



# Does School Choice Need Bipartisan Support? An Empirical Analysis of the Legislative Record

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## Key Points

- Although private school choice has historically been a Republican priority, education reform organizations often use strategies intended to appeal to Democratic lawmakers and interest groups.
- Among 70 votes held on final passage for private school choice legislation, Democrats provided only 381 “yes” votes compared to 2,844 Republican “yes” votes.
- There were only three votes out of 70 in which Republicans needed any Democratic votes to reach a 50 percent threshold in a state house or senate.
- Vouchers, tax-credit scholarships, and education scholarship accounts should be designed to increase the constituency for school choice and reflect the values of legislators who have been responsible for the existence of such programs.

Commentators and advocates have called 2021 the “Year of Educational Choice.”<sup>1</sup> Five state legislatures established new education savings accounts. Arkansas and Ohio enacted new tax-credit scholarships. Meanwhile, lawmakers in another dozen states passed bills to expand 21 existing private choice programs.

Most states swept up in the school choice wave have Republican-dominated legislatures. Of the 18 states that passed or expanded new programs, only two had houses and senates led by the Democratic Party.<sup>2</sup> This shouldn’t be surprising, given that private school choice has historically been a Republican priority. What is surprising, however, is that education reform organizations have traditionally supported school choice initiatives through political and public affairs strategies explicitly intended to appeal to Democrats.

Prominent choice supporters confidently assert that “we have no chance of winning if we cannot form and sustain a broad-based movement that represents a large set of constituencies.”<sup>3</sup> Others contend the choice

movement “has a lot more credibility and potential” if it’s seen as bipartisan.<sup>4</sup> Some even go so far as to say that education reform “should be inseparable” from progressive politics.<sup>5</sup> Five years ago, dozens of progressive education reformers signed an open letter apologizing for failing to elevate voices of marginalized communities—a clear political signal to comfort race-conscious advocates.<sup>6</sup>

Bipartisan strategies are intuitively appealing; cast a wide net and hope to catch many fish. Adherents to this strategy take Republican votes for granted. What the movement really needs, they reason, is for more Democrats to join the effort.

How are choice policies designed under the bipartisan approach? In a clear concession to the left flank of the reform coalition, model legislation<sup>7</sup> promoted by leading advocacy groups<sup>8</sup> includes mandates and means-tested student eligibility.<sup>9</sup>

There has long been a debate about whether school choice programs should be universal or means tested.

Republican-leaning activists favor universal programs. They reason that generous eligibility will unleash competitive pressures on public schools and build a stronger school choice constituency among middle-class voters. Democratic-leaning activists argue for limited programs, which restrict eligibility to students with low incomes or learning disabilities. Small programs also protect traditional public schools from competitive pressure, which satisfies a crucial Democratic interest group: teachers' unions.

In general, the bipartisan strategy has favored the Democratic Party's priorities and produced small choice programs. Participating students are required to take standardized tests so scholarship recipients face the same regulatory regime to which public systems are subjected. Scholarship amounts are kept low and the number of participants capped to prevent traditional public schools from being drained of resources.

Private schools are barred from receiving voucher funds if they teach creationism or other topics deemed objectionable.<sup>10</sup> As a condition for participating in the program, private schools may be forced to alter or abandon admission requirements altogether. All the while, bipartisan reformers assume the mantle of equity, social justice, and moral righteousness in their public communications.

Has this decades-old strategy of courting Democrats been effective? Conventional wisdom holds that choice programs cannot be enacted without a bipartisan coalition of reform-friendly Democrats. Yet this proposition has rarely been examined empirically.

A bipartisan strategy can only work if it succeeds in getting Democrats to vote for the bill. More specifically, it can only be defensible if it nets more votes than would an alternative strategy focusing on Republican values and constituencies. Social justice messaging, targeted programs, and strict regulations may please funders and technocratic elites, but what if they fail to deliver Democratic votes in state legislatures?

Proponents of bipartisan strategies argue that small programs are better than nothing. After three decades of advocacy, private choice programs currently serve more than 500,000 students—roughly 1 percent of enrollment in K–12 public schools. But the counterfactual should also be considered. What if a different strategy could have connected *millions* of students with private school choice and built a more robust political

constituency invested in the benefits of choice? Given the momentum for school choice in state legislatures seen thus far in 2021, this is an essential question.

