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Is next step vouchers for all?

Florida Gov. Charlie Crist signed into law a bill that expands the use of private-school vouchers

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TALLAHASSEE -- With bipartisan backing, Gov. Charlie Crist ushered in the most sweeping expansion of private-school vouchers in Florida history on Thursday and revived a long-festering question:

Where does it end?

Senate Bill 2126, which Crist signed into law, is expected to significantly ramp up the number of students using tax-credit vouchers, which are limited to low-income families. There are 27,700 students in the program now. But if current growth trends continue, 70,000 could be in the program by 2015.

State Rep. Marty Kiar, D-Davie, is one of the Democrats who has yet to vote in support of the voucher program. He says he can't give his backing without clear proof that the vouchers do not hurt the public-school system financially.

Still, Kiar said he tries not to say too much negative about the program, because "it is undeniable it has helped thousands of kids."

He added: "It feels like if you vilify this program, you are vilifying the kids."

Alarmed by the potential growth, critics fear that the day lawmakers propose vouchers for all is closer than ever.

"I truly think that's the goal," said Janet Clark, chair of the Pinellas school board. "Every incremental foothold that voucher supporters get is a victory for them. You give them an inch and they're going to take another inch."

Supporters of Florida's two voucher programs, which are limited to disabled and low-income students, say that isn't likely. Doing so could invite a lawsuit like the one that sunk the state's first voucher program in 2006, they say. And it would jeopardize what has become an increasingly bipartisan effort.

'A GOOD THING'

"People think we have a good thing going and don't want to mess with it," said Rep. Will Weatherford, R-Wesley Chapel, the bill's lead House sponsor.

But, Weatherford added, it's likely that voucher supporters will keep pushing for more. And, he said, if given the chance, "I would love to expand it to everybody."

SB 2126 is the latest milestone in Florida's 11-year voucher war.

It significantly hikes the value of a tax-credit voucher, which is funded by corporate

donations and available only to students whose family incomes qualify them for free or reduced-price lunch.

Tax-credit vouchers are now worth \$3,950 each. But under SB 2126, the value will rise over several years until it reaches 80 percent of the state's per-pupil funding rate. At the current rate of \$6,866, the voucher amount would grow to \$5,492, putting the cost of private school in reach for more low-income families.

The bill offers more incentives to corporations to fund the program and essentially removes a cap on how much they can collectively give. It also includes accountability measures -- which critics deem too weak -- such as disclosure of standardized test scores for voucher students at schools that have at least 30 such recipients.

"This is great legislation," Crist said at a bill-signing ceremony. "It matches our students with the right school."

But the reaction from critics was swift.

"It's gone too far," said Pinellas School Board member Linda Lerner, who was among the plaintiffs in the successful effort to overturn Opportunity Scholarships, which were available to students in some F-rated schools. "It's time to get legal opinions about a legal challenge."

With little marketing, the number of students using tax-credit vouchers has grown an average of 22 percent a year for five years, said Jon East, spokesman for Step Up for Students, the Tampa-based outfit that provides the scholarships.

"Our sense is, the demand is there," East said.

So is the support. Over time, tax-credit vouchers have quietly won over Democratic lawmakers, who nearly all opposed them just a few years ago. In the Senate, four of 14 Democrats backed SB 2126. In the House, 20 of 44 Democrats did.

"I am a great fan of the public schools," said Rep. Bill Heller, D-St. Petersburg, one of three Democratic lawmakers to attend the bill signing. "But there are some kids it doesn't reach. For those kids, this is an opportunity."

Some observers say a growing army of voucher families is likely to lock in current Democratic support and maybe even increase it. The more families that obtain vouchers, the thinking goes, the harder it will be for lawmakers to tell constituents no.

At the same time, some wonder whether the growing profile of vouchers for poor families

will inevitably lead middle-class families to ask: Why can't we get a voucher, too?

"I would hope that people would ask that question," said Clark Neily, senior attorney for the Institute for Justice, a libertarian, public-interest law firm that supports "universal vouchers." "I don't think there's any natural reason for there to be a stopping point."

On the other hand, polls show most families are happy with their schools, said Sherman Dorn, an education professor at the University of South Florida. So they're more likely to see vouchers as a threat, not an opportunity.

"The question is ... how will people who are not receiving vouchers frame the issue," he said. "Will they frame it as, 'I'm not getting mine?' Or as, 'Hey, this is diluting support for local public schools?'"

NOT FAR-FETCHED?

There is no proposal for universal vouchers in Florida. But leading voucher supporters like former Gov. Jeb Bush have dodged the question. And other supporters say it's not far-fetched to imagine lawmakers proposing vouchers that could be used by a broader base of students.

This year's Legislature, in fact, is still mulling a proposed constitutional amendment that would make it easier for public money to be sent to private schools.

"The politics could coalesce towards (a more far-reaching voucher) at some point," said East, of scholarship-provider Step Up For Students.

But the impulse, he added, would be different than the one that spawned tax-credit vouchers, which are designed for low-income families whose school-choice options are limited.

Even if vouchers for all isn't on the radar, the possibility is again sparking calls for litigation to nix the existing programs.

Ron Meyer, lawyer for the Florida Education Association, said the tax-credit program has the same constitutional flaws as the program struck down by the Florida Supreme Court in 2006. Asked why a lawsuit hasn't been filed, he said, "Litigation policy is determined by clients, not their lawyers."

FEA spokesman Mark Pudlow said the group is "very concerned" about the "expansion of vouchers and this parallel school system." But he said the FEA has not committed to filing suit.

"We have a lot of balls in the air right now," Pudlow said. "We have made no decisions."