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OUTSTANDING OPPORTUNITIES

THE CASE FOR EDUCATION CHOICE IN THE LONE STAR STATE



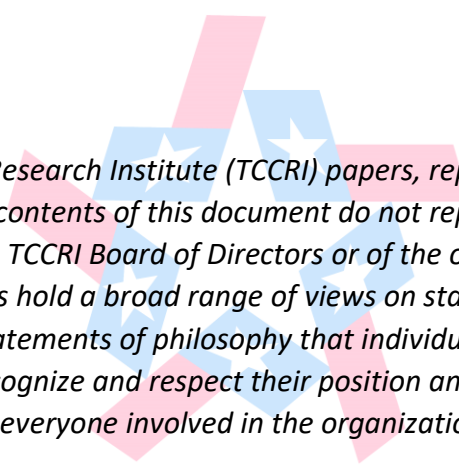
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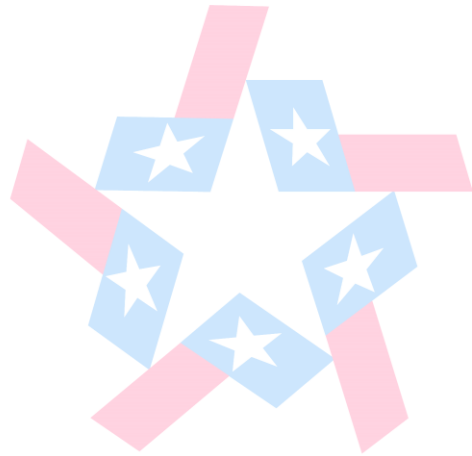
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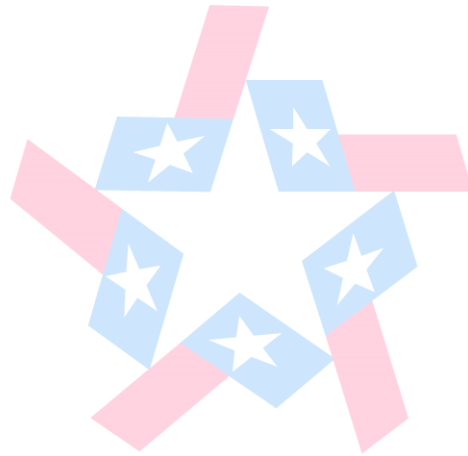
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OUTSTANDING OPPORTUNITIES:
The Case for Education Choice in the Lone Star State



I. Introduction: Outstanding Opportunities in Texas

Over the course of approximately two decades of conservative stewardship in Texas, government policy has been steady and sensible. From the enactment of a competitive energy market and comprehensive tort reform, to budgets that spend within the state's means and don't outpace the state's growth, conservatives have made Texas a better place to live, raise a family, work, and do business. Within the context of good governance are a host of conservative priorities that the legislature has made a reality. Session after session, these include pro-life bills, gun rights bills, fiscal reforms and tax cuts, economic freedom reforms, public safety laws, First Amendment protections, and more.

The greatest omission from conservatives' record in Texas is the enactment of policies that would empower parents and students to seek out the education option that best serves their own unique needs. To be sure, Texas has enacted a robust charter school network that can only be seen as a resounding success. But charters should not be the only tool in the parental toolbox when parents look to find more choices in education for their children.

Across the nation, 29 different voucher programs have been enacted in 16 different states.ⁱ Eight different education savings account (ESA) programs have been enacted across eight different states.ⁱⁱ 26 tax-credit scholarship programs have been enacted across 21 different states.ⁱⁱⁱ States, such as Kentucky and Missouri, are enacting new innovations in education choice, such as tax-credit education savings accounts.^{iv} Eleven individual tax credit and deduction programs provide educational choice for students across nine different states.^v More than half of the states in the nation have some form of education choice that includes private options. Texas is not one of them.

Continued failure to advance choice in education while controlling statewide offices and both chambers of the legislature would be a profound missed opportunity for conservatives in Texas. It is time to capitalize on that opportunity. Support for education choice has never been higher. Real Clear Opinion Research has been tracking the following basic question for several years in national polls:

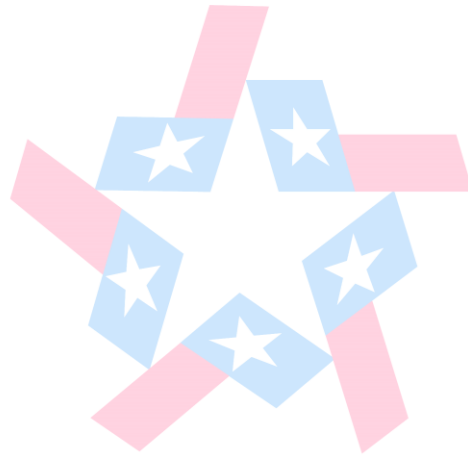
School choice gives parents the right to use the tax dollars designated for their child's education to send their child to the public or private school which best serves their needs. Generally speaking, would you say you support or oppose the concept of school choice?

As of June 2022, 72% of respondents answered in the affirmative.^{vi} Broken down by partisan divide, 82% of Republicans and 68% of Democrats now support the concept of school choice.^{vii} Broken down by race, support among black respondents (70%) and white respondents (72%) was roughly equal.^{viii} Support was highest among Hispanic respondents, with 77% supporting the concept of school choice.^{ix} In Texas, 88% of voters in the 2022 Republican Primary voted in favor of a party proposition showing support for education choice.^x



Voters of all race and political affiliation are now supporting education choice because they see it for what it is: *a choice*. Never before has it been so apparent that the one-size-fits-all approach to public education of the 20th Century is not a model that works for everyone. Decisions made in response to a pandemic, state policy on school curriculum, and teaching methods—no matter how one feels about them—are lighting rods. Choices allow parents to seek out a school setting that fits their values, their student’s interests and ambitions, and avoids state policy quagmires they may not agree with.

The traditional public school will never go away. Indeed, traditional public schools remain the number one choice of students and parents who are given a choice. But that system can co-exist in tandem with policies that empower students and parents to seek alternatives. The proof is in the dozens of programs already successfully implemented in more than half of the states in the country. The 88th Legislative Session is an outstanding opportunity to address this outstanding conservative priority.



II. The Overwhelming Data on Successful Choice Programs

The first modern voucher program was enacted in the city of Milwaukee in 1990.^{xi} Initially, the program was a pilot with the capacity to serve approximately 350 poor kids leaving traditional public schools for non-religious private schools.^{xii} Just as they do today, opponents claimed that choice programs would harm traditional public schools, as evidenced by this quote from then state Superintendent Herbert Grover:

The highest teen pregnancy rate of any industrialized nation in the western world. We have drug and alcohol problems, child abuse, low birth-weight babies. No one addresses those issues and the schools are struggling around those issues. So then we create a private school choice program where the enlightened flee the system with public resources for which there is no accountability.^{xiii}

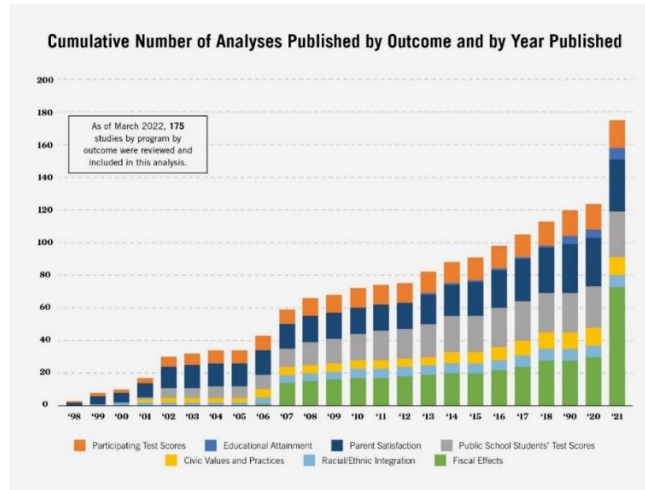
Such objections remain the go-to arguments for opponents of education choice, but the Milwaukee program was successful, growing gradually until a significant spike in 1998 when the Wisconsin Supreme Court ruled that the program could fund vouchers to be used at religious schools.^{xiv} Today, the program is going strong with nearly 30,000 participants.^{xv}

Since the enactment of Milwaukee's voucher program in 1990, choice programs have proliferated in states across the country and few trends in public policy have been studied as closely and carefully as education choice.

