



## School Choice

### Overview

The Center for Arizona Policy supports a parent's right to choose from a wide variety of school options. We encourage parents to carefully consider which option is best for their children, whether it be public, charter, private, or home education. Parents are in the best position to make these choices, as they are most familiar with the personalities, learning styles, and interests of their children.

Parents are responsible for the education of their children. Offering educational choices encourages parental involvement in their children's education and allows them to choose the best possible option for their children. Parents who live in areas where they have a variety of educational choices are also more likely to be satisfied with the education their children receive, whether or not they choose an alternative to public schools.

Expanding school choice is the single best strategy for improving education for all children. Under Arizona law, parents have the right to choose among public, charter, private, and home-schooling options. (See separate "School Choice – Home Schooling" and "School Choice – Private Schools" Issue Briefs for more information on these options.) Studies indicate that states that foster a competitive education marketplace show improved test scores not only for children in alternative schools, but also for their public school counterparts.

### Education Options in Arizona

Arizona parents have a number of different choices for their children's education. These include:

*Public Schools-* Publicly-funded schools regulated by local and state governments.

*Private Schools-* Arizona statutes define a private school as "a nonpublic institution, other than the child's home, where academic instruction is provided for at least the same number of days and hours each year as a public school." These schools often require an annual tuition and include Catholic, Christian, and non-sectarian schools.

Prepared by The Center for Arizona Policy, a non-profit, non-partisan research and education organization.  
Nothing contained herein should be construed as an effort to aid or hinder any legislation.

*Charter Schools-* The Arizona Department of Education defines charter schools as schools established to “provide a learning environment that will improve student achievement.” These schools are regulated by the Arizona State Board for Charter Schools and the Department of Education and may not charge a tuition. Their charter is reviewed every five years.

*Home Schools-* Arizona statute defines a home school as “a school conducted primarily by the parent, guardian or other person who has custody of the child or instruction provided in the child's home.” (A.R.S. §15-182)

*Online Learning-* Arizona Virtual Academy gives students the opportunity to take public school classes on their computers. The curriculum, developed in part by former U.S. Secretary of Education Bill Bennett, is a pilot program of PPEP TEC Charter School. A certified Arizona teacher provides support and accountability via e-mail or telephone.

## **Expanding School Choice**

Vouchers allow parents to direct funds already available for their child’s education to the school of their choice. Vouchers help those with low and middle-level incomes have the same access to private schooling as more affluent citizens because they do not have to pay twice for their child’s education – once through taxes and a second time in tuition payments. Voucher programs, a public policy option for expanding school choice, are not government aid to private schools.

Voucher programs may precipitate unwarranted state regulation of private schools. Since vouchers are direct aid to parents, not private schools, voucher programs should be structured to allow voucher-funded schools complete freedom to set curriculum and educational standards. Participating religious schools must be allowed to exercise their First Amendment freedoms without any government interference. No school participating in a voucher program should be required to change its creed, curriculum, or practices in order to participate.

Many cities and states are pursuing vouchers as an option to stimulate educational competition. Maine and Vermont have had voucher programs for years. Florida, Milwaukee, Ohio, and Washington, D.C. have also passed voucher legislation. In addition, Iowa, Pennsylvania, and Rhode Island have tax credit programs for citizens who contribute to school choice programs in their states. In 2007, the Utah legislature passed a comprehensive voucher program, which later failed as a ballot measure after the National Education Association poured millions of dollars into an opposition campaign.

Florida’s voucher program was aimed at helping students in the lowest-performing Florida schools. If the school consistently receives failing grades, parents could have use vouchers to enroll their children in higher-performing public or private schools. Nearly 700 children took advantage of these scholarships, not only improving their educational opportunities, but also those of the children who have not taken advantage of the vouchers. Previously failing schools have been making improvements under the threat of losing more students to the voucher

program.<sup>1</sup> However, Florida's Supreme Court ruled in 2006 that the voucher program was unconstitutional based on that state's Constitution, saying that the Legislature could not provide educational options other than the public school system. (*Holmes v. Bush*)

Cleveland's school choice voucher system has been upheld by both the United States Supreme Court and the Ohio Supreme Court. The program, aimed at helping children in the poorest areas of Cleveland, has already improved academic achievement by children placed in private schools, increasing reading and especially math performance, a subject in which the voucher students are scoring 16 percentage points higher after just two years in private school.<sup>2</sup> The public schools in Cleveland are now under considerable competitive pressure to improve their performance, and both sets of students are benefiting.

## School Choice in Arizona

In 2006, Arizona passed two voucher programs into law. The first, called Displaced Pupils Choice Grants, is a pilot program which allows students who have been placed in foster care at any time to apply for a voucher (also known as an educational choice grant). The second program allows students with disabilities to choose to either attend any public school or receive a scholarship to any qualified private school. Both programs will help children that face difficult challenges in life by enabling them to attend the school that best fits their needs.

Only a few months after the enactment of these two laws, the American Civil Liberties Union, People for the American Way, and the Arizona Center for Law in the Public Interest brought a lawsuit that sought to overturn the brand-new programs and deny educational choice to foster care and disabled children. The Arizona Supreme Court declined to hear the case, and the Maricopa County Superior Court upheld the programs on the second challenge. The case is currently on appeal.

Arizona law also encourages school choice through a tuition tax credit that provides scholarships for students to attend private schools. School Tuition Organizations (STOs), funded through private contributions eligible for a dollar-for-dollar tax credit, are able to give scholarships to children. STOs have given scholarships to over 25,000 students to attend private schools in accordance with their parents wishes and to best meet their educational needs. The Arizona Supreme Court upheld this program in 1999 (*Kotterman v. Killian*)

There is also an Arizona corporate tax credit program. This 5-year program, which passed in 2006, allows low-income students currently attending public schools or just entering kindergarten to receive a scholarship funded through corporate donations to school tuition organizations. The ACLU and the Arizona School Boards Association are challenging this program in Maricopa County Superior Court.

For more details on private school options, contact The Alliance for School Choice, [www.allianceforschoolchoice.org](http://www.allianceforschoolchoice.org). or the Association of Christian Schools International at [www.acsi.org](http://www.acsi.org).

---

<sup>1</sup> *American Legislative Exchange Council*. Retrieved January 24, 2008, from <http://www.alec.org/meSWFiles/pdf/0424insert.pdf>

<sup>2</sup> *National Center for Policy Analysis*. Retrieved January 24, 2008, from <http://www.ncpa.org/pub/bg/bg155/>