

Florida Opportunity Scholarship Program

Description of Program

The Florida “Opportunity Scholarship Program” is a central part of the “A+” educational reform package which was signed into law in June, 1999. The A+ program is unique for a number of reasons. First, the Opportunity Scholarship Program provides taxpayer-funded tuition payments for use at another school to students, at all grade levels, in public schools identified as “failing” (receiving an “F” on an “A” to “F” state rating system). At the same time, the A+ program provides direct financial incentives for high student achievement or improvement in achievement: “A” schools receive additional funding (and are deregulated) as do schools that improve their letter grade by one or more categories and “F” schools that improve by an, as yet, unspecified amount.

Student eligibility for voucher: Students who spent the prior school year at a school identified as “failing,” or students due to start kindergarten or first grade and assigned to a “failing” elementary school (or due to start the first year of a “failing” secondary school) are eligible for a voucher. Schools are identified as “failing” if they receive an “F” on the “school report card,” as graded by the Florida Department of Education, in two school years within a four year period.

Use of voucher: If a student is eligible for a voucher, the school district is required to offer the student an opportunity to enroll in a public school within the district that is graded at “C” or higher. School districts are responsible for transportation of students to higher performing *public* schools in the district. School districts are under no obligation to relocate a student who is dissatisfied with his or her initial choice of a higher-performing public school to yet another public school.

A voucher student is eligible to attend school in an adjacent public school district, but parents are responsible for transportation; the other public school district must accept the student, if the school has available space.

A voucher-eligible student may also use a voucher to attend an eligible private school (see criteria below). A student who chooses to enroll in another school remains eligible for the voucher until he or she completes the school, regardless of whether his or her original public school remains voucher-eligible.

Voucher amount: If the student chooses to attend a private school, the maximum amount of the voucher is the foundation grant in the state's public school finance system. For regular-education students, the voucher will range from about \$3,400 to \$4,100 (based on 1999-2000 school finance laws), depending on the school district's costs and the grade level of the student. This amount is sufficient to cover tuition at over 90 percent of the state's private schools.

Private school eligibility: Private schools that accept voucher students may be either sectarian or nonsectarian, however, they must accept this voucher as full payment for all instructional fees (including textbooks, lab fees, transportation, etc.), unless these fees are less than the maximum voucher, at which point the voucher will equal these fees only. Additionally, to be eligible, private schools:

- (1) must be in the state of Florida;
- (2) must notify the Department of Education and local school districts of their intent to participate by May 1 of the school year preceding when voucher students will be admitted. (This requirement was waived for students eligible for vouchers in 1999-00, because of the late program approval date.);
- (3) must have either been in operation for one school year, or alternatively, demonstrate fiscal soundness by certifying (from an independent source) that the private school is insured and has sufficient assets to operate the school for the upcoming school year with expected revenues from tuition and other reasonably expected revenues;
- (4) must meet state and local health and safety codes, and federal anti-discrimination provisions;
- (5) must determine, on a *random and religious-neutral basis*, which voucher students to accept. The student's past academic history may not be used as a basis for acceptance. The only preferential treatment that can be made is for siblings of students previously accepted under the program;
- (6) must be accredited by an appropriate accrediting body, or be actively pursuing accreditation, and must comply with all state statutes relating to private schools;
- (7) must make available a school profile to parents, including reports of student performance and the certification status of teachers;
- (8) must employ teachers with bachelor's degrees, or who have at least three years of teaching experience, or have special skills, expertise or knowledge that qualifies them to teach specific subjects;
- (9) must agree not to compel any voucher student to pray, worship, or profess a specific religious or ideological belief;
- (10) must adhere to its published disciplinary procedures prior to expulsion of a voucher student;
- (11) must accept the voucher as full payment of tuition and fees for the student.

Student and family responsibilities: To remain eligible, students:

- (1) must remain in attendance throughout the school year unless excused by the school for good cause;
- (2) must comply with the school's code of conduct, and parents must comply with the school's parental involvement requirements;
- (3) must take all statewide assessments.

