



Texas Public Policy Foundation

# Center for Education Freedom

## 84th Texas Legislature in Review

By Kent Grusendorf & Michael Barba

**A**round the nation, more and more states are supporting school choice. Twenty years ago, there was only one school choice program in the nation. Now there are 45 programs in 23 states and Washington, D.C. These programs provide educational options so that all children, regardless of their ZIP code, have the opportunity to enroll in an excellent school.

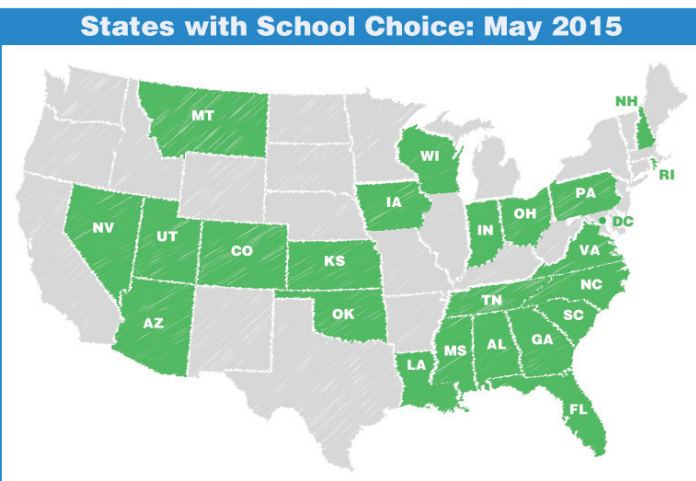
Just before the Texas Legislature met for its 84th session, four new school-choice programs were created in Nevada, Montana, Mississippi, and Tennessee. Students in many jurisdictions throughout the nation continue to benefit from their parents having more options. For example, as the [Department of Education](#) found in Washington, D.C., graduation rates among low-income minority students have increased from 70 percent to 82 percent because of school



choice. In addition, studies of programs in [New York City](#), [Charlotte, N.C.](#); [Wisconsin](#), and [Ohio](#) have found that providing parents with educational options boosts students' math and reading proficiency and raises graduation rates.

### School Choice in Texas

Progress was made on this issue during the 84th Texas Legislature's regular session. For the first time in 20 years, school choice was passed by the Texas Senate. However, school choice died in the House after not receiving a public hearing.



Prior to the beginning of the legislative session, the Texas Public Policy Foundation's Center for Education Freedom (CEdF) conducted extensive research, publishing and promoting many studies on school choice, including:

- [“The Texas Economy and School Choice,”](#) by Dr. Arthur Laffer
- [“Teachers Win: A Case for School Choice,”](#) by Dr. Vance Ginn & Michael Barba
- [“The Original Intent of the Texas Constitution,”](#) by the Hon. Kent Grusendorf

Other studies are available online at [SchoolChoice4All.com](#), a website developed by the CEdF. Also on the site are [many videos](#) demonstrating the need for school choice and the effect it has had upon students in other parts of the United States.

The process in the Senate began with SB 276, the Taxpayer Savings Grant, and SB 642, the Tax Credit Scholarship. Both bills received hearings in the Senate Education Committee, and support was overwhelming, with many teachers, parents, community leaders, nonprofit groups, and high-profile citizens, such as former U.S. Sen. Phil Gramm, testifying before the committee. Lt. Gov. Dan Patrick took the unusual step of coming himself to testify in support of school choice before the committee. The legislation that was ultimately voted out of the committee was a tax credit bill, SB 4. That bill then passed the Senate 19 to 11 on April 21. However, it never received a hearing in the House Ways and Means Committee.



### ESAs and Professional Charter Programs

Two other Senate bills would have contributed to establishing more choice in the public education system. The first was SB 1178, which would have created an interim study to examine the costs and benefits of an Education Savings Account (ESA) program. ESAs, designed for parents of public school students, have been established in Nevada, Arizona, and Mississippi. The innovation of these programs is that the state does not transfer and spend the money as a block

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sum, but allows parents to break it up and use it on various expenses. In addition, parents can roll over unused funds from one year to the next. These ideas make for a more efficient program by creating an incentive to decrease annual expenditures per student. A second bill, SB 1611, would have established a Professional Charter Program. Such a program would have provided experienced and qualified public school teachers an expedited process by which they could establish and operate a charter school. A committee substitute of SB 1178, which would have commissioned a study on ESAs, passed the Senate but died in the House; SB 1611 received a hearing in the Senate but was not voted out of committee.

### Overcoming Opposition

There were also several measures that would have prohibited school choice or added more money to the system without allowing for a stronger role by parents. One measure was an amendment filed to the House budget. The amendment stated it was the position of the House that no state funds could be used for a school choice program. However, with

growing opposition to the amendment, the amendment was withdrawn. This was a significant development, as the same amendment was approved by the House in 2013. The climate of ideas is becoming more receptive to school choice.

Also proposed was HB 1759, which would have increased public school funding by an [additional \\$3 billion](#). To be sure, certain aspects of the system badly need to be reformed, but merely adding money isn't the answer. Had the bill come to a vote on the House floor, several representatives would have sought to amend it to increase parental choice. As this would have used up valuable debate time in the closing days of session and provided a forum for school choice supporters to make their case in the House, HB 1759 was withdrawn.

In 2016 or 2017, Texas will have another opportunity to establish a school choice program for all students. As we look back at the 84th Legislature, we see that Texas must do much more to ensure that the future of education in our state is bright and that Texas students can thrive in an increasingly competitive world economy. ★

