



Comparative Analysis of Special Education Voucher Programs in Five States

The commonly accepted meaning of a school voucher is an allocation of public funds to pay for the education of a child at a private school selected by the parent. As of January 2009, five states had implemented voucher programs for special education students. In March 25, 2009, the Arizona Supreme Court declared the state's special education voucher program unconstitutional in violation of state constitutional provisions prohibiting the use of public money to aid private schools and religious establishments.¹ This document summarizes a comparative study of state special education voucher programs done for the U.S. Department of Education by the National Association of State Directors of Special Education and includes data from the state program fact sheets, as well.

Criteria	Florida	Ohio	Utah	Arizona	Georgia
Implementation Date	1999	2004	2005	2006	2007
Cost to the State (2007-08 school yr)	\$131 million ²	\$15 million ³	\$2.3 million ⁴	\$2.5 million ⁵	\$5.6 million ⁶
Student Eligibility Criteria	Enrollment and/or attendance at a public school for all or part of the preceding school year and possession of a current individualized education program (IEP)	Enrollment and/or attendance at a public school for all or part of the prior school year and a current IEP; student must be identified by the school district as having autism	Student do not have to be enrolled in a public school or have a current IEP ⁷	Enrollment and/or attendance at a public school for all or part of the prior school year and a current IEP	Enrollment and/or attendance at a public school for all or part of the prior school year and a current IEP

¹ *Cain v. Horne*, Arizona Supreme Court, No. CV-08-0189-PR (March 25, 2009)

² *Choice Facts: John McKay Scholarships for Students with Disabilities Program*, Florida Department of Education Office of Independent Education and Parental Choice, August 2008, p. 2

³ Ohio Department of Education, Office for Exceptional Children

⁴ Utah State Office of Education, Special Needs Scholarship, Basic Skills Education Program Office

⁵ Arizona Scholarships for Pupils with Disabilities Program Application; Amount capped at \$2.5 million per year but these caps may grow in response to inflation

⁶ Georgia Department of Education

⁷ A Performance Audit of the Carson Smith Scholarship for Students with Special Needs, January 2008, http://www.le.state.ut.us/audit/08_02rpt.pdf, p. 7

Criteria	Florida	Ohio	Utah	Arizona	Georgia
Provider Eligibility	Approved private schools	Approved private schools and non-school providers (e.g, clinics, agencies offering services included on a student's IEP)	Any public school or approved private schools ⁸	Any private school ⁹	Approved private schools
Number of approved providers (2008-09 school year)	873 participating private schools ¹⁰	148 participating providers (24 are private schools) ¹¹	45 participating private schools ¹²		44 participating private schools ¹³
Student Participation (see below for program growth information)	19,900 participants (2007-08)	1,000 students (2007-08)	482 students (2007-08)	117 students (2007-08)	
Per Pupil Voucher Amount (see below for calculation information)	Range: \$5,160-\$21,769; Average amount was \$7295 per student (2007-08 school year)	Cap of \$7,000 per quarter; Maximum of \$20,000 per student per year	Maximum annual scholarship award \$6,442.50 per student	Average amount was \$8,969 per student (2007-08 school yr)	Range: \$2,536-\$15,324; Average amount was \$6,273 per student (2007-08 school yr)

Student Participation

- *Florida's* program had 19,900 participants during the 2007-08 academic year. Enrollment has have grown dramatically since the program's inception, with two students the first year, 970 the second, and 5,013 the third year (2001-02).¹⁴
- *Ohio's* program had approximately 1,000 students as of the 2007-08 school year, over 50 percent of whom are three to five years old. This program has also experienced significant growth—it had only 300 participants during the 2004-2005 school year.¹⁵
- *Utah's* program increased from 361 participants during the 2006-07 school year to 482 during the 2007-08 school year.¹⁶
- *Arizona's* program had 117 students participating during the 2007-08 school year, which was the second year of the program.¹⁷

⁸ Arizona Scholarships for Pupils with Disabilities Program, <http://www.azleg.gov/FormatDocument.asp?inDoc=ars/15/00891.htm&Title=15&DocType=ARS>

⁹ www.azed.gov/ess/statefedinitiatives/AZScholarship.asp

¹⁰ www.floridaschoolchoice.org/Information/McKay/quarterly_reports/mckay_report_nov2008.pdf

¹¹ Special Education Vouchers: Four State Approaches, p 5.