Indeed, there is so much data on education choice programs that proponents and opponents all have information they can cite to support their arguments or rebut those of others. In Texas, the best example of this is *Raise Your Hand Texas*, a non-profit education advocacy organization which generally opposes any education reform that challenges the traditional public school model.^{xvi} In a page titled "Here is Where We Stand on School Vouchers," *Raise Your Hand Texas* cites studies to establish that (1) "School vouchers don't improve student outcomes," (2) "Voucher Programs Have History of Ballooning State Costs," (3) "School vouchers leave Texans behind," which is a euphemistic way of refuting the strawman argument that choice is a panacea, and (4) "School vouchers lack accountability for public funds." Some of these sections contain no citation to any fact or data, but the ones that do cherry-pick studies and data to support their assertions.

Luckily, we know what the research actually says about the 608,000 students participating in the 76 private school choice programs across 32 states (and Washington D.C. and Puerto Rico).^{xvii} As of March 2022, 175 different studies have looked at these programs to answer all manner of inquiry, including test score results for program participants, test scores for non-participating students in public schools, educational attainment, parent satisfaction, promotion of civic values and practices, success in racial and ethnic integration, and, of course, fiscal effects of choice programs.^{xviii}

A comprehensive analysis of all of these studies is published annually by *Ed Choice* in “The 123s of School Choice: What the Research Says About Private School Choice Programs in America.”^{xix} The following chart illustrates just how much the library of data on choice program outcomes has grown:



Source: *123s of School Choice*^{xx}

What do the 175 empirical studies say about choice programs on the highlighted outcomes? Let us go through them, topic by topic.

A. Choice Program Participant Test Scores

17 empirical studies have examined whether students who receive and use choice programs to attend private school achieve higher test scores than students who apply for, but ultimately do not use choice programs. Within those seventeen studies, 11 showed positive effects on the scores of participants, while only three showed negative effects. Here is the breakdown of each study and the outcome(s) it observed:

Test Score Outcome of Participants from Experimental Studies

Study	Location	Program Type	Any Positive Effect		No Visible Effect		Any Negative Effect	
			All Students (full sample)	Some Students (subsample)	All Students	Some Students	All Students	Some Students
Erickson, Mills and Wolf (2021)	Louisiana	V					•	•
Webber et al. (2019)	Washington, D.C.	V			•	•		
Abdulkadrioglu, Pathak, and Walters (2018)	Louisiana	V					•	•
Wolf et al. (2013)	Washington, D.C.	V	•	•				
Lamarche (2008)	Milwaukee, WI	V		•				•
Greene, Peterson, and Du (1999)	Milwaukee, WI	V	•	•				
Rouse (1998)	Milwaukee, WI	V	•	•				
Bitler et al. (2015)	New York, NY	P			•	•		
Jin, Barnard, and Rubin (2010)	New York, NY	P		•				
Cowen (2008)	Charlotte, NC	P	•					
Bettinger and Slonim (2006)	Toledo, OH	P			•			
Krueger and Zhu (2004)	New York, NY	P			•	•		
Barnard et al. (2003)	New York, NY	P		•	•			
Howell et al. (2002)	Washington, D.C.	P	•	•				
Howell et al. (2002)	New York, NY	P	•	•				
Howell et al. (2002)	Dayton, OH	P	•	•	•			
Greene (2001)	Charlotte, NC	P	•					

V-Voucher P-Private scholarship

Source: *123s of School Choice*^{xxi}

Not only does *Ed Choice* provide a comprehensive analysis of what the data say, they are open and transparent when a study does not provide results supportive of choice programs. They also provide context. Even though studies with poor results are the outliers, *Ed Choice* takes the time to explain why a program may not have worked:

In the case of Louisiana, for example, the program was designed in a way that seemed to generate strong disincentives for private schools to participate. We know this because most private schools in Louisiana chose not to participate in the program. Only one-third of Louisiana private schools signed up, and there is compelling evidence that these were lower-quality private schools. For instance, researchers discovered that schools with higher tuition levels and growing enrollment were less likely to sign up. Another study showed private schools that signed up for the program experienced sharp enrollment declines during years prior to entering in the program relative to non-participating private schools.^{xxii}

Given the fact that the Louisiana is clearly an outlier in the larger data set, this explanation is both reasonable and plausible.

The real story, however, is the eleven studies showing positive effects on student outcomes based on test scores. Eight of these studies show improvement in specific student populations.^{xxiii} Seven of the studies showed improvements on the whole when looking at the entire student population.^{xxiv} And there was overlap in four studies that showed both improvements in the general population and in targeted populations.^{xxv}

1. *How Opponents of Choice Misrepresent this Data*

Contrast *Ed Choice*'s transparency in citing all results, good and bad, with an organization like *Raise Your Hand Texas*, which generally opposes all forms of education choice. The following image is from *Raise Your Hand Texas*'s website, in the "policy" section called "Where We Stand on Vouchers":

School Vouchers Don't Improve Student Outcomes

Taxpayer dollars should be invested in evidence-based solutions with proven results for our students. Research shows that the overall effects of vouchers are limited and inconsistent. A recent study of **Milwaukee's voucher program**, the oldest in the country, found no improvements in math or reading scores for students who used vouchers. These findings echoed studies from 2021 that measured the effects of voucher programs in **Louisiana** and **Indiana**. Moreover, the ineffectiveness of vouchers is salient among our most disadvantaged students. In a recent study, **researchers found vouchers had virtually no positive impact on college enrollment and completion rates for low-income or first-generation students of color.**

Source: *Raise Your Hand Texas*^{xxvi}

Immediately apparent is that Raise Your Hand Texas presents only the three outlier studies that have poor results. The organization makes no effort to discuss those results in any kind of meaningful way. Worse, they simply pretend as though the entire body of data and information that runs counter to their narrative—even studies showing strong positive outcomes—does not exist. It can only be viewed as a willful deception in service of their position against choice.

