

'There Is No Oversight': Private-School Vouchers Can Leave Parents on Their Own

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By Arianna Prothero

Erica Florea was fed up. The Jupiter, Fla., mother had feuded for months with her daughter's middle school over her special education needs. Florea believed Jessica, who has dwarfism and epilepsy, also had autism.

But the school system, Florea said, had missed the diagnosis and was not providing the supports she insisted her daughter needed. So, before school resumed in the fall of 2015, she took a friend's advice and applied for one of Florida's publicly funded **voucher** programs to help pay tuition expenses for Jessica to attend a private school.

With a taxpayer-funded McKay Scholarship worth nearly \$6,000, Florea pulled Jessica out of a public school system that faces some of the most stringent accountability in the country and entered into a largely unregulated private school sector with wide latitude over who it admits, who it kicks out, and few requirements for informing the public on how it serves students who are attending its schools with the help of taxpayer funds. This despite the fact that the state's private schools collected nearly \$832 million last year for tuition expenses, paid for by public money and tax-credits for businesses.

In the Florea family's two-year odyssey through Florida's private school choice programs that has followed, the first school Jessica attended closed down. Another refused to enroll her because she was too far behind academically. And a third school expelled her midyear in a dispute over bullying.

See Also: [Florida's Voucher Program: A Data Snapshot and List of Participating Schools](#)

"The private schools get to do whatever they want, but they're taking the state's money," said Florea.

A Sound Investment?

Nowhere has private school choice been embraced as much as in Florida, a state that has **led the charge in rewriting the rules of traditional education** in recent years. With 140,000 students using vouchers or tax-credit scholarships, more children attend private schools there with the help of the state's three private school choice programs than in any other state. States across the country have adopted many of Florida's policies both on school choice and public school accountability. And U.S. Secretary of Education Betsy DeVos holds up Florida as a model for the rest of the nation.

Plans from President Donald Trump and DeVos to create a federal private school choice program have hit roadblocks, but there's a strong push to create new voucher programs in

some states and expand existing programs in others. That's raising critical questions over how well vouchers and other similarly-styled policies serve students and whether there are guardrails in place to ensure the public money being sunk into private school choice is a sound investment.

Findings from a string of recent studies in Indiana, Louisiana, and Ohio border on alarming, showing that students who attend private schools with the help of public money may end up doing worse after they leave their public schools.

But school choice advocates vigorously argue that parental demand for private school choice proves that it's working. Excessive state oversight, they contend, undermines private schools' ability to be flexible. And there's no better system of accountability than the market-style kind that comes from giving parents the freedom to choose schools.

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["What Are School Vouchers and How Do They Work?"](#)

Critics counter that a lack of state oversight puts voucher students—many from poor families or with disabilities—at serious risk of falling even further behind.

Florida's first foray into private school choice started in 1999, and its oldest, continuously operating program is the McKay Scholarship, which provides tuition vouchers of up to \$7,000 to students with qualifying disabilities. When families use a voucher to enroll in private school, they give up, knowingly or not, **most of the protections that federal law requires for special education students**. If a private school decides not to admit a student, or to ask a student to leave, there's little legal recourse for parents to challenge those decisions.

"Parents apply to a private school, they say, 'Yes, we will take your child,' and the parent un-enrolls from the district and is basically out on their own," said Michelle R. Davis, a special education expert and consultant based in Florida. "There is no oversight."

It's a tradeoff parents in Florida and other states have made in pursuit of a better education for their children, including Erica Florea.

One Family's Odyssey

Jessica, 14, looks like a child who has grown up on the beach. She has wavy, sun-streaked hair and a broad smile. She also has deep scars on her ankles, knees and thighs from two leg-lengthening surgeries, the second of which put her in a wheelchair for eight months last year.

"She loves life," Florea said of her daughter. "She loves the beach. There's nothing she won't try."

But school has not come easy.

Getting the McKay Scholarship, Florea said, gave the family new hope for Jessica, who first enrolled at Jupiter Academy, a private school near their home. But halfway into her first year, Jupiter Academy announced it would close. The next school, Jupiter Christian School, took McKay recipients, but did not admit Jessica. She tested behind grade level and the school couldn't meet her needs, officials told Florea.

So, for the third time in less than year, the family began a search for a new school. They landed at Providence Education Group, a small school on the second floor of a shopping center above a sandwich shop. Providence's assessment of Jessica's skills found she was reading at a 4th grade level and doing math at a 3rd grade level.

At Providence's suggestion, Jessica switched for the 2016-17 school year to Florida's newest private school choice program—the Gardiner Scholarship, which gives students with more severe disabilities roughly \$10,000 a year and more flexibility over how they spend the

money. Initially, Florea was pleased with Jessica's progress. But her optimism evaporated when, she said, students began making fun of Jessica's small stature.

Things went downhill as Florea complained about the bullying and accused the Providence staff of ignoring the problem. She took matters into her own hands, confronting one of the students she believed was harassing her daughter. (Officials at Providence Education did not respond to multiple requests for comment.)

In late spring, Providence officials told Florea that Jessica was no longer welcome. Its director emailed some readings and assignments for Jessica to complete, and told Florea her daughter would have to finish the school year at home.

"I said fine, that's probably best, but you need to provide a teacher," to support Jessica's home study, Florea said. "I never heard back. I sent email after email. Text after text."

In May, she emailed a complaint to Step Up for Students, the nonprofit group that administers the Gardiner scholarships on behalf of the state, but Florea said she never got a response. Ron Matus, the director of policy and public affairs for Step Up for Students, told *Education Week* that the group had forwarded Florea's complaint to the state because "investigating those kinds of allegations is outside our charge as a scholarship funding organization."

