



IMPROVED
ACCESSIBILITY WITH
PUBLIC SCHOOLS

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SCOPE OF THE ANALYSIS

Senate Bill 460 (2025), Section 12(1)(g)¹ specifically requires that the Commission on School Funding (the “Commission”) “Review and consider strategies to improve the accessibility and ensure the equitability of existing and new programs for pupils within and between public schools, including, without limitation, open zoning.” For purposes of this analysis, open zoning in public education refers to policies that allow students to attend public schools outside their designated school zones or districts without requiring special permission. Notably, Nevada Revised Statutes (“NRS”) currently contemplate open zoning under certain circumstances. NRS 392.017² mandates the State Board of Education adopt regulations ensuring students in persistently dangerous schools or victims of violent offenses at school have the option to attend another public school, including charter schools. This aligns with federal guidelines specified in 20 U.S.C. § 7912,³ requiring criteria for identifying schools as persistently dangerous.

OPEN ZONING POLICIES ACROSS THE STATES

Open zoning and enrollment policies continue to be one of the most widely adopted forms of public school choice in the United States. These policies allow students to attend public schools outside their assigned attendance zone or district, giving families greater flexibility while keeping students within the public education system. Although open enrollment frameworks vary considerably from state to state, the underlying objective remains largely the same: to provide families with additional educational options that are not determined solely by residential boundaries.

States differ in the extent to which they require or encourage open enrollment. Some states mandate that districts accept transfer applications when capacity is available, while others leave participation largely to local discretion. Historically, open enrollment policies have varied in their transparency, eligibility requirements and approval processes. However, recent legislative activity suggests states are moving toward more standardized approaches. New and revised policies increasingly require school districts to publish available capacity by school and grade level, establish transparent application procedures and deadlines, provide written explanations for denied requests and limit the reasons districts may reject transfer applications.

There are common questions of the voluntary or mandatory nature of open zoning policies. In states such as Arizona and Arkansas, intradistrict open enrollment is mandatory, requiring school districts to develop clear policies for admission, application procedures and transportation provisions. These states ensure that policies are accessible to all by requiring that they be available in multiple languages, such as English and Spanish in Arizona, and by stipulating conditions under which a school must accept transfer requests. Conversely, other states have adopted a voluntary approach to open enrollment, providing districts the discretion to develop their own policies. For example, Connecticut allows school districts to develop intradistrict assignment programs at their discretion. The data also point to a focus on specific student populations in some states. California, for instance, mandates intradistrict open enrollment for students in low-achieving schools, allowing them to transfer to higher-performing schools within the district. This policy ostensibly targets educational equity by giving students in underperforming schools the opportunity to attend schools with better academic outcomes.

Many states also incorporate priority categories within their open enrollment policies. Commonly prioritized groups include siblings of currently enrolled students, military-connected students, foster youth, students experiencing homelessness and students assigned to low-performing schools. Where demand exceeds available seats, lottery systems are frequently used to allocate placements. These provisions are intended to balance family choice with fairness, equity and capacity limitations.

Open zoning program outcomes are still to be determined — few have existed long-term. Of those available for long-term study, there is a clear improvement in high school graduation rates,⁴ coupled with student and parental satisfaction.⁵ While initial results are mixed about what that means in terms of academic outcomes, in terms of quality of life, high school graduation is strongly associated with increased access to better living conditions, healthier foods, better healthcare services, reduced risk of premature death, increased employment prospects and increased lifelong earning potential.⁶ Overall, increased high school graduation resulting from open zoning, or any other, policies has the potential to improve population wealth, health and quality of life.

As states refine open enrollment frameworks, recent legislative trends suggest a growing emphasis on transparency, consistency and family access. Rather than focusing solely on whether transfers should be allowed, policymakers are increasingly concentrating on how enrollment systems operate, how available seats are communicated to families and how districts balance choice with enrollment management. The result is a gradual shift toward more structured and accessible school choice systems that provide families with greater flexibility while preserving local control and accountability.

OPEN ZONING AND STUDENT TRANSPORTATION

Transportation remains one of the most significant challenges associated with open enrollment policies. While open enrollment expands educational opportunities by allowing students to attend schools outside their assigned attendance zones or districts, access to those opportunities is often dependent on a family's ability to transport students to and from school. As a result, transportation is frequently cited as one of the primary barriers limiting participation, particularly among lower-income households.