B. Educational Attainment by Choice Program Participants

Seven empirical studies have examined the effect that choice programs have on a student’s likelihood to graduate high school, enroll in college, or attain a college degree.^{xxvii} Five of those studies found positive effects on educational attainment for participants and two found no effect at all. No studies showed negative effects. Here is the breakdown of each study and the outcome(s) it observed:

Attainment Outcomes of Participants from All Empirical Studies

Study	Location	Program Type	Any Positive Effect		No Visible Effect		Any Negative Effect	
			All Students (full sample)	Some Students (subsample)	All Students	Some Students	All Students	Some Students
Austin and Pardo (2021)	Indiana	V	•					
Erickson, Mills, and Wolf (2021)	Louisiana	V			•	•		
Chingos et al. (2019)	Washington, D.C.	V			•	•		
Chingos et al. (2019)	Milwaukee, WI	V	•					
Wolf et al. (2013)	Washington, D.C.	V	•	•				
Chingos et al. (2019)	Florida	TCS	•	•				
Cheng and Peterson* (2020)	New York, NY	P		•	•			

V-Voucher TCS-Tax credit scholarship P-Private scholarship

Source: 123s of School Choice^{xxviii}

1. How Opponents Misrepresent this Data

Given that most of the studies on this question are positive, showing good effects on educational attainment among participants, and no studies have negative effects, how might an anti-choice advocacy groups misrepresent the data on this question? You guessed it. They would pick one of the studies that showed no visible effect and pretend as though the beneficial studies do not exist. We do not have to look far for an example because it is already included in this report:

School Vouchers Don’t Improve Student Outcomes

Taxpayer dollars should be invested in evidence-based solutions with proven results for our students. Research shows that the overall effects of vouchers are limited and inconsistent. A recent study of Milwaukee’s voucher program, the oldest in the country, found no improvements in math or reading scores for students who used vouchers. These findings echoed studies from 2021 that measured the effects of voucher programs in Louisiana and Indiana. Moreover, the ineffectiveness of vouchers is salient among our most disadvantaged students. In a recent study, researchers found vouchers had virtually no positive impact on college enrollment and completion rates for low-income or first-generation students of color.

Source: Raise Your Hand Texas^{xxix}

Yes, this is the same graphic from the previous section, but the highlighted portion hyperlinks to one study by *Cheng and Peterson*, which *Ed Choice* also identifies. But *Ed Choice* recognizes that the *Cheng and Peterson* study *did* show positive impacts for some students, and they recognize other studies that have positive impacts for *all* students. If *Raise Your Hand Texas* was not so quick to cherry-pick the data, they would have used one of the two studies that had no positive impact for anyone.

C. Public School Students' Test Scores

One of the best arguments for education choice is that competition for students makes schools better. One of the most persuasive arguments opponents of choice programs make says the opposite, that choice programs divert valuable resources and the better students away from traditional public schools, which harms those public schools. Thankfully, 28 empirical studies have looked at this question by examining whether students leaving by using a private choice program has an effect on the test scores of students who remain in public schools.

Of those 28 studies, an astounding 25 found positive effects of choice programs on the traditional public schools they affect.^{xxx} Only two studies found negative effects on public schools.^{xxxi} The only reasonable conclusion one can draw from this data is that the competition proponents carry the day. As *Ed Choice* explains in commentary about these results:

All of these systematic reviews acknowledge that private school choice programs tend to induce public schools to improve. The body of evidence suggests that improvement increases with the intensity of competition.^{xxxii}

In other words, *the more choice, the better* for both participants and the traditional public schools they leave behind. Here is a breakdown of the studies:

Academic Outcomes of Public Schools from All Empirical Studies

Study	Location	Program Type	Any Positive Effect	No Visible Effect	Any Negative Effect
Canbolat (2021)	Indiana	V			•
Egalite and Mills (2021)	Louisiana	V	•		
Egalite and Catt (2020)	Indiana	V	•		
Figlio and Karbownik (2016)	Ohio	V	•		
Bowen and Trivitt (2014)	Florida	V			•
Chakrabarti (2013)	Florida	V	•		
Carr (2011)	Ohio	V	•		
Winters and Greene (2011)	Florida	V	•		
Mader (2010)	Milwaukee, WI	V	•		
Greene and Marsh (2009)	Milwaukee, WI	V	•		
Chakrabarti (2008)	Milwaukee, WI	V	•		
Forster (2008)	Ohio	V	•		
Forster (2008)	Florida	V	•		
Carnoy et al. (2007)	Milwaukee, WI	V	•		
Greene and Winters (2007)	Washington, D.C.	V		•	
Figlio and Rouse (2006)	Florida	V	•		
West and Peterson (2006)	Florida	V	•		
Greene and Winters (2004)	Florida	V	•		
Greene and Forster (2002)	Milwaukee, WI	V	•		
Hammons (2002)	Maine	V	•		
Hammons (2002)	Vermont	V	•		
Hoxby (2002)	Milwaukee, WI	V	•		
Greene (2001)	Florida	V	•		
Figlio et al. (2021)	Florida	TCS	•		
Figlio and Hart (2014)	Florida	TCS	•		
Rouse et al. (2013)	Florida	TCS	•		
Gray, Merrifield, and Adzima (2016)	San Antonio, TX	P	•		
Greene and Forster (2002)	San Antonio, TX	P	•		

V-Voucher TCS-Tax credit scholarship P-Private scholarship

Source: *123s of School Choice*^{xxxiii}



It is worth pointing out that the two studies showing some negative effect were conducted in locations—Indiana and Florida—where additional studies found positive effects. Even if that were not the case, the larger results here are overwhelming. *Competition from choice programs improves outcomes in public schools.*

D. Parental Satisfaction

Given the proliferation of choice programs across the country, it should be self-evident that parents are satisfied when they take advantage of alternative opportunities for their children. Nevertheless, 32 empirical studies have been conducted on this question, looking to measure the extent to which parents are satisfied with the choice programs in which they enroll their children compared to the satisfaction with their pre-program schools or to parents of non-program students. 30 of those studies showed positive results. Only two were negative. Here are the studies and effect results:

Parent Satisfaction Impacts from Private Educational Choice Programs

Study	Location	Program Type	Any Positive Effect	No Visible Effect	Any Negative Effect
Catt and Cheng (2019)	Arizona	ESA	•		•
Kittredge (2016)	Mississippi	ESA	•		
Butcher and Bedrick (2013)	Arizona	ESA	•		
Varga et al. (2021)	Florida	ESA	•		
Varga et al. (2021)	Florida	V	•		
Department of Public Instruction (2018)	Wisconsin	V	•		
Catt and Rhinesmith (2017)	Indiana	V	•		
Egalite, Gray, and Stallings (2017)	North Carolina	V	•		
Black (2015)	Florida	V		•	
Kisida and Wolf (2015)	Washington, D.C.	V	•		
Witte et al. (2008)	Milwaukee, WI	V	•		
Weidner and Herrington (2006)	Florida	V	•		
Greene and Forster (2003)	Florida	V	•		
Witte (2000)	Milwaukee, WI	V	•		
Metcall (1999)	Cleveland, OH	V	•		
Peterson, Howell, and Greene (1999)	Cleveland, OH	V	•		
Greene, Howell, and Peterson (1998)	Cleveland, OH	V	•		
Catt and Rhinesmith (2016)	Indiana	WTCS*	•		
DiPerna (2014)	Indiana	WTCS†	•		
Catt and Cheng (2019)	Arizona	TCS			•
Department of Revenue Administration (2018)	New Hampshire	TCS	•		
Catt and Rhinesmith (2017)	Indiana	TCS	•		
Kelly and Scafidi (2013)	Georgia	TCS	•		
Howell and Peterson (2002)	Dayton, OH	P	•		
Howell and Peterson (2002)	New York, NY	P	•		
Howell and Peterson (2002)	National	P	•		
Howell and Peterson (2002)	Washington, D.C.	P	•		
Peterson and Campbell (2001)	National	P	•		
Greene (2001)	Charlotte, NC	P	•		
Peterson, Campbell, and West (2001)	San Francisco, CA	P	•		
Peterson, Myers, and Howell (1999)	San Antonio, TX	P	•		
Weinschrott and Kilgore (1998)	Indianapolis, IN	P	•		

TCS—Tax Credit Scholarship P—Private Scholarship

Source: 123s of School Choice^{xxxiv}

It is worth noting that the two studies showing negative effects, in addition to being clear outliers, were both conducted in Arizona by the same researchers (Catt and Cheng). Moreover, one of those two studies found *positive* effects in addition to negative effects, which speaks to the more complicated nature of parental preferences in education. It also means that anyone who purports to assert that parents end up dissatisfied with choice programs is either misinformed, or engaged in willful deception.

