



Education In West Virginia Finds New Hope

Collen Hroncich

October 10, 2022

West Virginia families won in court on Thursday when the Supreme Court of Appeals of West Virginia gave the new Hope Scholarship the green light.

It's an amazing story. In early 2019, West Virginia had no school choice programs. When the legislature considered a limited school choice bill, teachers unions went on strike to block it. Later that summer, lawmakers approved open enrollment and just three charter schools. Then came 2021. West Virginia's Hope Scholarship education savings account program, open to nearly every student in the state, was the crown jewel. The Hope Scholarship would allow families to use state education funding for a variety of eligible expenses, including tuition, tutoring, and educational services and therapies.

Parents like Katie Switzer began making plans for how they would customize their children's education using Hope. Her daughter has a speech delay, so Switzer planned to use a Hope Scholarship to choose an educational approach that would work best for her unique needs. But opponents derailed the program by filing a lawsuit against it in January 2022 — less than two months before the application window was set to open. The Institute for Justice intervened to defend the program, representing Switzer and another mother, Jennifer Compton.

While the case made its way through the courts, the state began accepting applications on March 1 and received more than 3,000 before the May 16 deadline. Those applications went into limbo when a circuit court judge ruled the program unconstitutional in July.

In August, the Supreme Court of Appeals of West Virginia agreed to expedite the appeal. Thursday's decision to reverse the lower court's decision and allow the Hope Scholarship program to proceed was a tremendous relief to the thousands of parents seeking new educational options for their children.

"Today's actions by the court are life-changing for my daughter and her peers throughout the state," remarked Switzer. "It opens the door to tailored, adaptable, and welcoming education for every child, regardless of their ZIP code, family income, disabilities, or minority status."

As parents navigate this new and exciting educational landscape, they don't have to go it alone. Earlier this year, parent Jamie Buckland launched West Virginia Families United for Education to offer guidance and support to parents. "We are here to ensure families have quality options, know about them, and have a guide to help them access them," she explained. "Hope Scholarship will be the key to the transformation of K12 education in the Mountain State."

The tide has turned, and parents aren't going back to the days when the district school was their only option. While there will certainly be roadblocks along the way, it's clear that education choice is the future.

Colleen Hroncich is a policy analyst at the Cato Institute's Center for Educational Freedom.