1999 Opportunity Scholarship Program

You get to decide if Florida should provide “Opportunity Scholarships” to students in failing public schools. These scholarships would provide funds for these students to go to a better public school or private school. This program is one part of former Governor Jeb Bush’s A+ Education Plan.

1. First a little background information…
   a. The A+ Education Plan
      i. The A+ Education Plan was a proposed set of laws and policies that focused on school assessment and accountability to improve public schools in Florida. The Plan was written and advocated by Gov. Jeb Bush and Lt. Gov. Frank Brogan.
      1. During the 1998 election campaign, Jeb Bush mentioned this plan in most of his campaign speeches. His opponent, Buddy Mackay, the Lt. Governor at that time, was very much against it. They debated the issue several times. Bush won the election and became Florida’s Governor in January 1999.
      2. He argued that his election showed that Floridians were also behind this new plan for schools. Gov. Bush strongly pushed the Legislature to pass all parts of his A+ Education Plan in his first State of the State address.
         a. Definition: The State if the State address is a speech made once every year by the Governor to the State Legislature. In the speech, the Governor explains the problems the State is facing. The Governor also outlines his/her vision for tackling those issues and asks the Legislature to pass the laws he or she is proposing. The President of the United States gives a similar speech to Congress called the “State of the Union.” Mayors of many large cities also often give a “State of the City” address.
      b. The A+ Education Plan was wide-ranging. It covered issues like improving teacher training programs and school safety. It also included several bills that had to be passed by the State Legislature.
      c. The most controversial part of the A+ Education Plan is a bill called the “Opportunity Scholarship Program.”
         i. This is the bill you’ll be considering!
2. How do Public Schools operate in Florida?
   a. Public school districts are run at the county level. Within each county, different neighborhoods are zoned for different public schools.
   b. That means families who live in one part of town and want to attend public school have to attend the school they are zoned for. Students usually are not allowed to switch schools.
   c. This bill would change that…

3. The Opportunity Scholarship program was one of the new school voucher program ideas put forth nationwide. School voucher programs were a new public policy idea to address failing schools and poor test scores. Vouchers allowed students in failing public schools to switch to different schools. The state government would pay for the cost of switching.
   a. Definition: Public policy is a method of action taken by the government. Its purpose is to address an issue of public concern.
   b. If Florida passed this bill, it would be the first state in the nation to adopt a statewide school voucher program.

4. Now for some specifics…

5. Students had to be eligible to receive this “opportunity scholarship.” To be eligible, their public school had to be rated as failing for two years out of four.

6. If eligible, parents could request a scholarship for their child. It would be worth about $4,000. Parents could give the scholarship to a better public school or private school, including religious schools.
   a. The money used for the school vouchers would come out of the state public education budget.
   b. Private schools could choose to accept vouchers. If they did, they would have to accept the voucher as full tuition for these students.

7. At this time, only four schools in Florida are rated as failing. Roughly 170 schools are close to failing, however, and standards will be raised next year…
   a. That means over 150,000 students could be eligible for vouchers next year!

8. How do legislators decide if this program will be good for Florida?
   a. Legislators and their staff research the issue for themselves.
   b. They also get input from their constituents by email, phone calls, letters, and meetings.
   c. Additionally, legislators are usually members of a political party. Each party takes a stand one way or another on an issue. The party leadership often pushes members to vote with the party. Legislators don’t have to follow their party’s advice. But they often do so unless they really believe their party is on the wrong side of the issue.
   d. Definition: Political parties are organizations with a shared vision for how a good government should work. A party tires to influence legislation and
government action. They do this by getting their members elected to political office. In the United States, the two major political parties are the Republican Party and the Democratic Party.

e. Lastly, legislators debate each other in committee meetings and on the floor of the chamber. In the debates, each legislator argues why the law would be wise or unwise for the state. They hope their argument will sway undecided legislators and explain their vote to their constituents.

9. The bill is making its way through the Transforming Florida Schools Committee and the Education Appropriations Committee. Both committees need to approve the bill for it to reach the floor.

   a. Consider the following questions and the debate that follows between Representative Pro and Representative Con. These are some of the main arguments made for and against the bill.
   b. Pay close attention to the debate. Then, consider your own opinion now that you are well-informed about the proposed bill!
      i. Attention!

11. Question 1: How would this program raise the quality of public education for K-12 schools in the state?
   a. Rep. Pro: This program would improve education for all of Florida’s schoolchildren. This is because under this plan, schools would compete to keep their kids and their funding.
   b. Rep. Con: This program would ruin the public school system in Florida. It would take money from failing public schools—schools that really need the money—and give that money to private schools.
   c. Rep. Pro: At this time, half of our 4th grade students can’t read at grade level. This program would offer students in failing schools a chance to receive a better education, now!
   d. Rep. Pro: Public schools have to take FCAT tests, but private schools don’t have to take the same tests. So, how do we know if these students are even receiving a better education without a uniform way to measure it?
   e. Rep. Pro: If failing schools get to keep their students and their funding, what will motivate them to improve?
   f. Rep. Con: How can failing schools ever improve if they are losing both their money as well as their best students to private schools?