E. Racial and Ethnic Integration

One of the more pernicious go-to arguments against choice programs is the argument that participating schools can deny applicants on the basis of color, or that the mere existence of choice programs results in de facto segregation. Of course, the opposite is true. Many choice programs are designed to specifically benefit poor students of all colors and backgrounds.

Seven studies have examined the effect of education choice programs on racial and ethnic diversity in schools. Six of those studies found positive effects on racial and ethnic diversity. One found no effects and not a single study found negative effects.^{xxxv} Here are the results:

Racial Integration from All Empirical Studies

Study	Location	Program Type	Any Positive Effect	No Visible Effect	Any Negative Effect
Egalite, Mills, and Wolf (2017)	Louisiana	V	•		
Greene, Mills, and Buck (2010)	Milwaukee, WI	V		•	
Greene and Winters (2007)	Washington, D.C.	V	•		
Forster (2006)	Milwaukee, WI	V	•		
Forster (2006)	Cleveland, OH	V	•		
Fuller and Mitchell (2000)	Milwaukee, WI	V	•		
Greene (1999)	Cleveland, OH	V	•		

V-Voucher

Source: *123s of School Choice*^{xxxvi}

In surveying this data, Elise Swanson noted that “it is perhaps unsurprising that traditional public schools exhibit, to this day, high levels of racial segregation, and that choice programs, including vouchers, that decouple the link between address and school actually increase racial integration.”^{xxxvii} One need only look at large public school districts in Texas for examples of how traditional public school districts segregate students with geographically defined attendance zones. With its sprawling geographic coverage, Austin ISD’s total student population is 55% Hispanic, 30% White, 6.4% Black, and 4.6% Asian.^{xxxviii} However, when looking at individual campuses, you see that diversity is not reflected so well. Bowie High School is majority white (77%) with only 35% Hispanic.^{xxxix} Contrast that with Akins High School, which is majority Hispanic (77%).^{xl} These public high schools are approximately five miles apart. The data on choice programs demonstrates that *they overwhelmingly have a positive impact* in terms of racial integration.

F. Fiscal Impact of Choice Programs

No single issue around education choice has been studied more than the fiscal effects of education choice programs. An astounding 73 empirical studies have looked at whether education choice programs generate net savings, net costs, or are cost-neutral.

The results are beyond question. 68 of 73 studies (93%) found that choice programs created savings for taxpayers. Four studies found that the programs were cost-neutral. Only five studies found that choice programs resulted in net costs.^{xli} The results are as follows:



Fiscal Effects on Taxpayers and Public Schools from All Empirical Studies

Study	Location	Program Type	Any Positive Effect	No Visible Effect	Any Negative Effect	Study	Location	Program Type	Any Positive Effect	No Visible Effect	Any Negative Effect
Lueken (2021)	Arizona	ESA	•		•	Nikolic and Mangum (2021)	Virginia	TCS	•		
Lueken (2021)	Florida	ESA	•			Lueken (2021)	Alabama	TCS	•		•
Lueken (2021)	Mississippi	ESA	•			Lueken (2021)	Arizona	TCS	•		
PERE Mississippi (2018)	Mississippi	ESA	•			Lueken (2021)	Arizona	TCS	•		
Faulk and Hicks (2021)	Indiana	V	•			Lueken (2021)	Arizona	TCS	•		
Lueken (2021)	Washington, D.C.	V	•			Lueken (2021)	Arizona	TCS	•		
Lueken (2021)	Florida	V	•			Lueken (2021)	Florida	TCS	•		
Lueken (2021)	Georgia	V	•			Lueken (2021)	Georgia	TCS	•		
Lueken (2021)	Indiana	V	•			Lueken (2021)	Indiana	TCS	•		
Lueken (2021)	Louisiana	V	•			Lueken (2021)	Iowa	TCS	•		
Lueken (2021)	Louisiana	V	•			Lueken (2021)	Kansas	TCS	•		•
Lueken (2021)	Mississippi	V	•			Lueken (2021)	Louisiana	TCS	•		
Lueken (2021)	North Carolina	V	•			Lueken (2021)	New Hampshire	TCS	•		
Lueken (2021)	North Carolina	V	•			Lueken (2021)	Oklahoma	TCS	•		
Lueken (2021)	Cleveland, OH	V	•			Lueken (2021)	Pennsylvania	TCS	•		
Lueken (2021)	Ohio	V	•			Lueken (2021)	Pennsylvania	TCS	•		
Lueken (2021)	Ohio	V	•			Lueken (2021)	Rhode Island	TCS	•		
Lueken (2021)	Ohio	V	•			Lueken (2021)	South Carolina	TCS	•		
Lueken (2021)	Oklahoma	V	•			Lueken (2021)	Virginia	TCS	•		
Lueken (2021)	Utah	V	•			Erickson and Scalfidi (2020)	Georgia	TCS	•		
Lueken (2021)	Milwaukee, WI	V	•			Shenley** (2020)	Arizona	TCS	•		
Lueken (2021)	Racine, WI	V	•			Dierman and Evans (2018)	Oklahoma	TCS	•		
Lueken (2021)	Wisconsin	V	•			Grandt and Gullickson (2017)	Iowa	TCS	•		
DaRogis (2020)	Wisconsin	V	•			Surrus-Quinn (2017)	Alabama	TCS	•		
Tritt and DaRogis (2020)	Louisiana	V	•			ODEBI (2012)	Florida	TCS	•		
Tritt and DaRogis (2018)	Arkansas	V	•			OPWGA (2008)	Florida	TCS	•		
Wisconsin LAB* (2018)	Wisconsin	V	•			Aud (2007)	Arizona	TCS	•		
DaRogis and Tritt (2016)	Louisiana	V	•			Aud (2007)	Pennsylvania	TCS	•		
Spalding (2014)	Florida	V	•			Aud (2007)	Florida	TCS	•		
Wolf and McShane (2013)	Washington, D.C.	V	•			Office Center for Public Policy (2007)	Florida	TCS	•		
Castelli (2010)	Milwaukee, WI	V	•			Merrifield & Gray (2009)	San Antonio, TX	P	•		
Aud (2007)	Vermont	V	•								
Aud (2007)	Maine	V	•								
Aud (2007)	Florida	V	•								
Aud (2007)	Florida	V	•								
Aud (2007)	Washington, D.C.	V	•								
Aud (2007)	Cleveland, OH	V	•								
Aud (2007)	Ohio	V	•								
Aud (2007)	Utah	V	•								
Aud (2007)	Milwaukee, WI	V	•								
Aud (2007)	Washington, D.C.	V	•								

Source: 123s of School Choice^{xiii}

1. How Opponents of Choice Misrepresent This Data

As is the case with most of these datasets, opponents of choice have a difficult time rebutting overwhelming evidence showing that choice programs are far more cost-effective than funding for traditional public schools. It makes them resort to distortions and half-truths. Once again, look to *Raise Your Hand Texas* for excellent examples. To support the assertion that “Voucher Programs Have a History of Ballooning State Costs,” they simply assert that “In 2021, seven states expanded their voucher program eligibility to include higher-income families or students with no history of public school attendance,” which “cost[s] the state more money.”^{xliii} Well, yes. Expanded programs use more money, but those dollars are already appropriated for education, so the claim that “costs balloon” is dubious and unsupported. It is a slight of hand rhetorical argument that falls apart upon examination.