The extent to which Democrats have contributed to private choice victories is an empirical question, and it is the motivation for this report. Have Democratic lawmakers historically provided essential votes for private choice programs, or would Republicans have been better off to “go it alone” and forgo the Democratic appeals? The answers are instructive for future efforts.

## Gathering Data on School Choice Programs

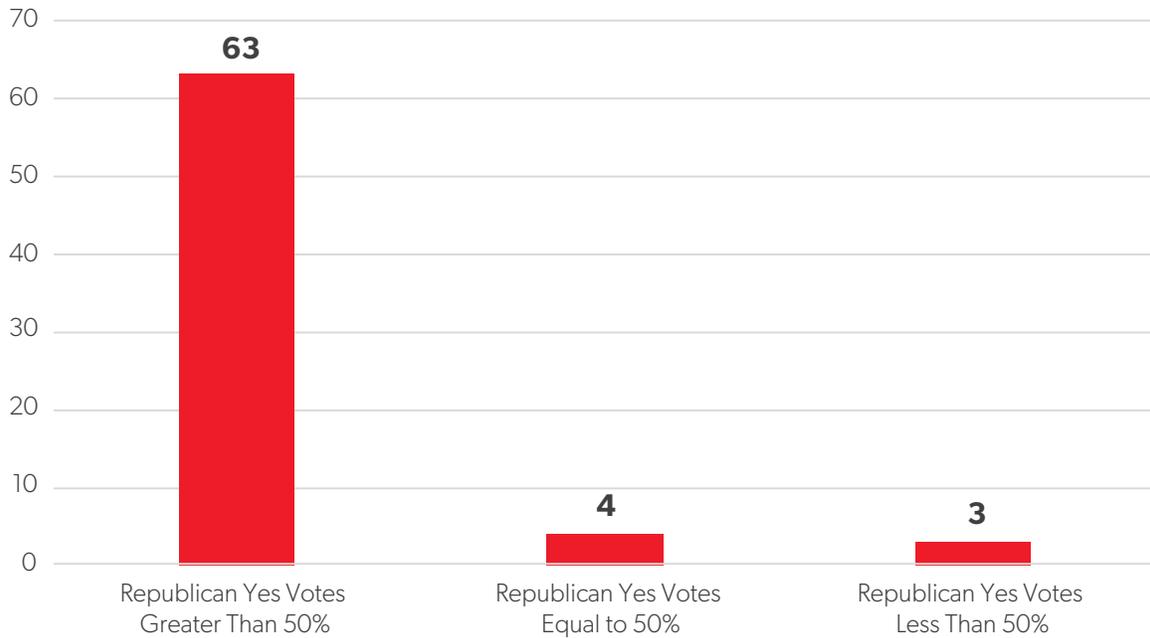
We began by identifying all active private choice programs in the United States, dating back to 1990 and up to those enacted during the most recent legislative sessions. Using EdChoice's “School Choice in America” data dashboard,<sup>11</sup> we recorded the year when each program was initially passed. From there, we searched government websites, legislative journals, and newspaper articles to identify the bill number associated with each program.

Once we collected the bill number, we searched legislative archives to identify roll call votes for each bill, on final passage, in the state house and senate chambers to examine who voted for and against. Appendix Table A5 includes citations for roll call votes in our analysis. Our interest was in legislation that authorized creation of a new program. Although subsequent expansions of choice programs are common, they are outside the scope of this report.

We identified 35 private choice programs in 22 states that were authorized through stand-alone legislation.<sup>12</sup> Because each bill received final passage in two legislative bodies, our total analytic sample is 70 vote tallies. Table A1 lists the programs included in our analysis. Programs passed through state budget legislation or other omnibus education reform bills are identified as such, and they were not included in our analysis or discussion.

Tables A2 and A3 show whether private choice bills had bipartisan support in house and senate chambers, respectively. We recorded how many Democrats and Republicans voted yes, no, or absent on final passage. The column titled “Percentage Yes” indicates how many lawmakers of both parties voted in favor of the bill.<sup>13</sup>

**Figure 1. Number of House and Senate Votes for Private School Choice Legislation**



Source: Authors' research.

Most importantly, we explored whether the number of Republican “yes” votes would have been sufficient to pass each bill on a strictly partisan basis. The column titled “Percentage Yes Without Democratic Support” calculates whether the bill would have passed if all Democrats voted no. The difference between these two columns shows the influence of Democratic choice supporters.