State approaches to transportation under open enrollment vary considerably. In many states, parents or guardians remain responsible for transporting students who attend schools outside their assigned attendance areas. Other states require or permit school districts to provide transportation under certain circumstances, particularly for students from low-income families, students with disabilities, students experiencing homelessness, foster youth or students transferring from low-performing schools.

Several states have adopted policies intended to reduce transportation barriers while maintaining local flexibility. Arizona requires districts to include transportation provisions in their open enrollment policies and provides transportation assistance for certain income-eligible students and students with disabilities. Arkansas allows transportation support for students transferring from schools identified for intensive support or persistent low performance. Connecticut, California and other states permit districts or regional education agencies to provide transportation assistance, particularly for students participating in programs designed to increase educational access or promote equity. Florida allows districts to provide transportation for students participating in public school choice programs and includes additional protections for foster youth and other vulnerable student populations.

Recent legislative discussions suggest that transportation is becoming a more prominent consideration as states expand open enrollment opportunities. Policymakers increasingly recognize that enrollment flexibility alone may not produce meaningful access if transportation costs remain prohibitive for families. As a result, some states have begun requiring districts to publicly identify available transportation options alongside open enrollment information, while others have explored transportation grants, reimbursement programs, regional transportation partnerships or targeted assistance for priority student populations.

Transportation access is a common complaint that can become a disincentive for parents participating in school choice programs. A December 2023 qualitative study conducted by the University of Connecticut⁷ found that 59 percent of parents

referenced problems with the bus stop, particularly central stops. Complaints included the distance to the stop from the home, the nature of the commute to the stop and contextual aspects of the stop location. Bus transportation was less accessible for suburban magnet school students whose parents lacked personal transportation; 68 percent of parents interviewed drove their children either directly to school or to the bus stop daily. Approximately half of the parents mentioned an unreliable communication method between the transportation service and parents. Frustrations were raised regarding access to extracurricular activities.

The same researchers conducted quantitative analyses around student travel times to bus stops and schools. First, the study looked at 10,186 students who had received first round offers for open choice or magnet schools. Among open choice students, 88.1 percent experienced rides of 30 minutes or more, and 18.6 percent experienced rides of 60 minutes or more (compared to 72.3 percent and 11.0 percent for magnet school students, respectively). Next, the researchers used five variables in a logistic regression model to predict parent acceptances for a lottery seat. They found the strongest predictor of accepting a lottery magnet seat was the school ranking variable. Notably, driving time to the school was not a statistically significant factor for parent decision-making, after accounting for the remaining variables in the model. Despite 71 percent of parents in the qualitative study expressing concern with some aspect of school transportation, many felt the benefits their children receive outweigh the challenges, and so they continue to send their children to open choice or magnet schools.

The study concludes with a summary of suggestions:

- Improve conditions for getting students to and from the bus stop.
- Ensure all stop locations are safe.
- Recalibrate the complaint type categories in the Regional School Choice Office online complaint form.
- Make the online complaint form more prominent and accessible on the website.
- Recalibrate bus notification system to improve efficiency.
- Ensure all families have access to bus notification mechanisms.
- Involve families and students in developing transportation policies.
- Look into other transportation models.
- Communicate transportation options to prospective choice parents.
- Consider walking chaperones for younger students.
- Explore offering free, discounted, or public transit passes for age-appropriate students.
- Investigate further regionalizing school choice.

Though Connecticut parents may not factor the commute as part of their decision-making, the further students live from their school of choice, the more they struggle to arrive at class on time and attend regularly. A study published by Brown University⁸ examined 120,000 students participating in an open choice school program and found that “long” bus rides—typically considered 45 to 60 minutes—were associated with an increased absenteeism rate of 12 percent. Additionally, although Black students only accounted for 27 percent of all bus riders in the study, they represented more than 43 percent of those with long bus rides. A 2022 study by Brookings Institution⁹ echoes these results, determining that students with long rides exercising school choice have worse academic outcomes (chronic absenteeism and lower test scores) and tend to be Black. A study performed by Voulgaris et al., 2017,¹⁰ found school commute time to be strongly inversely related to time spent sleeping and negatively related to time spent exercising. These studies and others suggest long commutes have negative public health and negative academic implications for teens, especially Black youth, despite the intention for school choice to improve educational equity. School districts in Arizona, Colorado, Arkansas, California, Washington and Texas have attempted to manage the transportation access gap and long commutes using a unique hub-and-spoke transportation

model operated by HopSkipDrive.¹¹ The company's system acts as a sort of ride share app to bring students to central bus stop locations and then pick them up to bring them directly home. The company reports the model appears to work especially well for students who live far from their school of choice. They indicate that students experiencing homelessness and foster youth tend to be among those riders who live far from their school of choice.