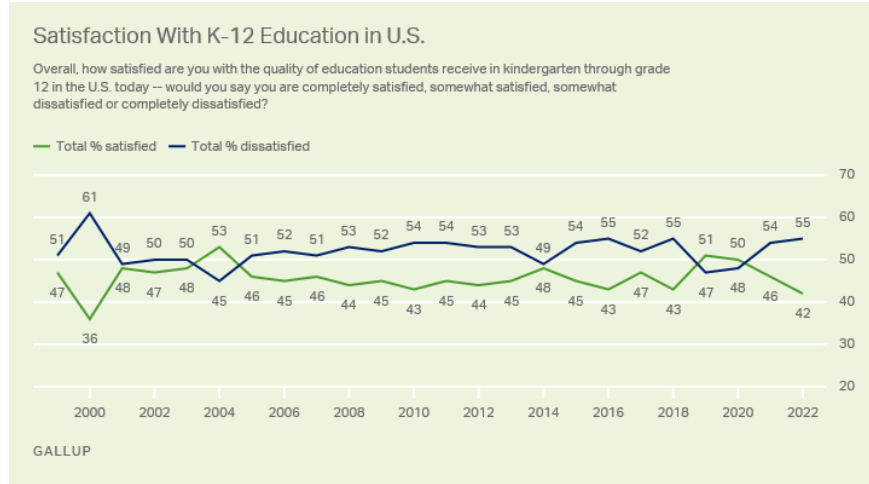
Raise Your Hand Texas makes the same mistake when they assert that “Ohio’s largest voucher program . . . has more than doubled in costs to the state, ballooning from \$175 million to \$444 million in the last seven years.”^{xliiv} Of course, the only source *Raise Your Hand Texas* cites is Ohio’s Scholarship Payments Report system, which is not a “source,” but rather a tool you can use to see how utilized the program actually is. Turns out, the program is quite popular among parents and students! And according to the studies cited by *Ed Choice*, the more they are utilized, the more money Ohio saves on net.

In short, the argument leaned upon by *Raise Your Hand Texas* and others is a misrepresentation and it is unsupported by facts. Education dollars are education dollars. And if a choice program is more efficient than traditional public school funding, every expansion of the program is a net saving.



III. The Support for Education Choice Transcends Political Leanings and Demographics

A wealth of polling data exists on education choice, and even more on education generally. Gallup has tracked several questions over multiple decades. For example, over the last 20 years, when asked about satisfaction with K-12 education in the United States, respondents have consistently been more dissatisfied than satisfied, save for a small number of blips:



Source: Gallup^{xlv}

When asked why they are dissatisfied with the quality of education in the United States, respondents’ biggest categories of reply are “Poor/Outdated Curriculum” (15%), “Poor quality education/Outranked by other countries,” (12%), “Lack of teaching basic subjects,” (11%), and “Political agendas being taught” (10%).^{xlvi}

These beliefs appear to tie directly into survey results on favorable attitudes towards different types of schools:

Next I'm going to read a list of ways in which children are educated in the U.S. today. As I read each one, please indicate -- based on what you know or have read and heard -- how good an education each provides children -- excellent, good, only fair or poor. How about ... ?

	Excellent	Good	Only fair	Poor	No opinion
	%	%	%	%	%
Public schools					
2017 Aug 2-6	5	39	35	19	2
2012 Aug 9-12	5	32	42	19	2
Parochial or church-related schools					
2017 Aug 2-6	21	42	21	9	8
2012 Aug 9-12	21	48	18	5	8
Independent private schools					
2017 Aug 2-6	21	50	17	4	8
2012 Aug 9-12	31	47	13	2	7
Charter schools					
2017 Aug 2-6	14	41	23	9	13
2012 Aug 9-12	17	43	23	5	13
Home schooling					
2017 Aug 2-6	14	32	31	15	8
2012 Aug 9-12	13	33	30	14	9

Source: Gallup^{xlvii}

A number of interesting data points are present in these results, including that “Excellent” attitudes about public schools are by far the lowest of any school type, and the only school-type coming in at single digits. “Good” attitudes about public schools are essentially on par with that “good” attitudes about home schooling. “Poor” attitudes about public schools are by far the highest of any school type.

These data show a national trend in attitudes away from the traditional public education model, and toward options that are more easily adaptable, customizable, and tailored to serve a broader range of parental and student need. The polling on education choice, discussed in the next several sections, reflects these attitudes.

A. National Support

Support for choice programs was already high, pre-pandemic, but has only become stronger since. This support transcends political labels. RealClear Opinion Research conducted a national survey of registered voters in February 2022 and asked them the following:

School choice gives parents the right to use the tax dollars designated for their child’s education to send their child to the public or private school which best serves their needs. Generally speaking, would you say you support or oppose the concept of school choice?

An astounding 72% of respondents supported this proposition. Broken down by race and ethnicity, white participants supported the proposition 72% to 19%, Black respondents supported the proposition 70% to 17%, Hispanic respondents supported the proposition 77% to 14%, and Asian respondents supported it 66% to 26%.^{xlviii}

The story is the same along political lines. Republicans supported the proposition 82% to 12%, Democrats supported it 68% to 12%, and independents supported it 67% to 20%.^{xlix}

B. Support in Texas

The national polling on education choice is notable in that Hispanics are the most supportive demographic group, and they happen to make up more than 40% of Texas’s population.ⁱ That should be kept in mind when looking at polling in Texas.