If private school choice truly needed to be a bipartisan project, Republican “yes” votes alone would not have been sufficient to produce majorities and advance bills through the legislature.

## Results

Our results show that a bipartisan coalition of Republicans and Democrats has not been necessary to enact school choice. Of 70 votes held on final passage for private school choice legislation, there were only three instances when Republicans needed any Democratic votes to reach the 50 percent threshold (Louisiana in both chambers in 2008 and the Utah Senate in 2020). On four separate occasions, Republicans provided enough votes to reach exactly 50 percent on their own (the Arizona Senate in 1997, Iowa Senate in 2006,

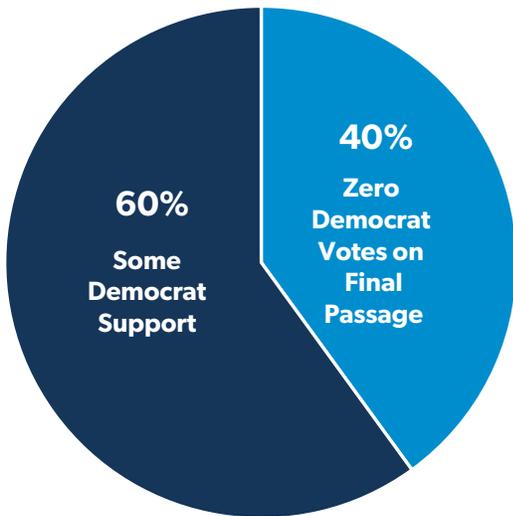
Oklahoma House in 2010, and Virginia Senate in 2012). In the vast majority of final passage votes, Republican alone could have carried the day. (See Figure 1.)

On 12 occasions, in the house chambers, Republicans passed school choice bills without one Democratic “yes” vote. In the senates, Republicans passed school choice bills without any Democratic “yes” votes 16 times. Thus, in 40 percent of these votes, Democratic lawmakers were united in complete opposition (Figure 2). Further, there were only 12 roll calls out of 70 in which Democrats provided double-digit affirmative votes for the program.

The Democratic Party’s resistance to school choice does not appear to be weakening over time. Of the four stand-alone programs passed in 2021—an Arkansas tax-credit scholarship and education scholarship accounts in Kentucky, Missouri, and West Virginia—Democrats did not provide a single affirmative vote in either chamber.

The finding that Republicans are more supportive of school choice than Democrats may come as little surprise to observers of education politics. Yet the magnitude of the partisan differences is striking. In Table A4, we show that Republicans have been significantly more likely to vote for private choice programs. In all 70 bills, Democrats provided 381 “yes” votes, while there were

**Figure 2. Percentage of Choice Programs Passed Without Democratic Votes**



Source: Authors' research.

2,844 Republican “yes” votes. In the houses, 17 percent of the average Democratic caucus voted yes compared to 85 percent of the average Republican caucus. In the senates, on average, only 24 percent of the Democratic caucus voted yes compared to 88 percent of the Republican caucus. (See Figure 3.) Moreover, much of the

paltry Democratic support for private choice was concentrated in two modest Mississippi voucher programs that serve fewer than 250 students per year.<sup>14</sup>

Finally, these programs were overwhelmingly enacted with signatures of Republican governors. Thirty-one bills were signed by Republican governors compared to just two that were signed by Democratic governors. Additionally, two programs passed when Republican legislators overrode a Democratic governor’s veto.