RECENT POLICY INITIATIVES RELATIVE TO SCHOOL CHOICE

Legislation considered and enacted in 2026 suggests that school choice policy is entering a more mature phase, with lawmakers increasingly focused on refining existing programs rather than simply creating new ones. While some states continue to pursue broad expansions through education savings accounts (ESAs), tax-credit scholarships and public school choice programs, many proposals emphasize accountability, program administration and long-term sustainability. Several states adopted or considered participation in the new federal tax-credit scholarship program, while others focused on adjusting eligibility requirements, scholarship amounts, funding caps and oversight mechanisms. Universal eligibility remains a goal in a handful of states, but many programs continue to prioritize students based on income, disability status or other factors. Likewise, policymakers are increasingly balancing program expansion with measures to improve transparency, including financial audits, reporting requirements, testing provisions and restrictions on the use of scholarship funds.¹²

A 2026 review of state school-choice programs found that 15 states operate ESA programs, 11 states operate voucher programs and 13 states operate tax-credit scholarship programs, with many states offering multiple program types. The number of states with private-school choice programs has continued to grow in recent years as legislatures have expanded eligibility and adopted new ESA and tax-credit models.¹³

The following highlights recent legislative initiatives and developments as of May 2026.

Alabama: In 2026, Alabama made two notable changes related to its school choice system, called the CHOOSE Act, which provides education savings accounts that families can use for private school tuition and other approved educational expenses. SB342, known as the "Let the Kids Play!" Act, was signed into law in April 2026. The bill was prompted by disputes over whether students receiving CHOOSE Act funding could participate in high school athletics after transferring schools. The bill clarified that students cannot be denied athletic eligibility solely because they use CHOOSE Act funds, creates an enforcement process and gives families and schools the ability to sue if they believe a student has been unfairly excluded from sports because of their participation in the program. The bill passed overwhelmingly in both chambers and is now law. In addition, the Legislature approved HB238, the state's education budget, which increased funding support for the rapidly growing CHOOSE Act program. Together, the measures signal continued legislative support for Alabama's relatively new ESA program while addressing implementation concerns that emerged during its rollout.

Arizona: During the 2026 session, legislators focused largely on accountability and oversight of the state's universal ESA program, one of the largest in the country. SB1691, SB1692 and HB4052 would require additional financial reporting, establish stronger health and safety requirements for participating providers and create new academic accountability measures, including testing and curriculum-related provisions. The legislation would not significantly change eligibility but would tighten program administration. The bills remained under consideration during the 2026 session.

Florida: SB318 proposed a broad update to the state's extensive school-choice system, which includes several scholarship and ESA-style programs. The bill would have revised funding calculations, established mechanisms to address funding shortfalls when demand exceeds projections and made a variety of administrative changes affecting scholarship funding organizations. One of the most notable provisions would have created a substantial reserve fund to ensure students do not lose scholarships if participation grows faster than expected. The proposal also included additional reporting and program

management requirements. While not a major expansion of eligibility, the legislation was designed to stabilize and manage a system that now serves hundreds of thousands of students. The bill died during the session.

Georgia: SB446 is primarily aimed at preparing the state for participation in the new federal tax-credit scholarship program created by Congress. The legislation would establish the framework governing scholarship-granting organizations, define how federal scholarship funds could be distributed within the state and clarify the state's administrative role. Georgia already approved its own Promise Scholarship program in recent years, and this proposal would effectively add another school-choice mechanism available to eligible students. The legislation did not pass before adjournment.

Idaho: HB731 made the state one of the first in the nation to formally opt into the new federal tax-credit scholarship program. The law authorizes eligible scholarship organizations to operate in Idaho and establishes the legal structure necessary to receive and distribute scholarship funds beginning in 2027. Idaho lawmakers described the measure as a way to expand educational options without creating a new state-funded program. The bill was enacted into law.

