



Proposal Would Let Special Needs Children Attend Private School with Public Money

But it can't be done without amending the state constitution

Jack Spencer

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A measure introduced in the Michigan House earlier this year could start the process of making an exception to the state constitution's ban on taxpayer support for nonpublic schools. Specifically, the end result would be allowing parents to send their children with special needs to private or religious schools using tax dollars. The state would cover the cost for each child, up to the amount it would have paid for educating that at a public school.

Such a change would require the approval of voters in a statewide election, and if the Legislature approves HJR B, voters would face that question. But the resolution must first pass by a two-thirds vote of both the House and Senate. In the House, that would require the support of numerous Democrats, and nearly all of them are sure to oppose it.

"I know the chances aren't good for this to move forward," said Rep. Tim Kelly, R-Saginaw, the sponsor of the resolution. "But I felt it was important to have a discussion about expanding options for parents and families."

To make that case, Kelly arranged to have Jason Bedrick of the Cato Institute visit Lansing on Nov. 12 for a special joint committee hearing, combining the House Appropriations Subcommittee on School Aid, which Kelly chairs, with the House Education Committee, which is chaired by Rep. Amanda Price, R-Holland.

Bedrick gave a presentation on Education Savings Accounts, which have been enacted by five states. These accounts, not to be confused with tax-advantaged private college savings plans which do not use government money, are sometimes called Empowerment Scholarship Accounts. By either name, they are a way of allocating taxpayer dollars directly to parents who could then spend the money to advance their children's education — including at a private or religious school if that's what parents choose.

Under current law this would violate the state constitution, unless it is amended in the manner proposed by House Joint Resolution B.

“We brought in Jason to expand the conversation as we explore possible solutions for the problems we’re confronting, such as what’s happening with the Detroit Public Schools system and so on,” Kelly said. “In terms of education, Detroit is quickly becoming a backwater that’s falling farther and farther behind what’s taking place elsewhere. In fact, bringing this information here kind of reminds me of many years ago when we (the United States) would make freedom broadcasts into Cuba.”

Bedrick told lawmakers that ESAs were similar to school vouchers in concept but would offer families more flexibility. He noted that forms of ESAs are being used or established in Arizona, Florida, Mississippi, Nevada and Tennessee.

Arizona has the oldest ESA program, which Bedrick used as an example. In that state, he said, the following students would be eligible for ESAs:

Students (including pre-K children) with special needs.

Students assigned to a public school that has a grade of D or F grade.

Children who were adopted through the state foster care system.

Children of an active duty military member or a member killed in the line of duty.

Children living in Native American lands.

Siblings of eligible students.

Bedrick's presentation also zeroed in on the overall issue of choice in education. Without that, he pointed out, children end up being assigned to buildings based on the home their parents can afford. Bedrick also cited studies and polling results that support the fundamental argument for families and children to be provided with more educational options.

According to Bedrick, national polling shows that many parents aren't able to provide their children with the education they'd prefer to provide. The poll results showed that 40 percent of parents would prefer to send their children to private schools, 37 percent would prefer public schools, 11 percent prefer their children be home schooled, 10 percent prefer their children attend charter schools and 1 percent prefer virtual schools.

But what's actually occurring has little resemblance to what parents prefer. Nearly nine out of ten (87 percent) of the nation's children end up in conventional public schools, 9.2 percent go to private schools, 4.3 percent are in charter schools, and 3.1 percent are home schooled.

“Public schools are not directly accountable to parents,” Bedrick said. “If parents disagree on something — let’s say 60 percent want A while 40 percent want B — with the public schools, the 60 percent get what they want and the 40 percent don’t get what they want. When we’re talking about our children’s education, that 40 percent needs to be provided with more options.”

Another portion of Bedrick’s presentation focused on a study showing that the amount of money spent on education has little effect on academic outcomes. This study, which was based on data from the National Assessment of Educational Progress and the Digest of Education Statistics, revealed that nearly as many high-spending states experience relatively small gains in education outcomes as experience large gains while many lower-spending states experience comparable gains.

Bedrick’s presentation also provided statistics showing that public schools are increasingly becoming top-heavy. Between 1950 and 2009, the average number of students in U.S. public schools increased by 96 percent. The average total school personnel increased 386 percent, with the average number of teachers increasing 252 percent, but the average number of administrators and other staff increasing 702 percent.

“I appreciated the opportunity to expose the news media and others here in Michigan to some of the education options that are being used in other parts of the country,” Bedrick said in an interview. “I think it was a chance to get a tremendous amount of press coverage here in Michigan.”

In 2000, Proposal 1 would have changed the state constitution to allow education vouchers that could have been used for nonpublic education. That proposal was defeated soundly by the voters on a nearly 70-30 margin.

“A lot of water has gone under the bridge since 2000,” Kelly said. “I think in the area of education options we’re falling behind the times and I suggest Michigan should avail itself of these kinds of reforms.”