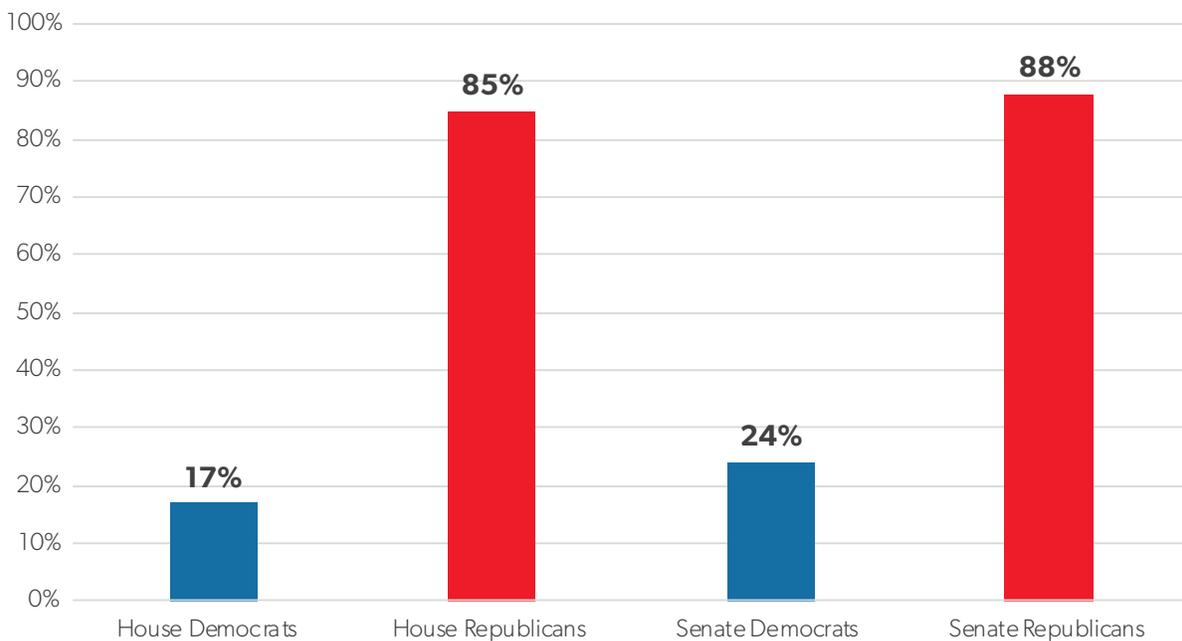
### Discussion

Our findings challenge conventional wisdom about how to design private school choice legislation and assemble winning reform coalitions.

The disconnect between the values of many education reform advocates and the lawmakers who vote for programs has been evident for years.<sup>15</sup> Nowhere is this clearer, however, than in school choice.

Given that Democrats have provided negligible legislative support, we believe it is a strategic error for nonprofits, foundations, and other external groups to continue employing the language and policy preferences of the Democratic Party. School choice supporters should always welcome Democrats who back plans to expand educational freedom, but they should

**Figure 3. Support for School Choice Programs by Caucus and Chamber**



Source: Authors' research.

welcome those Democrats to plans developed to serve Republican priorities. There is no need to significantly compromise those priorities to win over Democrats.

Some school choice advocacy organizations have made a strategic choice to staff their communications and public affairs relations branches with former Democratic operatives and individuals who cut a clear far-left profile on social media. Other organizations have thrown substantial money into Democratic primaries. Given that Democratic support has almost never been necessary for passage, these tactics are at best a waste of resources. But beyond the opportunity cost, these efforts risk alienating the Republican legislators whose support is essential to passing choice programs.

The present banner year notwithstanding, school choice bills are usually defeated in statehouses across the country. They are often watered down through the legislative process—often in the hopes of appeasing Democratic politicians and interest groups.

Other times, bills are initially drafted with highly compromised details about eligibility, accountability, and funding. Perhaps this has been the wrong approach. A strategy more aligned with Republican values and constituents could produce more robust and successful programs. Adopting the language and policy preferences of the Democratic Party may be suitable for fundraising purposes, but this approach has come at the profound cost of limiting the number of students who may benefit from school choice.

Instead of targeting bills only to children with household incomes at or near the poverty level, in an appeal to Democratic priorities, programs could be crafted with more expansive or universal eligibility. Rather than limiting average scholarship values to avoid Democratic critiques about “draining funds from neighborhood schools,” scholarships could be generous enough for parents to select from a range of eligible private schools. Instead of mandating that choice participants take the same public school assessments, accountability requirements other than state tests could be developed to satisfy parents fatigued with standardized tests. In fact, all

requirements on participating private schools could be minimized.

The growing influence of critical race theory (CRT) in traditional public schools increases the need to correctly identify effective coalitions. Intellectuals may debate whether school choice is *the* solution to the rise of CRT, but surely school choice can be *part* of the solution.<sup>16</sup> The question is: Will advocates double down on the bipartisan approach—which generally yields small, heavily regulated programs—or will they chart a new course? An even more pointed question is whether the school choice movement will drift further into actively embracing CRT, an ideology that is toxic to politicians who have been single-handedly responsible for the existence of school choice.

Excessive school closures throughout 2020 likely contributed to a favorable climate for school choice victories in 2021. Likewise, legitimate concern over CRT, race essentialism, and the 1619 Project in neighborhood schools presents a greater opportunity for choice victories in 2022 and beyond. Education reformers must choose whether to pursue policies that maximize their chances of legislative success—or to continue chasing the white whale of Democratic legislators.