Iowa: The legislature considered several bills that would both expand and regulate school-choice options. HF2078 would create a refundable tax credit worth up to \$4,000 for qualifying private-school and homeschool expenses, potentially broadening educational options beyond the state's ESA program. Other proposals would require participating private schools to meet additional testing, auditing and financial reporting standards similar to those imposed on public schools. Another measure sought to repeal portions of Iowa's ESA framework. Most of the proposals remained under consideration during the 2026 session.

Kansas: The state's SB361 formally enrolled Kansas in the federal tax-credit scholarship program and established the legal authority for scholarship organizations to operate within the state. The bill became law after both legislative houses voted to override a gubernatorial veto. With enactment, Kansas joined a growing group of states positioning to participate when the federal program launches.

Kentucky: HB1 authorized state participation in the federal tax-credit scholarship program and established the framework needed for scholarship organizations to operate. The bill became law after the legislature overrode a veto by the governor. Regardless, the law positions Kentucky to participate in the federal initiative beginning in 2027.

Maryland: The legislature considered multiple bills to expand school choice options in the state. HB1204 would have established a statewide ESA program that eligible families could use for private school tuition, tutoring, educational therapies and other approved expenses. A second proposal, SB329, would have created scholarship-granting organizations capable of participating in the new federal tax-credit scholarship program. Neither bill passed during the session. The legislature also considered SB350, which would have created a voluntary cross-county open enrollment framework for public schools. The bill would have allowed county school boards to accept students from outside their home county without charging tuition, while requiring districts to publish available seats, establish transparent application processes and allow education funding to follow participating students. The bill was withdrawn by its sponsor and did not become law.¹⁴

Mississippi: HB2 proposed creating the Magnolia Student Accounts program, which would have expanded school-choice opportunities through education savings accounts and portable scholarship funding. The legislation sought to give families greater flexibility in directing educational dollars toward private schools, tutoring services and other educational expenses. The bill did not pass out of the legislature during the session.

Missouri: The legislature considered SB998 to expand access to the state's MOScholars tax-credit scholarship program by removing some existing eligibility restrictions. The bill would eliminate certain prior public school attendance requirements

and broaden eligibility for students with disabilities. The legislation does not create a new program but would make the existing scholarship system available to a wider group of students. The bill remained under consideration.

Nevada: The state approved a major overhaul of its open enrollment system during the 2025 Legislative Session. AB533 created a standardized statewide process for both intra-district and inter-district transfers, allowing students to attend public schools outside their zoned districts. Students are now permitted to enroll in any public school in the state, including across different districts, as long as the desired school is not at capacity for the student's grade level. Once a student is approved and admitted to an out-of-zone school, they are allowed to remain there through the highest grade offered without needing to reapply annually. School districts must report the number of available seats by school and grade level, and if a school has more student applicants than seats, districts use a lottery system to select students for the open spaces. Districts are not legally required to provide transportation for students to attend a school outside their designated attendance zone. However, the bill did require the Nevada Department of Education to establish a grant program to help fund transportation for these out-of-zone students, contingent on available state funding.

State lawmakers also considered two key bills that would have expanded the Opportunity Scholarship program. AB599 would have increased the annual tax-credit cap from \$6.7 million to \$10.7 million while imposing new reporting, auditing, registration, and academic accountability requirements on scholarship organizations and participating schools. AB214 would have expanded the tax-credit cap to \$30 million with 10 percent annual increases thereafter. The bill also would have expanded eligibility for scholarships by raising the household income threshold from 300 percent to 400 percent of the area median income while establishing a minimum scholarship of \$1,000. Both bills died in committee and were not enacted.

Finally, Governor Joe Lombardo opted the state into the federal tax-credit program beginning in 2027. The program provides up to a \$1,700 tax credit to donors who help fund state-approved scholarship-granting organizations (SGOs) that award grants to families to attend K-12 private schools. Families with household incomes of up to 300 percent of area median income can qualify.

New Hampshire: Lawmakers considered two bills related to school choice. SB581 would significantly expand access to the state's Education Freedom Account program by removing enrollment caps and eliminating certain prioritization rules, making it easier for families to participate regardless of when they apply. The second bill, SB101, would broaden public school open enrollment opportunities by allowing students greater flexibility to attend schools outside their assigned districts. Both bills were considered procedurally dead.

New Jersey: The state legislature considered a pair of bills that would establish a five-year Opportunity Scholarship tax-credit pilot program targeted primarily at students from lower-income households and underperforming school districts. S1027 and A1578 would allow taxpayers to receive credits for donations supporting scholarships used at participating private schools. Lawmakers also introduced a resolution encouraging state participation in the federal tax-credit scholarship program. The proposals remained under consideration.

