

Four innovative school choice bills to help children, especially special needs, foster, and low-income students

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Introduction

Since March 13, 2020, students have had their academic, athletic and personal lives disrupted by schools closed to in-person learning due to COVID-related shutdowns. Public school leaders have proved unable to adapt. For example, the state superintendent initially blocked districts from switching to online instruction, claiming such instruction fails the test of “equity.”¹ School districts did not use the 2020 summer break to train teachers in online instruction, nor did they find ways to reopen schools safely to in-person instruction that fall.

The traditional public schools remained closed the fall of 2020, providing students only low-quality “remote instruction.” By contrast, private schools and public charter schools safely reopened to in-person learning the fall of 2020.

Traditional public schools stayed closed all through the fall and winter of 2020-21.² The teachers union urged that schools stay closed longer, making Washington the 47th state to reopen schools.³

The full extent of the harm to children is not known. Early indications show 13

months of disrupted learning, followed by 11 months of intermittent school closures and quarantines, have set learning back. November 2021 test scores show test scores in math and English have plummeted, particularly harming minority children.⁴ In addition, the U.S. Surgeon General reports anxiety, depression and suicide among children and adolescents are at an all-time high.⁵

Further, school officials introduced divisive Critical Race Theory in public schools, causing further concern among parents.⁶

Families sought alternatives. Homeschooling increased 54 percent, and private school enrollment increased between 10 and 20 percent.⁷ In total, 41,000 families have left the public schools in Washington state.⁸

1 Office of Superintendent of Public Instruction, “Student Engagement and Support,” Bulletin No. 013-20, February 28, 2020, <https://www.k12.wa.us/sites/default/files/public/bulletinsmemos/bulletins2020/B013-20.pdf> (accessed September 10, 2020).

2 “It’s union power, not safety issues, that determine which schools open this fall,” by Corey DeAngelis and Christos Makridis, *The New York Post*, September 2, 2020, at <https://nypost.com/2020/09/02/its-union-power-thats-determining-which-us-schools-reopen-this-fall/>

3 “Larger Washington school districts struggle with classroom reopening plans,” Chris Daniels, KING 5 TV, February 26, 2021, at <https://www.king5.com/article/news/health/coronavirus/washington-schools-reopening-classrooms-struggle/281-d05fa36b-cff1-482d-8c59-414b905823d5>.

4 November 2021 test scores show that 70 percent of all students failed in math, and 53 percent failed English. See “As academic learning declines, some officials seek even more money for education,” by Liv Finne, Washington Policy Center, January 10, 2022, at: <https://www.washingtonpolicy.org/publications/detail/as-academic-learning-declines-some-officials-look-for-more-money-for-education>.

5 U.S. Surgeon General Issues Advisory on Youth Mental Health Crisis Further Exposed by COVID-19 Pandemic, December 7, 2021, at <https://www.hhs.gov/about/news/2021/12/07/us-surgeon-general-issues-advisory-on-youth-mental-health-crisis-further-exposed-by-covid-19-pandemic.html>.

6 “Washington public school officials lower academic standards as they implement Critical Race Theory,” by Liv Finne, Washington Policy Center, September 21, 2021 at <https://www.washingtonpolicy.org/publications/detail/washington-public-school-officials-lower-academic-standards-as-they-implement-critical-race-theory>.

7 “How many students did Washington’s public schools lose during the pandemic?” by Venice Buhain, *Crosscut*, February 1, 2022, at https://crosscut.com/news/2022/02/how-many-students-did-wa-public-schools-lose-during-pandemic?utm_medium=social&utm_source=twitter-web-button.

8 “Kindergarten through grade 12 (K-12) enrollment, K-12 Enrollment,” Office of Financial Management, at <https://ofm.wa.gov/washington-data-research/statewide-data/washington-trends/budget-drivers/kindergarten-through-grade-12-k-12-enrollment>.