To be clear, we do not suggest that anyone should be excluded from the education reform coalition. No one should be cast aside or excommunicated. But advocates for choice should be clear-eyed about the types of lawmakers who have historically done the heavy lifting on the house and senate floors.

Most advocates who we know support school choice because they believe it is a tool that can help children from all backgrounds reach their fullest potential. A new strategy could make the most recent “Year of Educational Choice” look modest by comparison—and could pave the way to connect more kids with the educational experience they need. Conversely, there is a danger that the school choice movement could stall—or even unravel—if it commits to policy designs and rhetorical appeals that alienate the Republican Party. This is what hangs in the balance.

## About the Authors

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# Appendix

**Table A1. All Active Private Choice Programs**

State	Program	Enacted	Bill	Included in Analysis
Alabama	Education Scholarship Program	2013	HB 84	Yes
Arizona	Original Individual Income Tax Credit Scholarship Program	1997	HB 2074	Yes
Arizona	Low-Income Corporate Income Tax Credit Scholarship Program	2006	SB 1499	Yes
Arizona	Lexie's Law for Disabled and Displaced Students Tax Credit Scholarship Program	2009	HB 2001	Yes
Arizona	Empowerment Scholarship Accounts	2011	SB 1553	Yes
Arizona	"Switcher" Individual Income Tax Credit Scholarship Program	2012	SB 1048	Yes
Arkansas	Succeed Scholarship Program	2015	HB 1552	Yes
Arkansas	The Philanthropic Investment in Arkansas Kids Program	2021	SB 680	Yes
Florida	John M. McKay Scholarships for Students with Disabilities Program	1999	Omnibus	No
Florida	Florida Tax Credit Scholarship Program	2001	Omnibus	No
Florida	Gardiner Scholarship Program	2014	Omnibus	No
Florida	Hope Scholarship Program	2018	Omnibus	No
Florida	Family Empowerment Scholarship Program	2019	S 7070	Yes
Georgia	Georgia Special Needs Scholarship Program	2007	SB 10	Yes
Georgia	Qualified Education Expense Tax Credit	2008	HB 1133	Yes
Illinois	Invest in Kids Program	2017	Budget	No
Indiana	School Scholarship Tax Credit	2009	Budget	No
Indiana	Choice Scholarship Program	2011	HB 1003	Yes
Indiana	Education Scholarship Account Program	2021	Budget	No
Iowa	School Tuition Organization Tax Credit	2006	SF 2409	Yes
Kansas	Tax Credit for Low-Income Students Scholarship Program	2014	HB 2506	Yes
Kentucky	Educational Opportunity Account Program	2021	HB 563	Yes
Louisiana	Louisiana Scholarship Program	2008	HB 976	Yes
Louisiana	School Choice Program for Certain Students with Exceptionalities	2010	HB 216	Yes
Louisiana	Tuition Donation Credit Program	2012	HB 969	Yes
Maryland	Broadening Options and Opportunities for Students Today Program	2016	Budget	No
Mississippi	Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program	2012	HB 1031	Yes
Mississippi	Nate Rogers Scholarship for Students with Disabilities Program	2013	HB 896	Yes
Mississippi	Equal Opportunity for Students with Special Needs Program	2015	SB 2695	Yes
Missouri	Empowerment Scholarship Accounts Program	2021	HB 349	Yes
Montana	Tax Credits for Contributions to Student Scholarship Organizations	2015	SB 410	Yes
Nevada	Nevada Educational Choice Scholarship Program	2015	AB 165	Yes
New Hampshire	Education Tax Credit Program	2012	SB 372	Yes
New Hampshire	Education Freedom Account Program	2021	Budget	No