Whether the proposal is vouchers or education savings accounts (ESA), Texans strongly favor the use of expanded choices in education. Indeed, 69% of all resident adults in Texas either “strongly support” or “somewhat support” ESAs.ⁱⁱ That number increases to 77% when only school parents are polled.ⁱⁱⁱ

When polled on “voucher” proposals, 66% of all resident adults in Texas support vouchers.ⁱⁱⁱⁱ That number increases to 74% when only school parents are polled.^{lv}

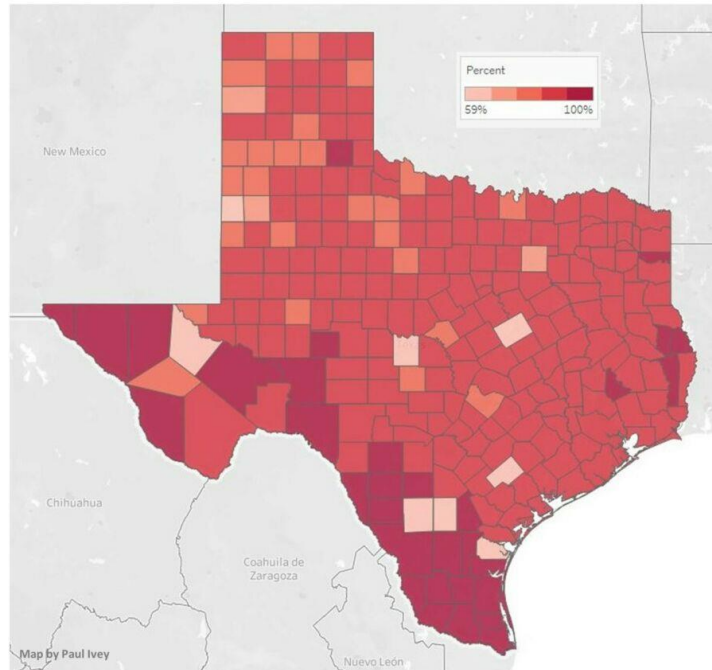
The numbers already cited are a non-partisan general sampling of the state’s population. However, support among Republican Primary voters is stronger still. The following proposition was presented to Republican Primary voters in 2022:

Texas parents and guardians should have the right to select schools, whether public or private, for their children, and the funding should follow the student.

Republican voters overwhelmingly supported the proposition. 1.6 million (88%) Republican Primary voters agreed with the proposition, which was higher than the support demonstrated for a pro-life ballot proposition, which garnered 83% support.^{lv}

Importantly, the support was universal across all of Texas’s 254 counties, especially those in rural parts of the state and those along the southern border:

2022 Support for Education Freedom, by County



Source: Texas Public Policy Foundation^{lvi}

A strong majority of Texans supports more choices in education. They support ESAs. They support vouchers. They support it no matter what the format is. They support it whether they reside in urban Texas or rural Texas.

IV. Choice Will Not Harm Local Public Schools

The most common and prominent argument against education choice is that allowing money to follow the student to a different school, sometimes a private school, will harm public schools. For example, in “The Case Against School Vouchers,” *Raise Your Hand Texas* argues the following:

Vouchers hurt our Texas public schools and harm students by diverting state money to private vendors. When this happens, financial transparency and accountability go out the window because private schools are not subject to the same state regulations and standards as public schools. Additionally, vouchers leave Texans behind and do not improve student outcomes. The truth of the matter is, research shows voucher programs do not live up to their promises. Learn the facts behind school voucher programs and how they can hurt Texans.^{lvii}

This is an astounding display of misinformation by *Raise Your Hand Texas*. As discussed at length in Section II of this paper, with respect to choice programs, no single issue has been studied more than the fiscal effects of education choice programs. An incredible 68 of 73 empirical studies (93%) have found that choice programs create savings for taxpayers. *Raise Your Hand Texas* hangs their hat on the outlier studies with poor results and hopes that no one will question them about the larger body of evidence. The aforementioned 68 studies showing fiscal benefits of choice programs show that while some costs in public education are fixed, a large portion of them are entirely variable, meaning that when a student leaves the district or joins the district, funding moves up and down accordingly with no discernable effect on the school or district.^{lviii}

Furthermore, consider that when a student’s family moves to a different school district, the district loses 100% of the funding tied to that student. Nobody claims in that instance that schools are being harmed. In contrast, most choice programs in which the money follows the student leave a portion of the funding with the school or district the student left behind.^{lix} In that case, the school receives funding for a student they no longer educate. That is a net benefit to the schools left behind.

With respect to the other assertions *Raise Your Hand Texas* makes in this passage, we know, unequivocally, that choice programs largely *do* improve student outcomes, and that they overwhelmingly *do* live up to their promises. The mountain of evidence supporting that conclusion is discussed in Section II of this paper.

V. The Accountability Canard

Opponents of education choice often argue that the money should not follow the student because there will be no accountability with respect to how those funds are spend and what the results are. For example, Raise Your Hand Texas says:

Vouchers are taxpayer-funded government subsidies for private schools and vendors with no accountability for results. Vouchers reduce equitable access to educational opportunity, weaken rights for students with disabilities, and potentially expose taxpayers to fraud. Private schools are not required to administer the STAAR Test or end of course exams, be rated under the state’s A-F school accountability system, or transparently account for their funds and spending.^{lx}

The concern about “accountability” in this context is misplaced. First of all, traditional public schools in Texas have testing and accountability requirements *because* there is no other form of accountability. Students are required to attend the school to which they are geographically assigned. The testing measures in place allow parents to know how their schools and districts are performing relative to the rest of the state, even though few parents have a choice to attend another school if the accountability system indicates that their public school is performing poorly. Private schools, in contrast, are schools that parents have voluntarily chosen to send their children to. They have made that decision based on any number of factors and considerations. The voluntary choice to attend *is* the enforcement mechanism in accountability.

Furthermore, it is strange to see opponents of education choice all of a sudden become unapologetic advocates for the state’s accountability system when they publicly advocate to eliminate it. The *Texas Association of State Administrators*, for example, states that they “Oppose A-F campus and district ratings[.]”^{lxi} On the same legislative priorities page, the Association opposes education choice plans because, in part, they have “little or no academic or financial accountability or transparency to the state, taxpayers, or local communities.”^{lxii} Much like the “not enough choices” argument, they love to have it both ways.

VI. Rural Elected Officials Should Support Education Choice

It is no secret that education choice has been thwarted in Texas by a coalition of (1) a majority of the Democrats serving in the Texas House of Representatives, and (2) a minority of Republicans, typically representing rural parts of Texas.^{lxiii} The arguments against choice are honest and well-meaning, but misguided and often based on both false assumptions and premises.

A. Fewer Choices is a Poor Reason to Oppose More Choices

Despite rural communities polling in favor of choice programs along similar lines as the rest of the state, legislators representing rural parts of Texas will often argue that those rural areas lack the choices present in the more populous areas of the state. For example, a recent *Texas Tribune* article described Representative Gary VanDeaver's position:

In smaller Texas cities and towns, there's far less "choice" for rural students. Outside of large metro areas, private schools are few and far between. Many rural private schools have religious affiliations. And VanDeaver has been informed that the religious private schools in his area are uninterested in public money. He also worries about the damage to the local public school district a voucher program could cause.^{lxiv}

Representative VanDeaver represents 30 rural school districts.^{lxv} Because the school districts collectively oppose choice programs, it should be no surprise that Representative VanDeaver's position reflects such an influential constituency. However, this position is severely flawed in several key respects.

First, even if "private schools are few and far between" in rural parts of Texas, the logical conclusion is not that choice programs should be opposed. If, in fact, there are few additional options in rural parts of Texas, the logical conclusion is that choice programs *will not impact the rural school districts at all*. Of course, the position that "fewer choices" is a reason to oppose choice programs directly contradicts Representative VanDeaver's "worr[y] about the damage to the local public schools" a choice program would cause. This contradiction is a clever slight-of-hand by choice opponents that has, unfortunately, been successful.