North Carolina: State lawmakers enacted HB87 to enroll the state in the federal tax-credit scholarship program and authorize scholarship organizations to begin preparing for implementation. The bill was vetoed by the governor but became law after the legislature overrode the veto.

Ohio: The state legislature considered a bill that would place an income cap on eligibility for the state's expanded EdChoice scholarship program. In recent years, Ohio has moved toward broader eligibility, and HB643 would partially reverse that trend by targeting scholarships more heavily toward middle- and lower-income households. The legislation was pending.

Oklahoma: Oklahoma was among the most active states on school-choice legislation in 2026. Lawmakers enacted HB3704, which opts the state into the federal tax-credit scholarship program. Other bills sought to increase the cap on Oklahoma's private-school tax-credit scholarship program, adjust income-based priorities, impose additional testing requirements and repeal portions of existing programs. The other bills were pending in the legislature.

Rhode Island: The state legislature considered S2540 to establish an Education Freedom Account program for families earning up to 250 percent of the federal poverty level. Eligible families could use funds for private-school tuition and other approved educational expenses. The bill was pending.

South Dakota: The state legislature enacted SB84 to expand the state's Partners in Education tax-credit scholarship program. The law increased scholarship amounts available to participating students and broadened eligibility criteria, allowing more families to benefit. Lawmakers described the measure as an incremental expansion of an already successful program rather than a major restructuring of the state's educational system.

Tennessee: The legislature enacted SB2206, making the state eligible to participate in the federal tax-credit scholarship program. Lawmakers also considered proposals that would expand Tennessee's Education Freedom Scholarship program from 25,000 to 40,000 students and strengthen oversight provisions governing participating schools and providers. These additional bills were pending.

Utah: The state enacted HB467 and SB54, which modified and expanded existing school-choice programs. The first bill strengthened oversight, auditing and accountability requirements for the Utah Fits All Scholarship Program, which has grown rapidly since its creation. SB54 expanded access to the Carson Smith Opportunity Scholarship by eliminating income restrictions for students with disabilities, allowing more families to qualify regardless of financial circumstances.

Vermont: H770 would limit the state's ability to participate in the federal tax-credit scholarship program without explicit legislative approval. Rather than creating or expanding school-choice options, the proposal seeks to place additional safeguards and oversight around any future participation in the federal initiative. The legislation remained under consideration.

Virginia: Lawmakers considered HB359, which focused on increasing accountability for private schools that receive publicly supported tuition assistance. The bill would establish additional standards related to reporting, operations and program participation. While it does not create a new scholarship or ESA program, it would affect how existing choice programs are administered and monitored. The bill was pending.

Washington: The legislature considered multiple bills related to school choice. HB2719 would create an education savings account-style program for students in foster care. The proposal would provide funds that families or guardians could use for educational services tailored to a student's needs. Lawmakers also introduced a memorial encouraging state participation in the federal tax-credit scholarship program. Both measures remained pending.

West Virginia: State lawmakers considered several significant proposals affecting the state's Hope Scholarship program. The bills would expand eligibility through microschoools and alternative educational models, authorize participation in the federal tax-credit scholarship program and potentially place income limits on some forms of eligibility. These bills remained under consideration, while a bill to authorize participation in the federal tax-credit scholarship was passed into law.

OUTCOMES OF SCHOOL CHOICE PROGRAMS

The research on the outcome of school choice programs is mixed. Data from the Learning Policy Institute¹⁵ indicates that effective implementation of open enrollment policies can significantly contribute to educational equity by providing students from historically underserved communities access to high-quality educational opportunities. However, for such policies to be truly effective, they must be accompanied by robust support mechanisms, including transportation, transparent application processes and sufficient funding to ensure that schools receiving students have the resources to maintain high educational standards. Moreover, an examination of Nevada's Pupil Centered Funding Plan ("PCFP")¹⁶ and California's Local Control Funding Formula ("LCFF")¹⁷ illustrates the potential of state funding models to enhance educational equity by allocating additional resources to schools serving high-need students. Both the PCFP and LCFF models, which increase funding for schools with higher concentrations of at-risk students and English learners, demonstrate how state-level policy can complement open zoning by ensuring that all schools have the means to support educational success for all students, regardless of their background or where they live. Integrating such comprehensive approaches can help Nevada not only to improve accessibility and equity across its public school system but also to set a benchmark for other states considering similar reforms.