A recent poll shows the public strongly favors school choice, with 71 percent of respondents supporting giving parents direct financial support to send their children to private school or homeschool.⁹

In response, some lawmakers have introduced bills to expand learning choices in Washington state. This study provides an overview of four of these bills.

HB 1633, to provide \$10,000 scholarships to empower families

HB 1633, was introduced by Representative Jim Walsh (R-Longview). It would create a family scholarship program.¹⁰ The goal of the program is to empower families regardless of income level or zip code.

This program would serve 100,000 families on a first-come, first-serve basis. Each qualifying family would receive a scholarship of \$10,000 per child per year. These funds could be used for:

- A. Curricula and other materials necessary to provide home-based instruction;
- B. Tuition, fees, or both at a private school;
- C. Textbooks required by the private school;
- D. Tutoring and other services with a direct nexus to academics;

9 “Poll results show strong WA voter support for school choice, sales tax cut, and repeal of the long-term care payroll tax,” by Dave Boze, Washington Policy Center Press Release, February 10, 2022 at <https://www.washingtonpolicy.org/publications/detail/poll-results-show-strong-wa-voter-support-for-school-choice-sales-tax-cut-and-repeal-of-the-long-term-care-payroll-tax>.

10 “An Act providing parents and their children with more choices for a quality K-12 education through the family empowerment scholarship program,” Washington state legislature, December 13, 2021, by Representative James Walsh at <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/House%20Bills/1633.pdf?q=20220208161929>. Co-sponsored by Jenny Graham (R-Medical Lake), Robert Sutherland (R-Sedro Woolley), Vicki Kraft (R-Vancouver), Cyndy Jacobsen (R-Puyallup), and Jesse Young (R-Gig Harbor).

- E. Computer hardware or other technological devices;
- F. Tuition, fees, or both for a private online learning program;
- G. Fees for any examinations related to college or university admission;
- H. Costs for academic progress assessment required under RCW 28A.200.010.”

The Student Achievement Council would administer this program.¹¹

SB 5205, to provide families \$9,000 education vouchers

SB 5205 was introduced by Senator Mark Schoesler (R-Ritzville) and would create a direct voucher program for students in the public schools.¹²

The purpose of the bill is to improve education by expanding the choices available to families:

“The legislature intends to improve the education of children by enabling parents to independently determine which school best meets their child’s educational needs and empowering parents to be able to send their child to their school of choice. The legislature further intends to support parental school choice by making state-funded K-12 education vouchers a necessary component to fulfill the state’s constitutional obligation under Article IX to amply fund a program of basic education.”

This bill would provide a \$9,000 voucher, adjusted annually for inflation, to any family who wants one. The vouchers could be used at any certified school. The program would be

11 RCW 28B.77 et seq., Student Achievement Council, at <https://app.leg.wa.gov/rcw/default.aspx?cite=28B.77>.

12 “Establishing a K-12 education voucher program,” Washington state legislature, January 14, 2022, by Senator Mark Schoesler at <https://app.leg.wa.gov/billssummary?BillNumber=5205&Initiative=false&Year=2021>. Co-sponsors are John Braun (R-Centralia), Perry Dozier (R-Othello), Jeff Holy (R-Medical Lake), Jim McCune (R-Yelm), and Judy Warnick (R-Ellensburg).

administered by the Superintendent of Public Instruction.

HB 1215, to promote equity by giving families \$7,000 Education Scholarships

HB 1215 was introduced by Representative Vicki Kraft (R-Vancouver) and would provide parents with Education Scholarships of \$7,000 per child per year.¹³ The bill is drafted to promote education equity:

“Parents with means can enroll their children in private schools, forego an income to provide home-based instruction, or move and enroll their children in better school districts. At the same time, there are many parents who do not have the means to choose the option that is best for their children. This increases inequity in the education system with the parents and children with the least means, but the most need, trapped in a failing school or a school that does not otherwise meet their needs.”

Parents could use the funds to buy textbooks, pay for private tutoring, curricula, and tuition and fees at a private school.