Also contradictory to the "fewer choices" justification for opposition is Representative VanDeaver's own admission that there are, in fact, "*many rural private schools*[" He simply dismisses them from the conversation with the anecdotal assertion that he talked to a few of them and they are not interested in participating. As former TCCRI President and Co-Founder Warren Chisum recently explained:

People in rural areas need not fear school choice. Even though they probably don't always have a choice but that doesn't mean that you want to lock up some other kid and not have a choice just because it wouldn't affect you.^{lxvi}

No private school has ever been forced to participate in an education choice program. They do so voluntarily. To simply assert on their behalf that they are not interested removes agency from these institutions. Religious institutions across the nation commonly participate in voucher programs, ESA programs, and tax-credit scholarship programs. Modern choice legislation has common language that protects religious institutions from unwanted government involvement. If religious schools are unsatisfied with that protection, they are not required to participate. They do not need state legislators to protect them from their own prerogatives.

With respect to those prerogatives, the Texas Catholic Conference of Bishops supports “parental choice in education” as part of its 88th Session Agenda, so long as the aforementioned protections are in place.

Last, choice programs such as ESAs do not require the availability of additional brick-and-mortar schools to provide more choices. They provide assistance for a variety educational options, including home school and virtual learning.

B. New Options to Choose From May Yet Be Created

When examined with any level of seriousness, the “fewer choices” argument in opposition to education choice programs falls to pieces. Not only is this true for the reasons laid out in the previous section of this paper, but also because choice programs incentivize the creation of new schools.

While conceding the point that rural parts of the state will not benefit as greatly from expanded educational opportunities as the more populous areas, we must recognize that innovative schools may be created with the incentives put in place by active choice programs.

One of the greatest failings of choice proponents and opponents alike is to consider only how a choice program would affect the current state of public education. But such programs invite innovation in ways that cannot be foreseen. Perhaps a local business decides to start a school that, along with traditional educational requirements, integrates training for a workforce that is lacking in rural communities. Perhaps the parent of one child who feels poorly served by the local school will start a small private school for kids who are bullied or do not feel that the local public school is serving their needs. While there may be “fewer choices” in rural parts of the state today, that may not be the case in the future. Opposition to expanded choices denies those future options from future children.

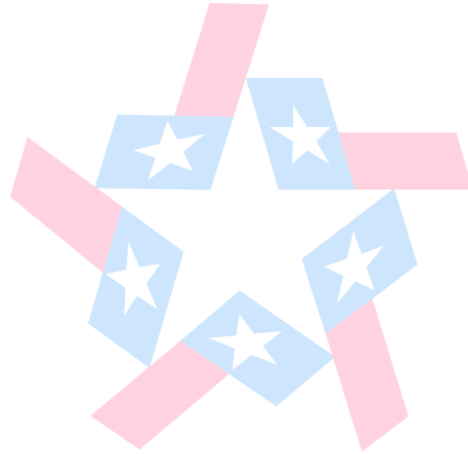
C. Denying Choice from Others is Cruel

Representatives of rural Texas who oppose education choice because rural parts of the state lack the choices present for urban Texans are choosing to deny millions of school children an opportunity for a better or more appropriate education. And they do so while conceding that they do not believe the program will have a considerable impact on their communities. The logic is contradictory, and to follow it through is cruel.

D. Rural School Districts are Not Immune from Progressive Indoctrination

Rural legislators may be inclined to believe that their school districts are insulated from the type of indoctrination seen in the more populous school districts, but that is not the case. The teacher and administrator population in rural Texas reflects a polar opposite of voters in the same area.

The Educational Freedom Institute looked at political contributions from school district employees in zip codes with a population density that contains fewer than 500 people per square mile, which is used to classify areas as “rural.”^{lxvii} Out of more than 1,400 campaign contributions made from rural school district employees in the 2022 election cycle, 90.2% of them were given to candidates from the Democrat party.^{lxviii} Contrast that with voters in the same geographic area, which voted 80.7% for Republicans.^{lxix} Whether they realize it or not, a considerable population operating rural school districts does not share the values of voters in those areas. Families in rural Texas need additional choices as much as the rest of the state.



VII. Policy Recommendations

A. Policy Recommendation: Enact a Statewide Education Choice Program with Private Schools as an Option

The gold standard in education choice is Arizona with HB 2853, which passed in June 2022. The bill provides students with \$6,500 per year for education. Parents are empowered to use those funds for public schools, private schools, homeschooling, virtual schools, tutors, or any combination of those resources. Texas should be the next state to pass a state-wide choice bill that gives parents control over how their own tax dollars are spent on educating their children.

B. Policy Recommendation: Enact an Education Savings Account Program for Students with Special Needs

Last attempted in the 85th Legislative Session, education savings accounts for students with special needs is an obvious reform that would benefit a student population severely underserved by the traditional public education system. Representative Ron Simmons filed House Bill 1335 (85R), which would have created such a system for students who (a) eligible for special education under Texas law or (b) covered by the federal Rehabilitation Act of 1973. Eligible children would have been permitted to use funds in education savings accounts for certain education-related expenses, including tuition and fees, educational materials, and providers of education services. The 88th Texas Legislature should consider similar legislation.

C. Policy Recommendation: Enact Public School Choice for Children of Law Enforcement Personnel, Military Personnel, and Firefighters

During the 87th Legislative Session, the Texas House of Representatives passed House Bill 3400 (Paddie), which would have provided public school choice to the children of police officers if those officers feared for their child's safety. This bill was considered so non-controversial that it passed the House with no opposition on the Local and Consent Calendar.^{lx} The bill passed through the Senate Education Committee, but did not reach the Senate floor for passage.

The 88th Texas Legislature should pursue similar legislation. If feasible, it should be expanded to include the children of firefighters and military personnel. It should also remove the requirement that the parent fear for the child's safety.

D. Policy Recommendation: Enact an Education Choice Program that Becomes Active Immediately When Schools Close as a Result of a Declared Emergency

During the 87th Legislative Session, Representative Dustin Burrows filed House Bill 3, which attempted to clarify the Office of the Governor’s authority with respect to a pandemic as a declared disaster.^{lxxi} The filed version of HB 3 contained a choice program that would have authorized the Commissioner of Education to create a program that would allow funding to follow students in the event that schools close during a pandemic disaster. This provision was removed in subsequent versions of the bill, but the proposal is a strong one.

Legislators should create a choice program that is ready to become active when schools across the state close for *any* declared disaster, not only pandemics. If children are unable to attend traditional public schools in person, then parents should not be forced to utilize the alternative forced upon them by the schools that closed. The bill should require the commissioner to establish a program using average daily attendance funding for off-campus instruction and require the commissioner to have such a system in place for all disaster closures. Funding should cover private school, tutoring and instruction from teachers who work at private schools, tutoring from teachers at the closed public schools, and instruction under a criteria determined by the commissioner.

School closures during the COVID-19 pandemic caused immeasurable harm and learning loss to children. Had such a program been in place before COVID-19, Children of Texas would have fared far better than they actually did. The past cannot be changed, but the Texas Legislature can prepare for the future by making education in Texas ready for the next disaster.

E. Policy Recommendation: Enact an Education Savings Account Program for Students Who Already Benefitted from Priority Prekindergarten Services

Similar to students with special needs, additional targeted populations in Texas would benefit greatly from choice programs. In particular, there is a category of children that the legislature has already identified for additional assistance in the past in the form of expanded state prekindergarten services under House Bill 4 (84R, Huberty, et al.). Students eligible for Governor Abbott’s priority prekindergarten services include the following students:

- Students unable to speak and comprehend the English language;
- Students who are economically disadvantaged;
- Students who are homeless;
- Students who are the children of active armed forces service men and women;

- Students who are the children of armed forces service men and women who were injured or killed while serving on active duty;
- Students who were ever in the conservatorship of the Department of Family and Protective Services.

