

Florida Senate votes to create new school voucher program

April 25, 2019
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Florida would create a new school voucher program, expanding school-choice options but adding to the controversy around private-school scholarship efforts, under a bill that passed the Florida Senate on Thursday.

The bill would create a new Family Empowerment Scholarship — the state's fifth voucher program — that could help up to 18,000 students pay private school tuition with state-backed scholarships. The program would target youngsters from low-income families but could be open to more middle class ones, too, with an income limit of nearly \$80,000 for a family of four.

Lawmakers who supported the bill said it gives parents unhappy with their public school but unable to pay for private school the educational choice they deserve.

"Every parent knows what's best for their individual child, and at no point should we turn over that responsibility to the government," said Sen. Manny Diaz, R-Hialeah, one of the bill's sponsors.

The new scholarship program has [the support of Gov. Ron DeSantis](#) and Republican leaders in the House, which has proposed its [own version](#) but also could take up the Senate's. The Senate bill ([SB 7070](#)) passed 23 to 17 along party lines.

The new voucher program aims to help students who are on the waiting list for Florida's Tax Credit Scholarship Program, which was created in 2001 and now serves about 100,000 students from low-income families.

Diaz said the program, like the state's other scholarships, would make sure all students, "regardless of their ZIP code or status," have good educational options.

But some Democrats warned the new program, if it becomes law, could prompt lawsuits as it diverts taxpayer money to private schools, many of which are religious. More than 80 percent of the students using tax credit scholarships this year, for exam, attend religious schools, state figures show.

The tax-credit program is funded by corporate donations given in exchange for a dollar-for-dollar write-off on state tax bills. When it was challenged in court, Florida judges ruled those suing lacked "taxpayer standing" because the scholarships didn't come directly from the state budget.

But the new program would be funded with money — estimated up to \$130 million — taken from the state's education budget.

"That's not going to cut the mustard," said Sen. Perry Thurston Jr., D-Fort Lauderdale. "Senators, this is not the right way to go."

The Legislature's obligation is a "well-funded public education system," he added, but the new scholarship program "does the exact opposite" because it spends public money on private schools.

Sen. Bill Montford, D-Tallahassee, said he opposed the “monumental piece of legislation” because it went against the education reform efforts — started by Republican Gov. Jeb Bush — that he has long supported. Those imposed accountability on public schools and led to better student performance but also made him unwilling to support sending more students to private schools that don’t have to meet those rules.

“My question is why are we allowing, giving parents a choice ... to take public funds to go to schools where the standards are not as high or maybe they don’t have any standards or worse than that we don’t even know what those standards are?” he said.

Private schools that take any of Florida’s scholarships do not have to give students state tests nor meet state standards when it comes to academics, teacher credentials or facilities.

The new voucher program was proposed because donations to the tax credit program have slowed, leaving about 14,000 students on its waiting list this school year, officials said.

Sen. Dennis Baxley, R-Ocala, said the bill won’t harm public schools — and will help students for whom that isn’t the best option.

“People love traditional schools. Most kids will go there,” he said, but some want choices. “This bill is about freedom.”

Sen. Keith Perry, R-Gainesville, said the scholarship programs cost less than educating a child in a traditional public school. The new program would create scholarships worth 95 percent of the average cost of educating a student in public school. “What we’re doing is saving money,” he added.

Florida’s first voucher program — the Opportunity Scholarship Program — was successfully challenged in court as a violation of Florida’s constitution, and some Democrats warned the Family Empowerment scholarship, if it become law, could meet the same fate.

The Florida Supreme Court ruled in 2006 that the state’s first voucher program violated a state constitution provision for a system of “uniform” schools. Earlier, a lower court ruled the program violated a constitutional provision against providing aid to religious institutions. The state’s top court, however, didn’t weigh in on that religious issue when it shut down the program.

The Gardiner and McKay scholarship programs, both for students with disabilities, haven’t faced lawsuits. They are also paid for directly from the state budget.

The Hope Scholarship Program, started last year, is paid for by residents who buy cars and earmark \$105 they’d owe in state taxes to a scholarship fund. It has not faced a challenge, but it also hasn’t attracted many students, with 91 using the scholarship this school year. The bill allows unused Hope Scholarship money to be given to the Tax Credit program.

Diaz said he wasn’t worried about legal battles stemming from the Family Empowerment program as other state education efforts, from Florida’s pre-K program to its Bright Futures college scholarships, allow students to use state money at both public and private institutions.

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