North Carolina	Opportunity Scholarships	2013	Budget	No
North Carolina	Special Education Scholarship Grants for Children with Disabilities	2013	H 269	Yes
North Carolina	Personal Education Savings Accounts	2017	Budget	No
Ohio	Cleveland Scholarship Program	1995	Budget	No
Ohio	Autism Scholarship Program	2003	Budget	No
Ohio	Educational Choice Scholarship Program	2005	Budget	No
Ohio	Jon Peterson Special Needs Scholarship Program	2011	Budget	No
Ohio	Income-Based Scholarship Program	2013	Budget	No
Ohio	After-School Child Enrichment Savings Account Program	2021	Budget	No
Ohio	Tax Credit Scholarship Program	2021	Budget	No
Oklahoma	Lindsey Nicole Henry Scholarships for Students with Disabilities	2010	HB 3393	Yes
Oklahoma	Oklahoma Equal Opportunity Education Scholarships	2011	SB 969	Yes
Pennsylvania	Educational Improvement Tax Credit Program	2001	Omnibus	No
Pennsylvania	Opportunity Scholarship Tax Credit Program	2012	Omnibus	No
Rhode Island	Tax Credits for Contributions to Scholarship Organizations	2006	Budget	No
South Carolina	Educational Credit for Exceptional Needs Children Fund	2013	Budget	No
South Dakota	Partners in Education Tax Credit Program	2016	SB 159	Yes
Tennessee	Individualized Education Account Program	2015	SB 27	Yes
Tennessee	Education Savings Account Pilot Program	2019	HB 939	Yes
Utah	Carson Smith Special Needs Scholarship Program	2005	HB 249	Yes
Utah	Special Needs Opportunity Scholarship Program	2020	HB 4003	Yes
Virginia	Education Improvement Scholarships Tax Credits Program	2012	HB 321	Yes
Washington, DC	DC Opportunity Scholarship Program	2004	Budget	No
West Virginia	Hope Scholarship Program	2021	HB 2013	Yes
Wisconsin	Milwaukee Parental Choice Program	1990	Budget	No
Wisconsin	Parental Private School Choice Program (Racine)	2011	Budget	No
Wisconsin	Parental Choice Program (Statewide)	2013	Budget	No
Wisconsin	Special Needs Scholarship Program	2015	Budget	No

Source: Authors' calculations.

**Table A2. House Votes**

State	Enacted	Bill	D, Yes	D, No	D, No Vote	R, Yes	R, No	R, No Vote	Percentage Yes	Percentage Yes Without Democratic Support
Alabama	2013	HB 84	1	19	17	50	7	9	66.2%	64.9%
Arizona	1997	HB 2074	1	20	1	30	8	0	52.5%	50.8%
Arizona	2006	SB 1499	0	21	0	33	5	0	55.9%	55.9%
Arizona	2009	HB 2001	0	25	0	35	0	0	58.3%	58.3%
Arizona	2011	SB 1553	0	19	1	40	0	0	67.8%	67.8%
Arizona	2012	SB 1048	2	16	2	38	0	1	71.4%	67.9%
Arkansas	2015	HB 1552	23	0	1	67	0	0	100.0%	74.4%
Arkansas	2021	SB 680	0	20	2	52	20	6	56.5%	56.5%
Florida	2019	S 7070	6	39	1	70	0	1	66.1%	60.9%
Georgia	2007	SB 10	1	69	3	89	13	3	52.3%	51.7%
Georgia	2008	HB 1133	8	57	8	82	16	6	55.2%	50.3%
Indiana	2011	HB 1003	0	38	2	56	4	0	57.1%	57.1%
Iowa	2006	SF 2409	26	18	5	49	1	1	79.8%	52.1%
Kansas	2014	HB 2506	0	31	2	63	26	3	52.5%	52.5%
Kentucky	2021	HB 563	0	21	4	51	21	3	54.8%	54.8%
Louisiana	2008	HB 976	12	32	1	47	10	1	58.4%	46.5%
Louisiana	2010	HB 216	30	14	2	48	1	7	83.9%	51.6%
Louisiana	2012	HB 969	11	33	1	55	3	0	64.7%	53.9%
Mississippi	2012	HB 1031	52	0	1	66	0	3	100.0%	55.9%
Mississippi	2013	HB 896	47	3	1	64	4	1	94.1%	54.2%
Mississippi	2015	SB 2695	5	44	3	60	7	2	56.0%	51.7%
Missouri	2021	HB 349	0	40	8	82	31	1	53.6%	53.6%
Montana	2015	SB 410	0	41	0	58	1	0	58.0%	58.0%
Nevada	2015	AB 165	0	17	0	25	0	0	59.5%	59.5%
New Hampshire	2012	SB 372	2	92	9	234	16	40	68.6%	68.0%
North Carolina	2013	H 269	4	36	4	72	0	4	67.9%	64.3%
Oklahoma	2010	HB 3393	4	33	1	50	13	0	54.0%	50.0%
Oklahoma	2011	SB 969	3	27	1	61	6	3	66.0%	62.9%
South Dakota	2016	SB 159	4	8	0	41	15	2	66.2%	60.3%
Tennessee	2015	SB 27	1	24	0	51	19	0	54.7%	53.7%
Tennessee	2019	HB 939	1	25	0	50	21	0	52.6%	51.5%
Utah	2005	HB 249	5	15	0	53	2	0	77.3%	70.7%
Utah	2020	HB 4003	0	16	0	40	18	1	54.1%	54.1%
Virginia	2012	HB 321	2	29	2	55	8	3	60.6%	58.5%
West Virginia	2021	HB 2013	0	23	0	57	19	0	57.6%	57.6%