In July, Florea sent her own complaint to the state department, which responded by explaining that private schools are solely responsible for "student regulation, dismissal, and expulsion policies," and therefore, the school had not violated any laws or rules.

State officials also told Florea to consider switching private schools, and that she check schools' accreditation status before enrolling Jessica. The state then said it would forward Florea's complaint to Step Up for Students.

Few Regulations

Despite a bulging roster of Florida students attending private schools with the state's help, there's scant data and information available to show how they do.

That laissez-faire approach to regulating the private schools stands in stark contrast to the state's unsparing rules for public schools.

Private schools receiving state aid don't have to track or tell the state how many students graduate from their schools, nor how many are bullied, expelled, or drop out—some of the most basic measures of student success.

Private schools do not receive letter grades based on how well students perform on state standardized tests as their public school peers do, and they are not required to be accredited by an independent agency.

A **recent Orlando Sentinel investigation found** several instances of private schools fudging health and safety records, and hiring staff with criminal backgrounds. The state was often slow to catch the misdeeds and respond, the newspaper reported.

Officials in Florida's education department declined to provide an agency official who could answer *Education Week's* questions about the lack of regulations for the state's private-school choice programs. Instead, they cited four state statutes outlining that private schools participating in a scholarship program must:

- Meet requirements regarding Florida antidiscrimination rules, fire and building safety, and screening staff for criminal backgrounds;
- Hire teachers with a bachelors' degree, unless they have three years of teaching experience or an "expertise that qualifies them to provide instruction in subjects taught";

- Prove that they are fiscally sound by getting a letter of credit from a bank, unless they have been open for three years, in which case they are not required provide proof of fiscal soundness.

Florida statute explicitly states that the state does not “regulate, control, approve or accredit” private schools.

No Accreditation Required

The vast majority of Florida's private schools **are not accredited**.

Absent a stamp of approval from the state, accreditation—a multiyear process carried out by agencies that conduct independent evaluations of schools—provides a way for private schools to prove that they meet certain fiscal, curricular, and, in some cases, religious standards.

Of 2,124 private schools participating in the state's private school choice programs, only 629—fewer than 30 percent—are accredited, according to an *Education Week* analysis of state data.

States use accreditation to help regulate private schools that receive public funding, and nearly half of private school choice programs nationally require participants to be accredited, according to the American Federation for Children.

But for many schools, said Robyn Rennick, the president of a group that advocates for private schools participating in the McKay program, going through accreditation is impractical and burdensome, especially for smaller schools.

And as many proponents of private school choice and experts on accreditation point out, there's a wide range in quality among accreditation groups and most public schools are not required to be accredited.

While Florida's public school accountability system is viewed as among the toughest, its hands-off approach to private-school choice programs is not contradictory, said Patricia Levesque, the chief executive officer of the Foundation for Excellence in Education and Jeb Bush's deputy chief of staff for education while he was Florida's governor. The main source of oversight and accountability in private schools are parents who regulate them with the choices they make, she said.

"The goals of choice are not to turn private schools into public schools," said Levesque, whose organization was working in more than 20 states last year alone to pass bills related to private school choice.

In many ways, Florida is in the middle of the regulatory pack compared to other states, according to the **National Conference of State Legislatures**. Indiana and Louisiana have stricter rules for private schools taking vouchers. Like its public schools, Indiana gives grades to private schools receiving taxpayer money based on test scores. Schools that perform poorly get booted from the voucher program.

Louisiana also requires private schools in its voucher program to take the state test, and it doesn't allow them to pick which students they admit.

Levesque points to the nationally norm-referenced tests students are required to take in the Florida Tax Credit Scholarship program that shows low-income students in the program score about average when compared to their peers of all income levels, nationally. And a new **study from the Urban Institute found** that students participating in the tax-credit scholarship program enrolled in college at higher rates than their peers in traditional public schools.

Those studies are proof that Florida's private school choice programs are working, said Levesque. That, and the swelling demand for scholarships.

'Precious Little Evidence'

Indeed, there are many stories of families who have been happy with their voucher experience. Ebony Smith of Tampa says the state's tax-credit scholarships—the largest of Florida's private school choice programs—has been pivotal for her family. She used the scholarships—meant for low-income families and funded by corporations that get generous tax credits in exchange for their donations—to send her three daughters to private school. "We did not live in an area where the public schools were good," said Smith, a single parent and third-generation teenage mother. Her oldest daughter recently graduated from Bard College. Her other two daughters currently attend college in Florida. "We broke the cycle of teen parenthood in my family, and hopefully, we'll break the cycle of poverty," Smith said. But new research on vouchers in Indiana, **Louisiana**, and **Ohio** is complicating an already complex debate over private school choice. More regulation and oversight doesn't necessarily guarantee students will do better in private schools, nor do low test scores dampen parental demand.

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"If anything, it looks like that ... kids might do worse," said David Figlio, the dean of the Northwestern University's School of Education and Social Policy, whose study of Ohio vouchers for low-income children in low-performing schools found they performed significantly worse on state tests than peers who were eligible for vouchers but stayed in public schools.

"There are possible explanations: they're getting a worse education ... they're getting a different form of education—and I don't think we really know the truth," he said. "But I think there's precious little evidence so far that these kids do better academically." Erica Florea, Jessica's mom, has all the evidence she needs to persuade her that private school choice isn't working. Jessica is now back in public school where, Florea says, she is thriving with the support she requires.

"So, three years later, after all this drama, she was properly diagnosed and has the proper resources," Florea said.

Data Specialist/Staff Writer Francisco Vara-Orta and Librarian Maya Riser-Kositsky contributed to this report.

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