In 2017, the Institute of Education Sciences Regional Educational Laboratory Program published an article entitled, *What does recent research say about the effectiveness of school choice or voucher programs, particularly for economically disadvantaged students and their families?*¹⁸ Key takeaways include:

Charter Schools' Impact: Studies such as the one on Boston's charter high schools show positive outcomes on college preparation and choice, indicating that charter schools can have sustainable impacts on student success beyond short-term achievements. Another study presents a meta-analysis revealing that charter schools generally produce higher achievement gains in math compared to traditional public schools, although results vary greatly.

Small Public High Schools of Choice: Research on small public high schools of choice in New York City highlights significant increases in graduation rates for disadvantaged students, suggesting that small school size and personalized attention may contribute to their effectiveness.

Voucher Programs and Neighborhoods: Analysis of the Milwaukee Parental Choice Program finds that voucher programs often serve students from less advantaged neighborhoods and those attending lower-performing public schools, potentially offering them better educational opportunities.

Long-term Effects of Vouchers: An examination of a New York City voucher initiative shows no significant overall effects on college enrollment or degree attainment but highlights positive impacts for minority students and children of U.S.-born women, indicating that benefits may vary across different demographic groups.

Statewide Voucher Programs: A policy brief on the growth of statewide voucher programs in the U.S. outlines their expansion and calls for a closer examination of these programs' implications, suggesting a trend towards broader adoption of school vouchers.

School Choice Policy Landscape: A landscape analysis of school choice policies across states by the Council of Chief State School Officers underscores the diversity and expansion of school choice options, highlighting the importance of understanding the effects and outcomes of these policies.

Making School Choice Work: Research by the Center on Reinventing Public Education points to significant barriers that families face when navigating school choice options, including inadequate information and transportation, and suggests the need for more transparent and accountable systems to support all families effectively.

Housing Policy and Educational Opportunity: A study on the Baltimore Housing Mobility Program demonstrates how housing policy can facilitate access to higher-quality schools for disadvantaged students, indicating a potential pathway to improve educational outcomes through residential mobility.

Comprehensive Review of School Choice: A report by the Friedman Foundation for Educational Choice reviews empirical evidence on school choice, arguing that it generally leads to improvements in academic outcomes, fiscal efficiency, racial integration and civic values, although the magnitude of these benefits varies.

Magnet Schools and Voucher Program Evaluations: Further research explores the heterogeneity of magnet school effects and evaluates specific voucher programs, such as the Milwaukee Parental Choice Program, revealing mixed results but suggesting potential for positive impacts under certain conditions.

These summaries collectively highlight the complex and varied landscape of school choice and voucher programs, underscoring the importance of nuanced policy design and implementation to maximize their benefits for disadvantaged students and their families. In 2023, 20 states took action to expand school choice. The majority of 2023's school choice expansions were intended for all or almost all students. In January 2024, the National School Choice Awareness Foundation surveyed 2,595 parents in the United States.¹⁹ Among their findings, 72 percent considered new schools for their children last year compared to 52 percent in 2022, a 35 percent relative increase. Additionally, 64 percent of parents said they wish they had more information about education options for their children while just 29 percent felt the same school type works well for all children in their home. According to the monthly polling conducted by Morning Consult and commissioned by EdChoice,²⁰ nationally 69 percent of all adults and 73 percent of school parents support an ESA program as of February 2024.

Data from states that expanded school choice offerings highlight a trend suggesting most students participating in these programs were already enrolled in private schools or homeschooled prior to signing up for the publicly funded education subsidy.²¹ In Iowa, 60 percent of over 17,000 applicants were not enrolled in public schools before applying. In Florida, 69 percent of approximately 122,000 applicants were already in private schools at the time they applied, with another 18 percent being children entering Kindergarten for the first time. This left 13 percent of students who left public schools. Arizona, Indiana, Missouri, New Hampshire and Wisconsin indicate similar findings. There have been issues with accountability and reporting that make it challenging to fully understand the data. The trends, widely criticized by school choice opponents, at least signal that demands for state funds for the purpose of escaping poor-performing public schools may not be overwhelming. Nonetheless, much of the new legislation introduced this year appears to respond by either implementing requirements for immediately prior public school enrollment and/or restrictions against homeschooled students. Arizona's governor recently proposed a legislative package that would amend their school choice program to first require 100 days of public school attendance.²² The director of fiscal policy and analysis at EdChoice, Marty Lueken, reminds readers that the aim of school choice policy is not to facilitate departure from public schools but to ensure all families can comfortably provide children with the type of education they choose.