¹² www.schools.utah.gov/admin/documents/Eligible-Schools-List-2008-2009.pdf

¹³ 2008-09 Approved Schools List, <http://public.doe.k12.ga.us/...898EC395B17CECD8F6823D&Type=D>

¹⁴ *Choice Facts: John M. McKay Scholarships for Students with Disabilities Program*, p. 2

¹⁵ Ohio Department of Education

¹⁶ A Performance Audit of the Carson Smith Scholarship for Students with Special Needs, January 2008, http://www.le.state.ut.us/audit/08_02rpt.pdf, p. 6

¹⁷ National School Boards Association, "State Voucher Programs"

<http://www.nsba.org/MainMenu/Advocacy/FederalLaws/SchoolVouchers/VoucherStrategyCenter/State-Voucher-Programs.aspx>

Calculation of Per Pupil Voucher Amount

- In *Florida*, the voucher amount equals the lesser of the public school cost for the student or private school tuition and fees. The value of the voucher ranged from \$5,160 to \$21,769, with the average amount being \$7295 for the 2007-08 school year.¹⁸
- In *Ohio*, there is no formula; schools and other providers are required to submit a quarterly statement of costs with a cap of \$7,000 *per quarter*. Students must be in the program seven to eight months to claim the maximum amount of \$20,000 per year.¹⁹
- In *Utah*, the amount of the voucher is based on the weighted per student funding, with the maximum weight of 2.5 times the basic funding amount. For the 2008-09 school year, the maximum amount of the annual voucher was \$6,442.50.²⁰
- In *Arizona*, the amount of the voucher was the lesser of weighted state funding based on the student's disability category or tuition/fees or actual per pupil cost at the private school. The average voucher amount was \$8,969 for the 2007-08 school year.²¹
- In *Georgia*, the amount of the voucher is the lesser of the amount of state funds the student's resident school district received for that student during the prior year or the private school tuition/fees. The voucher ranged from \$2,536 to \$15,324 with an average amount of \$6,273 per student for the 2007-08 school year.²²

Accountability

- None of the five states require private schools to participate in state-wide assessments during the term of the voucher. There are also no requirements in any of these states for providing accountability information to the state or student's home district.
- The students using these vouchers are considered to be "parentally placed private school students" under the federal special education law, the Individuals with Disabilities Education Act (IDEA). As such, they have no individual entitlement to a free appropriate public education. IDEA regulations provide:

No parentally-placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school [CFR 34 300.137].

- None of the states have any monitoring authority over schools providing services to voucher students.

Outcomes

- None of the four states evaluate or plan to evaluate academic outcomes for students participating in their voucher programs.
- *Ohio's* parent satisfaction survey elicited very high approval ratings. Parent satisfaction with Utah's program was also high as documented in the State's Performance Audit.
- A December 2003 Audit Report by Florida's chief financial officer cited problems with the program, including lack of accountability resulting in claims of fraud, and made recommendations for changes.²³

¹⁸Florida Department of Education, Office of Independent Education and Parental Choice

¹⁹Ohio Department of Education, Office for Exceptional Children

²⁰"Special Needs Scholarship Program, Program Description," <http://www.schools.utah.gov/admin/documents/2009-10ProgramDescription.pdf>

²¹National School Boards Association, "State Voucher Programs"

²²Ibid.

²³"*Special Education Vouchers: Four State Approaches*," Project Forum at the National Association of State Directors of Special Education, through a cooperative agreement with the U.S. Department of Education