Source: Authors' calculations.

**Table A3. Senate Votes**

State	Enacted	Bill	D, Yes	D, No	D, No Vote	R, Yes	R, No	R, No Vote	Percentage Yes	Percentage Yes Without Democratic Support
Alabama	2013	HB 84	1	11	0	21	0	0	66.7%	63.6%
Arizona	1997	HB 2074	1	11	0	15	3	0	53.3%	50.0%
Arizona	2006	SB 1499	0	11	1	16	2	0	55.2%	55.2%
Arizona	2009	HB 2001	0	10	2	17	1	0	60.7%	60.7%
Arizona	2011	SB 1553	0	7	2	21	0	0	75.0%	75.0%
Arizona	2012	SB 1048	9	0	0	19	1	1	96.6%	65.5%
Arkansas	2015	HB 1552	11	0	0	22	0	0	100.0%	66.7%
Arkansas	2021	SB 680	0	6	1	24	0	3	80.0%	80.0%
Florida	2019	S 7070	0	17	0	23	0	0	57.5%	57.5%
Georgia	2007	SB 10	0	21	1	31	2	1	57.4%	57.4%
Georgia	2008	HB 1133	1	20	1	31	0	3	61.5%	59.6%
Indiana	2011	HB 1003	0	13	0	28	9	0	56.0%	56.0%
Iowa	2006	SF 2409	24	1	0	25	0	0	98.0%	50.0%
Kansas	2014	HB 2506	0	8	0	22	8	2	57.9%	57.9%
Kentucky	2021	HB 563	0	7	1	23	7	0	62.2%	62.2%
Louisiana	2008	HB 976	7	8	0	17	7	0	61.5%	43.6%
Louisiana	2010	HB 216	5	6	8	15	2	3	71.4%	53.6%
Louisiana	2012	HB 969	11	4	0	22	2	0	84.6%	56.4%
Mississippi	2012	HB 1031	20	0	1	31	0	0	100.0%	60.8%
Mississippi	2013	HB 896	20	1	0	31	0	0	98.1%	59.6%
Mississippi	2015	SB 2695	2	17	1	28	1	1	62.5%	58.3%
Missouri	2021	HB 349	0	10	0	20	3	1	60.6%	60.6%
Montana	2015	SB 410	1	20	0	26	2	1	55.1%	53.1%
Nevada	2015	AB 165	0	9	1	10	0	0	52.6%	52.6%
New Hampshire	2012	SB 372	0	3	2	15	2	2	75.0%	75.0%
North Carolina	2013	H 269	9	6	0	27	0	6	85.7%	64.3%
Oklahoma	2010	HB 3393	0	21	1	25	1	0	53.2%	53.2%
Oklahoma	2011	SB 969	1	11	4	27	1	4	70.0%	67.5%
South Dakota	2016	SB 159	2	6	0	22	5	0	68.6%	62.9%
Tennessee	2015	SB 27	2	2	0	25	1	0	90.0%	83.3%
Tennessee	2019	HB 939	0	5	0	19	9	0	57.6%	57.6%
Utah	2005	HB 249	2	6	0	19	0	2	77.8%	70.4%
Utah	2020	HB 4003	1	5	0	14	9	0	51.7%	48.3%
Virginia	2012	HB 321	0	19	1	19	0	1	50.0%	50.0%
West Virginia	2021	HB 2013	0	11	0	20	2	1	60.6%	60.6%

Source: Authors' calculations.