Implementing school choice has not been without controversy. In 2023, Education Voters of Pennsylvania studied 160 of the 800 schools eligible to receive donations offset by tax credits and found that all have policies discriminating on the basis of religion, LGBTQ+ status, disability and more.²³ Some of the recently introduced legislation attempts to address this by restricting participation of entities with such policies in place. A large complaint has been lack of accountability. As

mentioned, it has been challenging to identify data trends without clear, consistent standards and a lack of transparency around the process. This November an Arkansas coalition of education advocacy organizations (including the teachers' union) will be asking voters to support demands that all schools receiving tax dollars must comply with identical state academic standards and accreditation.²⁴ Some states (such as Pennsylvania and Tennessee) are introducing school choice legislation that appears to pre-empt these concerns with detailed requirements regarding assessments and curriculum content. Most (12 out of 18) of the new school choice bills identified require a standardized assessment. This addresses another accountability concern around emerging data that there may be a mismatch between how school choice parents think their kids are doing and how well they are actually doing. Liz Cohen, policy director for FutureEd, an independent think tank at Georgetown University, suggests, "To have an independent data point certainly seems like it would be helpful."²⁵ Parents are also at the center of financing accountability concerns: Arizona's ESA gave taxpayer money on debit cards to parents with little oversight as to how it was spent.²⁶ Their ESA program is the oldest in the nation and overall has been associated with cases of fraud. This February the Arizona Attorney General filed indictments accusing multiple individuals of obtaining ESA funds for personal use.²⁷ Several new bills are now implementing strict expense accounting policies.

¹ Nevada Senate Bill 460

(<https://www.leg.state.nv.us/App/NELIS/REL/83rd2025/Bill/12863/Overview>)

² Nevada Revised Statutes Chapter 392

(<https://www.leg.state.nv.us/nrs/nrs-392.html>)

³ United States Code, 2012 Edition, Supplement 3, Title 20 - Education, Sec. 7912 - Unsafe school choice option

(<https://www.govinfo.gov/app/details/USCODE-2015-title20/USCODE-2015-title20-chap70-subchapVIII-partF-subpart2-sec7912>)

⁴ The Effect of Residential School Choice on Public High School Graduation Rates

(<https://manhattan.institute/article/the-effect-of-residential-school-choice-on-public-high-school-graduation-rates>);

Evaluation of the DC Opportunity Scholarship Program

(<https://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf>)

The Milwaukee Parental Choice Program's Effect on School Integration

(<https://files.eric.ed.gov/fulltext/ED531968.pdf>)

⁵ A Review of The Research on Parent Satisfaction in Private School Choice Programs

(<https://www.tandfonline.com/doi/abs/10.1080/15582159.2017.1395639?journalCode=wjsc20>)

⁶ Do Dropouts Drop Out Too Soon? Wealth, Health and Happiness from Compulsory Schooling

(<https://www.sciencedirect.com/science/article/abs/pii/S0047272707000138>)

Dropout Prevention and Intervention Programs for Improving School Completion Among School-Aged Children and Youth: A Systematic Review

(<https://www.journals.uchicago.edu/doi/10.5243/jsswr.2013.22>)

Dropping Out of School and Chronic Disease in The United States

(<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4164164/>)

Education and Health: Evaluating Theories and Evidence

(<https://www.nber.org/papers/w12352>)

Education Improves Public Health and Promotes Health Equity

(<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4691207/>)

Effects of School Dropout Prevention Programs for Pregnant and Parenting Adolescents: A Meta-Analytic Review

(<https://www.journals.uchicago.edu/doi/abs/10.5243/jsswr.2013.23>)

Mortality Attributable to Low Levels of Education in the United States

(<https://pubmed.ncbi.nlm.nih.gov/26153885/>)

Programs to Increase High School Completion: A Community Guide Systematic Health Equity Review

(<https://www.thecommunityguide.org/media/pdf/he-ajpm-evrev-highschoolcompletion.pdf>)