School report cards: School districts must participate in the statewide assessment system, in which students are tested annually from grades 3 through 10, and later given the High School Competency Test as a prerequisite for regular graduation. Beginning with the 1998-99 school year, the Department of Education began identifying public schools as being "A" through "F" according to the following criteria (private schools are not graded):

- (1) for 1998-99 and 1999-00 school years, the school's grade is based on students' Florida Comprehensive Assessment Test (FCAT) level scores, attendance and dropout rates, school discipline data, and student readiness for college. The Department of Education may introduce other arguments into the grading as well;
- (2) Beginning with 2000-01, the school grade will be based on student FCAT level scores, learning *gains* of the students, attendance and dropout rates, school discipline data, and student readiness for college. The Department of Education may introduce other arguments into the grading as well;
- (3) Beginning with 2001-02, the school grade will be based on learning *gains* of the students, attendance and dropout rates, school discipline data, and student readiness for college. The Department of Education may introduce other arguments into the grading as well. Currently, demographic data are not used to evaluate schools, although the state is moving toward a "value-added" measure by 2001-02, as described above.

Constitutional Considerations: Florida's educational voucher program was ruled unconstitutional by a judge in the Circuit Court of Florida on Tuesday, March 14, 2000. The judge ruled that the voucher program used private schools to replace the "system of free public schools mandated by the [state] constitution." The state has said it will appeal the decision to the State Supreme Court; meanwhile, the 53 children enrolled in private schools through the voucher program will finish the school year at their current institutions, and the program can expand during the 2000-01 school year while the state supreme court decision is pending.

Florida So Far

In the 1998-99 school year, two schools in the state — A.A. Dixon Elementary and Spencer Bibbs Elementary, both in Pensacola — were identified as voucher-eligible schools. From those schools, 119 students used a voucher — 67 went to another public school and 52 went

to a Catholic school. About 70 more schools received an “F” grade for the 1998-99 school year, which means they could become voucher-eligible in the fall, 2000, and an additional 700 schools are near the threshold for being classified as “failing,” and could become voucher-eligible in the fall, 2001. This means that over 20 percent of all students in the state attend public schools that are on the margin of voucher-eligibility.

Suggested Research Areas

Because the Florida program was just enacted in June of 1999 and implemented during the 1999-00 school year, no formal studies have been conducted, nor has the program been thoroughly evaluated. However, the Florida program offers the opportunity to study a number of important questions. Some of these questions are being studied by the current team of researchers (the “Florida Team,” David Figlio, Dan Goldhaber, Jane Hannaway, and Cecilia Rouse). The potential questions that can be addressed by research in Florida (and the questions being addressed by the Florida Team) are discussed below.

Implementation Issues

The eligibility rules for the voucher program, which are specified above, are enforced by the state. And, one can divide the implementation issues into those that should be watched as the state issues regulations and those that will require further study.

Regulatory Issues to Watch: Students must take all statewide assessments. Are these results/scores made public?

How are voucher students selected on a *random and religious-neutral basis*? The student’s past academic history may not be used as a basis for acceptance. The only preferential treatment that can be made is for siblings of students previously accepted under the program. Who enforces this selection process?

Private schools must be accredited by an appropriate accrediting body, or be actively pursuing accreditation, and must comply with all state statutes relating to private schools. What does an “appropriate accrediting body” mean?

Private schools must make available a school profile available to parents, including reports of student performance and the certification status of teachers. How will this information be standardized so that parents can compare schools easily? Who enforces that these reports are available and who is responsible for distribution?

Private schools must employ teachers with bachelor’s degrees, or who have at least three years of teaching experience, or have special skills, expertise or knowledge that qualifies them to teach specific subjects. Who enforces these requirements?

Private schools must agree not to compel any voucher student to pray, worship, or profess a specific religious or ideological belief. Who enforces this regulation?

Who enforces whether private schools adhere to their published disciplinary procedures prior to expulsion of a voucher student? How do parents make a formal complaint against a private school?

Private schools must be accredited or, demonstrate fiscal soundness by certifying (from an independent source) that the private school is insured and has sufficient assets to operate the school for the upcoming school year with expected revenues from tuition and other reasonably expected revenues. What exactly does an “independent source” mean?

Enforcement by the “state” needs to be examined further. Is this the State Education Agency or another governing body?

Is there an opt-out provision if students and/or their parents do not want them to participate in the school’s religious activities?

Who pays to distribute information about the program and private school/public school choices to parents?

What happens to public funds if a student is asked to leave, is expelled or transfers to another school?

What happens to public voucher funds if a student is removed from the school for violating the code of conduct or parent involvement requirements? How does this impact school guidelines and codes of conduct?

