almost 30 percent over four years. The system also has fostered voluntary racial integration.

## **NEW YORK**

New York City has one of the longest-running successful public choice program — the well-known program in East Harlem District 4. Beginning in 1976, District 4 officials allowed teachers in Harlem's junior high schools to redesign or even create schools, and empowered parents to choose which schools their children would attend. The East Harlem choice program is credited with raising reading scores and lifting Harlem from 32nd of 32 New York City school districts to a high of 15th in 1983. East Harlem's reading scores have since dropped somewhat, but currently fall in the mid range for New York City districts. The choice plan also has attracted white students to the largely minority school district.

This year, another three districts opened up schools to choice. A school fair held this summer drew over 1,000 parents to learn about their options. Choice among high schools is available through a wide array of magnet schools that operate throughout New York City, many on a selective admissions basis. A bill to provide vouchers in the city was narrowly defeated. A private scholarship foundation provides full tuition assistance to 725 students from low-income families to attend private and parochial schools. Another group in Albany assists 24 children in 14 schools with half-tuition scholarships; over 300 others are on the waiting list.

## **OHIO**

In 1990 Ohio became the fifth state to enact a statewide open enrollment law. The law requires that students be allowed to choose their school within a district, space providing.

## **OREGON**

A 1991 Oregon law contains two provisions for public school choice. One permits parents of children who have not made progress at any grade level for at least one year to choose another school, provided the receiving school agrees to accept the student. The second provision creates a tenth grade Certificate of Initial Mastery, which indicates a certain level of basic skills. When a student earns this certificate, he or she can attend any public school in the state or any state community college to pursue vocational or college preparatory course work.

## **PENNSYLVANIA**

Parents in Pennsylvania came close to winning statewide school choice in the fall of 1991. The State Senate passed a bill giving \$900 educational opportunity grants to all children, which could be used at private schools. The legislation also established statewide public school open enrollment. The Senate-approved bill narrowly lost in the House.

The REACH Alliance, a private grassroots organization backing the choice proposal, has drafted a modified voucher bill which will be voted on in 1994. Once again, parents favoring school choice can expect strong grassroots support for the revised bill and significant support from both parties in the legislature, including the prominent Democratic Senator who is sponsoring the bill.

## **SOUTH CAROLINA**

Business and grassroots support for school choice in South Carolina is gaining momentum. The Save Our Schools Committee, a coalition of parents and community and business leaders, put together a low-income school choice bill which has been introduced into the legislature, and is being championed by the Secretary of State.

Choice among public schools within the district has been adopted by two districts in the state.

## **TEXAS**

A bill to provide vouchers for low-income children failed by only two votes this year. The bill is being reintroduced with widespread support among community leaders, and is slated to be voted on in 1994. Governor Ann Richards recently came out in favor of choice programs for low-income children that would include both public and private schools, although it is unclear to what degree she is willing to fight for such a plan.

A private group, Children's Educational Opportunities (CEO) Foundation, provides half tuition up to \$1,000 to nearly 1,000 children attending over 100 schools in San Antonio and Austin. Another 1,750 are on waiting lists.

## **UTAH**

The law as amended in 1992 makes open enrollment mandatory as of September, 1993. It also modifies the funding system, so that 100 percent of state education dollars follows a transferring student to his or her new district.

## VERMONT

A limited school voucher system has been in effect in some Vermont districts since 1894. The voucher system began because some small towns in this rural state had formal schools, while many others did not. Under the Vermont system, communities with no schools give parents vouchers to permit them to send their children to public and private schools in nearby communities. Towns without any schools are allowed to use state and local funds raised from taxation for education in other towns, at public or private schools.

## VIRGINIA

Intra-district open enrollment legislation was introduced in 1992 by Republican Delegate Philip Hamilton. Action was delayed pending study.

## WASHINGTON

Intra-district school choice became mandatory for all school districts in September 1991, although details governing same-district transfers vary from district to district. A group of business leaders and community activists are looking into a possible 1996 initiative.

## WISCONSIN

Milwaukee is the home of the nation's first private school voucher plan for low-income children. This September, Landmark Legal Foundation filed suit on behalf of several parents asking the courts for fairness in extending the program to include religious schools.

The current plan, spearheaded in 1990 by Assemblywoman Annette "Polly" Williams, a Democrat, and signed into law by Governor Tommy Thompson, a Republican, permits up to 1,000 low income Milwaukee students to use an annually adjusted amount (\$2,970 for the 1993-94 school year) in state funds to go to a private, non-sectarian school of their choice. The program began operation in September, 1990, with 300 children using vouchers at six private schools. Four years later, 746 students attend one of thirteen private schools participating in the program. Virtually all the parents report that their children have improved academically and their attitudes about school have improved, and that they plan to stay with the schools they and their children have chosen.

In addition to publicly funded vouchers, Wisconsin's Partners Advancing Values in Education (PAVE) was formed last spring to operate a private scholarship program. Unlike the state-sponsored Milwaukee program, PAVE allows students to use their scholarships at religious schools. PAVE currently provides half tuition scholarships to 2,089 low income Milwaukee K-12th grade students at 79 of the city's non-public schools. As many more children are on the program's waiting list.

## **PUERTO RICO**

In September, 1993, Puerto Rico passed education legislation which allows children to attend the school of their choice, with public funds following them to that school. The plan provides a \$1,500 grant per student for use at a public or private school. Of the 1,596 students selected to be part of the plan in 1993, 66% requested transfer from one public school to another, 18% requested transfer from a public to a private school, and 16% requested transfer from a private to a public school. 15% of the transfers were to schools with specialized programs. Another 3,500 students attend a special university-level program developed by the College Board — the recent legislation provided funding to expand the existing program by almost 10%.

Updated December 7, 1993.

---

School Choice Programs, What's Happening in the States was originally compiled and published by The Heritage Foundation, Washington, DC, March 1992, by Jeanne Allen, and revised in 1993 by Angela Hulsey. School Choice in the United States is an abridged and updated version by the original author.