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Lawmakers poised to expand voucher programs

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THE CAPITAL, TALLAHASSEE — Lawmakers are poised to expand the state's school voucher programs instituted more than 10 years ago that enable more students to attend private schools.

Under three bills advancing in the Legislature, all of Florida's existing voucher programs would be affected in some way. But unlike when these major school reforms were proposed over 10 years ago, protests have been muted. Some Democrats, who were once ardently opposed to voucher programs, have even begun to support vouchers.

Even the Florida Education Association, which is opposed to vouchers, is reluctant to spend its energies fighting it. "There are only so many battles one can fight in a legislative session," said FEA spokesman Mark Pudlow.

Though the voucher expansion bills will have relatively minor impact on public schools, critics see them as part of a larger chipping away at traditional public schools through a series of reforms. Those changes include major expansions of virtual and charter schools and reforming how public school teachers and school board members are paid.

Among the bills that expand vouchers are:

-A measure (SB 1656, HB 1329) that expands the definition of students who can receive John McKay scholarships for disabled students, funneling more taxpayer dollars into private schools.

-A bill (SB 1822, HB 1331) that permits students who are in public schools rated "D" or "F" to transfer to a better-rated public school anywhere in the state through the Opportunity Scholarship program.

- A bill (SB 1388, HB 965) that gives corporate tax scholarship programs access to data on Florida's top taxpayers to solicit them for donations and expands how much of a tax discount a business could get.

The McKay scholarship bill has the most potential to funnel more students into private schools. It expands the definition of eligible students from students who are primarily learning disabled, or have vision or hearing impairments, to students who have physical impairments, ranging from paraplegia to allergies.

By allowing students with "504" accommodations, the scholarship could be available to as many as 50,000 students. That's the number of students that currently have that type of accommodation at a Florida public school.

To get a "504" designation, a student must have a "physical or mental impairment that substantially limits one or more major life activities," according to the bill analysis. Lobbyist Bob Cerra, who represents the Coalition for the Education of Exceptional Students, said this can be applied to a student who has a peanut allergy.

"Why would a peanut allergy entitle my child to a voucher?" Cerra said in an interview Friday.

The McKay scholarship bill passed its second committee stop in the House on Friday. Groups such as Foundation for Florida's Future, which was founded by former Gov. Jeb Bush to promote education reform, support it. Bush was a big champion of private school vouchers and pushed for the first voucher programs beginning in 1999.

Ron Meyer, a lobbyist for FEA, said the problem with expanding the McKay scholarship is it opens the door to legal challenges.

The Opportunity Scholarship, which used to provide vouchers for students in low-ranking schools to attend private schools, was struck down by the Florida Supreme Court after it was deemed unconstitutional. Now it just exists as a voucher for students to attend different public schools.

Many fear the McKay scholarship would face the same fate if expanded.

"From a legal standpoint you saw a narrow incursion into what the Supreme Court has said is a prohibition of creating a dual system of public schools," Meyer said of the McKay scholarship. "The passage of (the bill) threatens the very existence of the McKay scholarship program."

Meyer said the FEA was slow to support the McKay scholarship, but has "seen the good" the scholarship provides students. Vouchers in general are also gaining more support from Democrats. Four Democrats in the House have voted for the McKay bill so far, and three have supported a bill that would help the corporate tax vouchers.

Tampa-based Step Up For Students gives vouchers to low-income students funded by donations from companies. Those companies then receive a nearly equal tax credit.

Backers say the once controversial program is gaining support.

"This program has managed over the years to attract genuine bipartisan support," said Step Up For Students spokesman Jon East. A bill passed by last year's Legislature that expanded the voucher award amount and allowed more students to participate was backed by "almost half of the Democrats in the Legislature and a majority of the black caucus," he said.

Many black Democrats have long supported vouchers — because they're often trapped in bad neighborhood schools.

Some Democrats remain staunchly opposed to vouchers.

"We have to be exceptionally careful when we talk about expansion of voucher programs," said Sen. Bill Montford, D-Tallahassee, who has voted "no" on the voucher bills that have come through committees he sits on.

"The question we have to keep in mind with any of the voucher programs is what the negative impact is on the school districts," said Montford, a former school superintendent.

"It's very hard to argue against parental choice...at the same time we have to make sure we are cognizant of the negative impact on the programs and public schools where the voucher students are leaving," Montford said.

School lobbyists say they are resigned to their fate.

"It is acceptance of reality," said Vernon Pickup-Crawford, a lobbyist for several school districts.

He said the Republican-controlled Legislature and conservative governor support allowing parents the choice between public and private schools, a legacy that began with Bush in 1999.

The main complaint from public schools, Pickup-Crawford said, is that private schools receive state funding but aren't held to the same accountability standards. Not to mention that schools continue to lose state funding.

"It's siphoning money away from public schools," he said.