

# THE FRONTIER

## Oklahoma's failed school voucher bill just the latest battle in an ongoing war

**Public education faces increased scrutiny as some lawmakers vow to continue a push to divert more state money to private schools.**

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The chatter of young students on their lunch break filled up the Infinity Generation Preparatory School room, tucked into a storefront in a shopping center a few blocks away from the Oklahoma Capitol.

The private school serves students from preschool to 12th grade. Infinity Generation opened in 2018 and now has about 40 students and a dozen teachers. It shares a new playground with a church around the corner. The curriculum is skills-based, meaning the teachers create individualized education plans for students based on their knowledge and state academic standards, said teacher Tamaiko Mays. Individualized education paired with small class sizes are the main drawing points for many parents that choose private schools.

“For me, I needed this type of school when I was a kid. I was shy, and I wasn’t going to ask a question and say I didn’t understand,” she said. “We try to understand a child’s learning style and keep up the excitement.”

The school doesn’t ask parents to pay more than \$1 a day for a year of instruction, but the actual cost per kid is close to \$12,000, said director and school co-founder Gina Darby. Grants and private donations have made up the difference, and the school was accredited last year by the state Department of Education. Now over half of the students qualify to receive state private school scholarships.

So when Darby heard about Senate Bill 1647, she was excited. The bill, authored by Senate Pro Tem Greg Treat, R-Oklahoma City, would have given parents thousands of dollars in state funding to spend on private educational expenses. Students and teachers from Infinity Generation visited the state Capitol and met with Gov. Kevin Stitt, who has been a vocal proponent of funding school choice options with tax dollars.

But the controversial bill failed during a late-night vote on the Senate floor last month after opposition from some Republicans who were educators or represent rural districts with fewer private school options.

Public education advocates say the bill would have primarily subsidized tuition for kids who can already afford private school. Many private schools have tuition that far exceeds what would have been covered by the bill.

Although Senate Bill 1647 is technically dead, Treat's plan to put tax dollars into education savings accounts for parents to use on private school expenses will likely come up again, either during budget negotiations later this session or next year. Treat told reporters after the bill failed that the idea could find more support if Stitt, who has vowed to support school choice legislation, is reelected in November. Stitt's favored pick for state Superintendent, Secretary of Education Ryan Walters, has also been a vocal supporter of school vouchers.

"We've won the battle," said Union Public Schools Superintendent Kirt Hartzler. "But we have not won the war."

Private school voucher programs have already made small but steady inroads in the state over the years.

Over the last decade, the state has delivered nearly \$60 million in public money to fund private schools as more students participate in two school-choice scholarship programs, according to data from the Oklahoma Tax Commission and the Oklahoma State School Boards Association.

Senate Bill 1647 was the latest and most ambitious attempt to broaden school choice in Oklahoma, a movement that has flourished nationwide during the pandemic. The Cato Institute, a Libertarian think tank, called 2021 the "best year ever" for school choice policies. Dozens of states have passed or at least debated legislation that would expand school choice programs in recent years.

Shifting funding to private schools has left underfunded public educators feeling frustrated as they deal with teacher shortages and navigate new regulations imposed by the Legislature.

"It's just a tough, scary situation that feels like they could just take us apart," said Don Ford, director of the Organization of Rural Oklahoma Schools.

### **Funding for scholarship programs increasing**

Without financial assistance from the state to attend private schools, low-income students are "trapped in a system that has failed many Oklahoma children and left our state 49th in the nation in education," Stitt said in a press release.

A small but growing share of state money is already going to fund some private school voucher programs.

Since 2010, Oklahoma has provided vouchers to some qualifying students to attend approved private schools through the Lindsey Nicole Henry Scholarship program. Over \$38 million has

been diverted from public school funding to the program since its inception, according to the Oklahoma State School Boards Association.

Eligibility has expanded over the years from just students with certain disabilities to include children with involvement in the foster care or juvenile justice systems. This has helped the program grow from a handful of participants in 2011 to more than 1,000 in 2021, according to EdChoice, a national pro-school choice group.

Over \$21 million in state funding has been diverted to fund private school scholarships through the Equal Opportunity Education Scholarship program since 2013. The program provides tax credits to individuals and businesses who fund scholarships to private schools or educational improvement grants to public schools. Students that meet income thresholds or live near a public school deemed in need of improvement by the state are eligible for Equal Opportunity scholarships to private schools.

The tax credit program initially had an annual \$5-million cap, but lawmakers dramatically increased allowable credits for donors last year to \$50 million. While half of the program is geared toward donations to public schools, only a fraction of tax credits were claimed for that purpose.

Sen. Jake Merrick, R-Yukon was one of several Senate Republicans to vote against Senate Bill 1647. But he said that backing school choice may seem like a good option for some conservative parents frustrated by schooling in the pandemic and concerned about classroom curriculum.

“This mixture of clashing values and this question about are they getting the right education, I think those two factors are causing parents to step in and say we want to make sure that things are happening inside the school that are in line with our values and in line with our goals for our children. And if they’re not, then we want to be able to go somewhere else,” Merrick said.

But Senate Bill 1647 went “too far,” he said, creating an entirely new program that was much broader than existing programs for small, targeted groups of students.

While school choice groups say tax credit and voucher programs actually save the state money, public school advocates contend that the programs pull millions out of state revenue.

“It’s just unfathomable that we would have a discussion about shifting dollars to fund private school education when our public schools aren’t adequately funded by any measure that you want to use,” said David Pennington, director of the United Suburban Schools Association.

Oklahoma schools ranked in the bottom 10 states for per-pupil spending for the 2019- 2020, according to U.S. Census Bureau data.

Funding for public schools has increased in recent years, reaching a high of more than \$3.1 billion this budget year. But Katherine Bishop, president of the Oklahoma Education Association, said those increases have been “digging ourselves out of a hole” after years of budget cuts, inflation and a growing student population.

“That underfunding just creates a cascade,” Bishop said.

## **Ideals behind public education**

Union Superintendent Kirk Hartzler has been a public school educator for nearly four decades. He said the issues Oklahoma's schools face now are similar to what they were in the 1990s — lack of funding and a severe teacher shortage.

Teacher walkouts in 1990 and 2018 have forced the Legislature to increase pay for educators and dedicate some funding streams to public schools, he said. But lawmakers have gradually chipped away at those advances over the years with tax cuts.

While public schools are required to provide transparency about how they spend tax dollars, private schools aren't held to the same standards, Pennington said. Private schools also determine their own admissions guidelines, which can range from grade requirements to discipline history to requiring parents to sign a statement of faith agreeing that marriage should only be between a man and a woman.

Some public education advocates also worry that additional state funding to private schools would create more inequalities for the kids left behind in public schools, since many of the families struggling the most may not have the time and resources to navigate the complex education system.

“To say these are just failing schools, I think is a mischaracterization. We have families, we have children who are in tough environments that we have chosen as a state not to really try to address,” Pennington said.

The Union school district has over 15,000 students and has spent more than a decade trying to cultivate a sense of community despite its size, pushing for a 100% graduation rate and allowing for students and families to have more control over schedules, Hartzler said.

Because of that work, Hartzler believes Union schools will fare well even as the push for school choice and vouchers in Oklahoma continues. But he fears the ideals behind public education as an institution that brings people together despite their differences will be what suffers.

“I'm not so sure there's too many institutions out there today that afford us the opportunity to do that,” he said. “And if our state ever were to start really proliferating this voucher movement, I think we will look up someday and be very disappointed with what we have created.”