Can a private school’s enrollment be made up by a majority of students who pay their tuition with vouchers?

Can a private school reject a student based on a physical or mental disability?

***Implementation Issues for Research:* Do private students actually select students on a “random and religious-neutral basis” as required by law?**

Do private schools comply with the requirement that they not compel any voucher student to pray, worship, or profess a specific religious or ideological belief?

Do private schools adhere to their published disciplinary procedures prior to expulsion of a voucher student?

Do private schools only employ teachers with bachelor's degrees, or who have at least three years of teaching experience, or have special skills, expertise or knowledge that qualifies them to teach specific subjects?

Impacts on "Opportunity Scholarship Students"?

One of the key questions is what impact the "Scholarship" has on those students who use it. This question can be addressed in terms of test scores using the administrative data from Florida because it includes test score data on all public school students and one of the requirements of the program is that "Scholarship" users be tested. This question is being addressed by the Florida Team; it could also be addressed using qualitative data.

Impacts on Private Schools Accepting Opportunity Scholarship Students

Because Florida is a statewide program and there may be a large number of voucher-eligible students, it offers a unique opportunity to assess how the increase in demand for private school slots affects both private schools that elect to participate in the program and those that do not. For instance, it is possible to (through qualitative and quantitative work) to assess how the program affects the culture of the private schools who participate and how private schools react to the voucher requirements and goals. The Florida Team will be addressing these types of questions using quantitative methods; clearly qualitative analysis would also be informative.

Parents and Families of Opportunity Scholarship Students

There are a number of questions relating to impacts of the program that may be addressed. What characterizes the students who use vouchers and how might this affect stratification along racial, ethnic, socioeconomic, and achievement lines (these are being addressed by the Florida Team). Other questions that might be addressed include:

What other expenses will families with vouchers have to pay?

What other expenses will they voluntarily choose to pay?

Do Opportunity Scholarship students participate in activities in private schools that they would otherwise would not had they stayed in public schools?

Impacts on Non-Opportunity Students, Families, and Schools

The Florida program is large enough that one might expect it to elicit a response from public schools. The Florida Team will be studying whether there appears to be an institutional response (in the use of and discretion over resources, recruitment of teachers, internal accountability, etc.) to the threat posed by vouchers and whether the program improves the performance of the students who stay in the public schools. Many of these types of questions can be (statistically) examined using administrative data since Florida has extensive records on use of resources and staffing at schools, however, supplemental surveys (and qualitative work) are required to assess how the program has affected less tangible aspects of schools and teachers (e.g. teacher attitudes and teaching practices). One might also focus on how

the program affects support for public educational goals, for example, raising achievement of low achieving students. Other questions also include: How much does the administration of a voucher program cost? What is the effect on the available resources of the public schools, including lost government aid, the costs of additional transportation, administrative oversight and other costs? How is innovation in education impacted? Does the program impact migration? If so, what changes occur in the student body population?

Supply Response of Private Schools

One of the key questions of any voucher program is the supply response of the private schools. Because the Florida program is new and relatively small, it is unlikely that there has been much of a supply response at this point, however, it is potentially a large scale program so one would expect that over time new private schools would form and existing private schools would expand. This can be studied using administrative records (on how many students are in private schools) and surveys of the private sector. The Florida Team will be studying the supply response of private schools, both the expansion of capacity of the private sector, the types of private schools that form or expand, and the price of private schooling. Again, however, a qualitative approach could also be taken. In addition, the Florida Team is not looking at whether schools change how they recruit students.

Effects on Support for Public Education

Studying the effects the Opportunity Scholarship Program have on the financial support for public schools in Florida in term of willingness to pay taxes will be difficult because the program is state-wide and Florida has a strong equalization funding formula (thus there is little variation between districts in spending). However, there are a number of other questions that may be addressed using survey data or qualitative methods. For example:

How much time do parents spend volunteering in schools?

- How much money is raised by PTAs?
- Does the program affect business or community partnerships with schools?

Impacts on Public Policymaking

The Florida program may have a number of impacts on public policy. It may be possible to assess how the program affects voting on particular issues, political alignment, and budgeting, by examining records from public bodies such as local school boards and city councils. Included in these types of questions is whether elected school districts attempt to exert additional power over private schools, including their choice of curriculum.