Reframing School Dropout as a Public Health Issue

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- (<https://pubmed.ncbi.nlm.nih.gov/17875251/>)
- Self-Rated Health and Mortality: Moderation by Purpose in Life
(<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10298417/>)
- Socioeconomic Status and Health: How Education, Income, and Occupation Contribute to Risk Factors for Cardiovascular Disease.
(<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1694190/>)
- The Big Payoff: Educational Attainment and Synthetic Estimates of Work-Life Earnings
(<https://www.census.gov/content/dam/Census/library/publications/2002/demo/p23-210.pdf>)
- The Costs and Benefits of an Excellent Education for All of America's Children
(<https://academiccommons.columbia.edu/doi/10.7916/D8CF9QG9>)
- The Links Between Education and Health
(<https://www.jstor.org/stable/2096319>)
- Understanding Differences in Health Behaviors by Education
(<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2824018/>)
- ⁷ Transportation Equity in a School Choice Program
(https://www.researchgate.net/publication/378946905_Transportation_Equity_in_a_School_Choice_Program)
- ⁸ Do Long Bus Rides Drive Down Academic Outcomes?
(<https://files.eric.ed.gov/fulltext/ED616857.pdf>)
- ⁹ Can School Buses Improve Access for Students Without Driving Down Academic Outcomes?
(<https://www.brookings.edu/articles/can-school-buses-improve-access-for-students-without-driving-down-academic-outcomes/>)
- ¹⁰ Tired of Commuting? Relationships among Journeys to School, Sleep, and Exercise among American Teenagers
(<https://journals.sagepub.com/doi/abs/10.1177/0739456X17725148?journalCode=jpea&>)
- ¹¹ HopSkipDrive
(<https://www.hopskipdrive.com/>)
- ¹² FutureEd Legislative Tracker: 2026 State Private School Choice Bills (Comprehensive Source)
(<https://www.future-ed.org/legislative-tracker-2026-state-private-school-choice-bills/>)
- ¹³ SchoolChoiceUSA: State-by-State School Choice Program Map
(<https://schoolchoiceusa.org/map>)
- ¹⁴ Maryland – Open Enrollment Proposal
(<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/sb0350>)
- ¹⁵ Learning Policy Institute
(<https://learningpolicyinstitute.org/>)
- ¹⁶ Office of Pupil-Centered Funding
(<https://doe.nv.gov/offices/office-of-pupil-centered-funding/>)
- ¹⁷ California Local Control Funding Formula
(<https://www.cde.ca.gov/fq/aa/lc/>)
- ¹⁸ What Does Recent Research Say About the Effectiveness of School Choice or Voucher Programs, Particularly for Economically Disadvantaged Students and Their Families?
(<https://ies.ed.gov/ncee/rel/Products/Region/midwest/Ask-A-REL/10164>)
- ¹⁹ New Survey: School Choice is K-12 Education's "New Normal"
(<https://schoolchoiceweek.com/survey/>)
- ²⁰ EdChoice Public Opinion Tracker: National Education
(<https://edchoice.morningconsultintelligence.com/>)
- ²¹ Most Students Getting New School Choice Funds Aren't Ditching Public Schools
(<https://www.edweek.org/policy-politics/most-students-getting-new-school-choice-funds-arent-ditching-public-schools/2023/10>)
- ²² Arizona Governor Proposes Overhauling School Vouchers to Address Growing Budget Deficit
(<https://www.edweek.org/policy-politics/most-students-getting-new-school-choice-funds-arent-ditching-public-schools/2023/10>)

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- ²³ Pennsylvania School Choice Program Criticized As 'Discriminatory' As Lawmakers Return to Session
(<https://apnews.com/article/pennsylvania-school-choice-report-discrimination-legislature-2e199599fc5200bc1cf12b895fa37aff>)
- ²⁴ Arkansas Educational Rights Amendment
(https://arkansasadvocate.com/wp-content/uploads/2024/02/2024-2-15_BT-Ed.-Const.-Amendment_v4_File-marked_substituted-measure_v2.pdf)
- ²⁵ As Private School Choice Grows, Critics Push for More Guardrails
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- ²⁶ ESA Debit Cards to Be Canceled For Arizona Parents Who Improperly Use Them, Horne Says
(<https://ktar.com/story/5470076/esa-debit-cards-to-be-canceled-for-improper-use-in-arizona/>)
- ²⁷ Attorney General Mayes Announces Indictments in ESA Program
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