12. Now that you’ve heard some arguments on how the bill will affect the quality of public education…

13. What do you think?

14. Question 2: Does the law conflict with the separation of church and state?
a. Hold up! I thought the judicial branch is the one who decides if a law is constitutional. Why is this question important for a legislator to consider?
   i. Well, voting for an unconstitutional law would make you look silly…or worse! (If you’re a legislator, you ought to know your Constitution, right??!!)
   ii. Plus, it could waste taxpayer money. So if you’re a legislator, you shouldn’t make the courts decide something a student would know is unconstitutional!
   iii. But, sometimes the issue isn’t clear one way or another. In these cases, legislators have to make the best decision they can. If the law is passed, the courts have the final say on whether it’s constitutional.
   iv. Now that we’ve got that straightened out, let’s see what our Representatives think about the question…

b. Rep. Con: The U.S. Constitution says that there must be a division between church and state. But under this program the state government will be giving tax dollars to religious organizations. They way I see it, that makes this bill unconstitutional!

c. Rep. Pro: If the law’s purpose is to aid the common good, and the help to religious organizations is only incidental, the courts have ruled that laws like that are constitutional. To me, this law fits that description.

d. Rep. Pro: Also, the “scholarships” do not go directly to the schools. They go to the parents, who sign them over to the school that the parents choose to send their child to. The choice is made by the parents, not the government, so there is no constitutional conflict.

e. Rep. Con: Well, this law has to follow the State Constitution, too. That constitution goes even further than the U.S. Constitution. It clearly says that money from the public treasury cannot go to religious organizations, directly or indirectly. It seems to me that this law will violate that part of the State Constitution.

f. Rep. Con: A different voucher program, run by the City of Milwaukee in Wisconsin, has an “opt-out” clause written in the law. It states that no school that accepts a voucher can make a student participate in any religious activity or class there. But the law here in Florida doesn’t even have that guarantee.

g. Rep. Pro: Well, it’s not exactly the same as the Milwaukee’s program, but the bill does have similar language. The bill states that the school cannot make a student “profess a specific ideological belief, to pray or to worship.” This will make sure a student is not forced to accept a religion that he or she doesn’t believe just to get a good education.

15. Now that you’ve heard some arguments on whether the bill is constitutional…
16. What do you think?
17. All of the bill’s committees approved the program. So, the day for the floor vote is almost here! For a taste of what’s being said in the media, click the blue box below…


b. Florida’s legislators are expected to pass the bill today, creating the nation’s first statewide school voucher program. It would allow students from poorly performing public schools to transfer to private schools, secular and religious, at public expense. Florida’s Republican Governor, Jeb Bush is among those who say vouchers are needed to help children escape failing public schools. But organizations of parents and teachers and civil liberties groups oppose the bill. From Miami, NPR’s Sheryl Debaugh reports. Key Williard Fair keeps a poster in his office with eight vivid crime scene photos of slain black teenagers. Fair, president of the Urban League of Greater Miami assumes that probably every one of those kids dropped out of high school. He says the victims remind him why he so passionately supports school vouchers. “It is incumbent upon us to begin to examine our current system and make it better. The voucher program would be one of the tools that can be used to work ahead.” Long before Jeb Bush became Governor last November, he and Key Williard Fair rallied the support of influential Republicans and residents of the mostly black Liberty City neighborhoods to establish Miami’s first charter school. Fair says the improved reading scores at that school proves he doesn’t need to look at existing voucher programs in Milwaukee or Cleveland to have faith in Florida’s plan. “Charter schools are no more than another sophisticated form of the voucher system, except the charter schools allows parents who are dissatisfied with the traditional public schools to take their kids to another school. It works.” The Education Bill includes more than vouchers. It also imposes higher standards on all of Florida’s Public Schools. Jeanie Allen of the Washington based Center for Education Reform believes school choice helps students and parents with few options. Whether or not they transfer out of the public schools. “This is about helping children get a better education. We already know from over 50 privately funded scholarship programs, and we know now from over 1200 charter schools, how schools that haven’t been cutting it, respond when people can vote with their feet. And in most cases, they improve.” Students at only 4 Florida public schools, which have failed to meet minimum standards, would be eligible for vouchers. At first, voucher bill sponsor, Alex dia Quenpotia, says the number of eligible schools could grow to 160. However, one opponent, the head of Florida’s main teacher’s union, Pat Cornella, says the expansion of vouchers is a bad
deal for all children. “I consider this a massive frontal assault on public schools. The passage of this is the wrong thing for the children of Florida. It will not, the way it’s currently constructed, do anything, really, to help low achieving students. It’s not just that those students will receive the voucher, but all students in the school, whether their failing or not.” The Florida PTA, the American Civil Liberties Union and People for the American Way also lobbied hard against vouchers. Some of those groups plan to sue Florida, claiming the law would violate the constitutional separation of church and state. But, those challenges may ultimately fail, because federal dollars already go to faith-based institutions offering higher education and services for people making the transition from welfare to work. So said, Bill Goldstin, a University of Maryland Public Policy Professor, and former advisor to President Clinton. Florida, Goldstin says, is doing what states often do, acting as a laboratory for ideas not yet workable on the national level. “What is potentially important about what Florida is doing is that if this step is carefully monitored and evaluated after it’s taken, in five years or so we may know a lot more then we know now about the consequences of vouchers as part of a package of education reform for failing schools.” Beyond Florida, supporters and opponents of fledging voucher movements in Pennsylvania, Texas and New Mexico will be watching. So will politicians, including New York Mayor, Rudolph Giuliani, eager to implement public school vouchers where the live. Sheryl Dubaugh, NPR News, Miami.

18. Once the bill makes it clear to calendar for the floor for debate, you’ll have a chance to debate this bill on the floor of the state House of the Representative! That’s where you can tell everyone why you do or do not support the legislation for creating the Opportunity Scholarship program!