HB 1215 would provide funding for 130,000 scholarships a year. Twenty-five percent of the funds would go to children in foster care, homeless children, children with special needs, and low-income children. Remaining scholarships would be geographically distributed across state, regardless of race, color, economic status, or sex. The program would be administered by the Student Achievement Council.

13 “Providing parents and their children with more choices for a quality K-12 education through the K-12 education scholarship program,” Washington state legislature, January 15, 2021, by Representative Vicki Kraft at <https://app.leg.wa.gov/bills/summary/BillNumber=1215&Initiative=false&Year=2021>. Co-sponsors are Jesse Young (R-Gig Harbor), Bob McCaslin (R-Spokane Valley), Robert Sutherland (R-Sedro Woolley), James Walsh (R-Longview), Jenny Graham (R-Medical Lake), Joel McEntire (R-Longview), Rob Chase (R-Longview).

HB 1555, to allow families to choose the best school, aided by \$6,250 per child

HB 1555 was introduced by Representative Rob Chase (R-Spokane Valley).¹⁴ The bill would provide 50 percent of the state funding portion, or \$6,250 per student, to families to pay for homeschooling and or private school tuition.

The bill describes why many families are seeking more options:

“The legislature acknowledges that many parents desire to homeschool their children or wish to send them to a private school. Parents’ reasons for preferring a venue of education other than public school are varied and may be motivated by religious or moral convictions. Despite the desire to choose an educational environment that best meets their children’s needs, very few parents have the financial means to afford the substantial costs of homeschooling or private schooling. The legislature recognizes that if the state provided a program to alleviate some of these education costs, parents who prefer a different venue for their children’s education would have new opportunities to choose homeschooling or private schooling.”

The bill would save the state money while improving the quality of traditional schools:

“Furthermore, the legislature expects that providing such reimbursements will both save the state a significant amount of money and provide a measure of competition that will improve public schools.”

This program would be administered by the state auditor.

14 HB 1555, Creating the education freedom program,” Washington state legislature, March 12, 2021 and January 10, 2022 by Representative Rob Chase at <https://app.leg.wa.gov/bills/summary/BillNumber=1555&Initiative=false&Year=2021>. Co-sponsored by Representatives Bob McCaslin, Mark Klicker, and Robert Sutherland.

School choice bills would reduce inequities in public education

These four school choice bills would reduce inequities in public education. The current system is highly bureaucratic, and standardized, and many families dislike its “one-size-fits-all” program. Most families are forced to send their children to a zip-code assigned public school, even if the school is not a good fit for their child. COVID has revealed the system as inflexible and unresponsive to the needs of students and families, and it is lowering academic standards and delivering an inferior education to many students.

Washington state has many types of quality schools, including public charter schools, public online schools, home schools and private schools. But many families cannot access these choices.

Conclusion

All four school choice bills offer families the resources they need to gain access to the same learning choices more affluent families enjoy, helping to correct this inequitable feature of the education system. The bills would protect families from having to send their children to failing schools based on zip code and would end the system of reserving the best education for the rich.

These bills would help all children, but would especially help foster children, students with special needs, and the low-income, minority children hardest hit by the COVID school shutdowns. The full effect of the school shutdowns on the lives of children are not yet completely understood, but many children have already suffered severe and profound developmental and social harm.

Publicly funded scholarship programs, like those proposed by the four bills described here, would further the state’s paramount constitutional duty to “make ample provision” for the education of every child living within its borders.

These bills would not provide the full state allotment in scholarship funds and would provide significant savings to the state budget for schools. The result would be increased

funding for students who remain in the public school system. The bills would also introduce an element of competition that would help the public schools improve. Giving families the option to leave creates accountability for public school unions and administrators.

Most importantly, these four bills would help families by providing the resources they need to find the school that is the best educational fit for their child. These bills would reduce systemic inequities and improve future chances for many more children, so they can find success in school and in life.

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Nothing here should be construed as an attempt to aid or hinder the passage of any legislation before any legislative body.

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