House Bill 4 passed the House 146-0. The legislature has already seen fit to provide these at-risk students with more options and greater flexibility. It should extend those benefits into K-12 education in the form of education choice.

F. Policy Recommendation: Empower School Districts that Enact Choice Programs by Allowing Them to Avoid State Sanctions and Interventions

Chapter 39A of the Texas Education Code provides for state “interventions and sanctions for school districts.”^{lxxii} Under this chapter, school districts are subject to a host of state actions if a school district fails to satisfy accreditation criteria, does not meet academic performance standards, or does not meet financial accountability standards. The state’s authority to intervene and sanction school districts is broad. The commissioner may monitor and oversee the district’s activities in a variety of ways, impose a variety of different types of improvement plans, effectively take over the district’s school board, revoke the district’s accreditation, intervene to impose a variety of plans to help improve graduation rates, assign campus intervention teams with broad authority to individual schools, and impose campus improvement plans, to name only a few examples.

Schools and districts dislike these interventions for obvious reasons. To allow the state to take over the district is to admit failure. Failure of schools means failing children. Districts will go to great lengths to thwart state efforts to intervene. Ground zero for this fight is Houston ISD, which has a long, rich history of both (a) failing accountability measures, and (b) doing everything it can to fight state intervention.^{lxxiii}

A compromise to this dispute is to offer school districts full immunity from state sanction and intervention in exchange for allowing students in the district to utilize an education choice program to find a different school that better serves their needs. A school district subject to any form of state sanction or intervention under Chapter 39A could simply opt into the program. They could then continue running their schools how they see fit, regardless of poor results. The only requirement is that students who want to leave may leave and the funding allotted for them will follow them to whatever source of education they choose.

VIII. Conclusion

The Coronavirus pandemic years of 2021 and 2022 have resulted in the biggest expansion of education choice in American history.^{lxxiv} The reform of public education through providing greater choices and competition is one of the most important public policy movements of the century. To date, Texas is not part of it. That one of the most conservative states in the nation has repeatedly declined to enact one of the most popular conservative reforms can only be viewed as a failure.

In the debate around education choice, a small number of vocal opponents have successfully thwarted attempts to pass education choice by using false statements, misleading arguments, and fear. As laid out thoroughly in this paper, none of their arguments stand up to scrutiny. They cherry-pick data, argue points that contradict their other arguments, and make claims that are easily debunked.

The most vocal of choice opponents have a vested interest in maintaining the status quo, and that means putting the system above the students. The regular opposition players in this debate are always the same. They include the *Texas Association of School Boards*, the *Texas Association of School Administrators*, unions including the *Texas State Teachers Association* and *Texas AFT*. They have support from public school advocacy groups, primarily *Raise Your Hand Texas*. These groups reflexively oppose anything and everything that puts the interests of students ahead of the interests of the system. If an example is needed, see the following tweet sent out in the middle of the night, late in the final days of the 87th Regular Legislative Session:

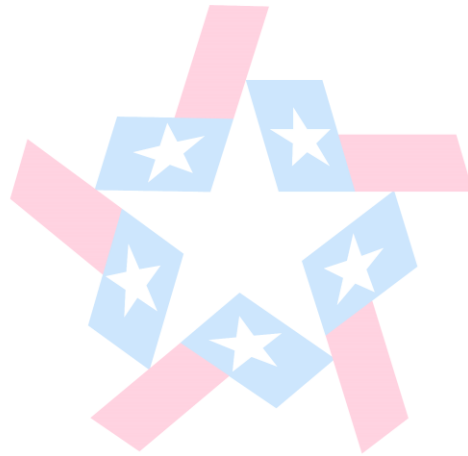


This Tweet has been deleted.

This tweet from a prominent teacher union account was deleted almost immediately once they were called out for publicly gloating about killing three bills, *all* authored by Democrats, and *all* meant to improve education for kids. House Bill 1348 (Deshotel) would have provided charter schools the same legal protections from city ordinances and zoning laws as regular public schools. House Bill 3610 (Gervin-Hawkins) had a similar intent and would have given charter schools the same tax exemptions as traditional public schools.^{lxxv} House Bill 3270 (Dutton) would have made it easier for the state to

intervene to help turn failing schools around. The primary beneficiaries of all three of these bills would have been inner-city school kids. These bills were killed at the behest of the groups listed above, and *Texas AFT* bragged about it on social media.

The aforementioned groups will oppose education choice again in the next legislative session, but lawmakers and advocates should feel confident knowing that these groups do not speak for most Texans. Regular parents in Texas want more choices in education whether they are white, black, or Hispanic, whether they live in urban or rural Texas, and whether they vote Democrat or Republican. It is time for Texas to join the states across the country in reforming public education in a way that serves the students above all else.



IX. END NOTES

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^{xiii} *Ibid.*

^{xiv} *Ibid.*

^{xv} “Milwaukee Parental Choice Program,” *School Choice Wisconsin* (2022),

<https://schoolchoicewi.org/programs/milwaukee-parental-choice-program/#:~:text=28%2C770%20Participating%20Students&text=The%20Milwaukee%20Parental%20Choice%20Program,first%20school%20choice%20voucher%20program.>

^{xvi} “About Us,” *Raise Your Hand Texas* (Last visited Nov. 18, 2022), <https://www.raiseyourhandtexas.org/about/>. (“We believe our public schools represent our greatest hope for educating and preparing all 5+ million Texas students for the future.”)

^{xvii} “The 123s of School Choice,” *Ed Choice* (April 1, 2022), <https://www.edchoice.org/wp-content/uploads/2022/04/123-of-School-Choice.pdf>.

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^{xix} *Ibid.*

^{xx} *Ibid.*

^{xxi} *Ibid.*

^{xxii} *Ibid* (Internal citations omitted).

^{xxiii} *Ibid.*

^{xxiv} *Ibid.*

^{xxv} *Ibid.*

^{xxvi} “2023 Legislative Priorities: Here is Where We Stand of School Vouchers,” *Raise Your Hand Texas* (Last visited Nov. 17, 2022), (<https://www.raiseyourhandtexas.org/policy/where-we-stand-vouchers/>).

^{xxvii} “The 123s of School Choice,” *Ed Choice* (April 1, 2022), <https://www.edchoice.org/wp-content/uploads/2022/04/123-of-School-Choice.pdf>.

^{xxviii} *Ibid.*

^{xxix} “2023 Legislative Priorities: Here is Where We Stand of School Vouchers,” *Raise Your Hand Texas* (Last visited Nov. 17, 2022), (<https://www.raiseyourhandtexas.org/policy/where-we-stand-vouchers/>).

^{xxx} “The 123s of School Choice,” *Ed Choice* (April 1, 2022), <https://www.edchoice.org/wp-content/uploads/2022/04/123-of-School-Choice.pdf>.

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xxxvii “The 123s of School Choice - Findings,” *Ed Choice* (April 1, 2022), <https://www.edchoice.org/wp-content/uploads/2022/04/123-of-School-Choice.pdf>.

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