**Table A4. Vote Totals and Percentages, House and Senate Combined**

State	Enacted	Bill	Percentage Yes, House Democrat	Percentage Yes, House Republican	Percentage Yes, Senate Democrat	Percentage Yes, Senate Republican	Total Yes Votes, Democratic	Total Yes Votes, Republican	Republican Governor
Alabama	2013	HB 84	3%	76%	8%	100%	2	71	Y
Arizona	1997	HB 2074	5%	79%	8%	83%	2	45	Y
Arizona	2006	SB 1499	0%	87%	0%	89%	0	49	N
Arizona	2009	HB 2001	0%	100%	0%	94%	0	52	Y
Arizona	2011	SB 1553	0%	100%	0%	100%	0	61	Y
Arizona	2012	SB 1048	10%	97%	100%	90%	11	57	Y
Arkansas	2015	HB 1552	96%	100%	100%	100%	34	89	Y
Arkansas	2021	SB 680	0%	67%	0%	89%	0	76	Y
Florida	2019	S 7070	13%	99%	0%	100%	6	93	Y
Georgia	2007	SB 10	1%	85%	0%	91%	1	120	Y
Georgia	2008	HB 1133	11%	79%	5%	91%	9	113	Y
Indiana	2011	HB 1003	0%	93%	0%	76%	0	84	Y
Iowa	2006	SF 2409	53%	96%	96%	100%	50	74	N
Kansas	2014	HB 2506	0%	68%	0%	69%	0	85	Y
Kentucky	2021	HB 563	0%	68%	0%	77%	0	74	Override
Louisiana	2008	HB 976	27%	81%	47%	71%	19	64	Y
Louisiana	2010	HB 216	65%	86%	26%	75%	35	63	Y
Louisiana	2012	HB 969	24%	95%	73%	92%	22	77	Y
Mississippi	2012	HB 1031	98%	96%	95%	100%	72	97	Y
Mississippi	2013	HB 896	92%	93%	95%	100%	67	95	Y
Mississippi	2015	SB 2695	10%	87%	10%	93%	7	88	Y
Missouri	2021	HB 349	0%	72%	0%	83%	0	102	Y
Montana	2015	SB 410	0%	98%	5%	90%	1	84	Y
Nevada	2015	AB 165	0%	100%	0%	100%	0	35	Y
New Hampshire	2012	SB 372	2%	81%	0%	79%	2	249	Override
North Carolina	2013	H 269	9%	95%	60%	82%	13	99	Y
Oklahoma	2010	HB 3393	11%	79%	0%	96%	4	75	Y
Oklahoma	2011	SB 969	10%	87%	6%	84%	4	88	Y
South Dakota	2016	SB 159	33%	71%	25%	81%	6	63	Y
Tennessee	2015	SB 27	4%	73%	50%	96%	3	76	Y
Tennessee	2019	HB 939	4%	70%	0%	68%	1	69	Y
Utah	2005	HB 249	25%	96%	25%	90%	7	72	Y
Utah	2020	HB 4003	0%	68%	17%	61%	1	54	Y
Virginia	2012	HB 321	6%	83%	0%	95%	2	74	Y
West Virginia	2021	HB 2013	0%	75%	0%	87%	0	77	Y
<b>Average/ Total</b>			<b>17%</b>	<b>85%</b>	<b>24%</b>	<b>88%</b>	<b>381</b>	<b>2,844</b>	

Source: Authors' calculations.

**Table A5. Roll Call Votes**

State	Program	Enacted	Bill	House Vote	Senate Vote
Alabama	Education Scholarship Program	2013	HB 84	<a href="https://legiscan.com/AL/rollcall/HB84/id/239263">https://legiscan.com/AL/rollcall/HB84/id/239263</a>	<a href="https://legiscan.com/AL/rollcall/HB84/id/239265">https://legiscan.com/AL/rollcall/HB84/id/239265</a>
Arizona	Original Individual Income Tax Credit Scholarship Program	1997	HB 2074	<a href="https://apps.azleg.gov/BillStatus/BillOverview/9410">https://apps.azleg.gov/BillStatus/BillOverview/9410</a>	<a href="https://apps.azleg.gov/BillStatus/BillOverview/9410">https://apps.azleg.gov/BillStatus/BillOverview/9410</a>
Arizona	Low-Income Corporate Income Tax Credit Scholarship Program	2006	SB 1499	<a href="https://apps.azleg.gov/BillStatus/BillOverview/22238">https://apps.azleg.gov/BillStatus/BillOverview/22238</a>	<a href="https://apps.azleg.gov/BillStatus/BillOverview/22238">https://apps.azleg.gov/BillStatus/BillOverview/22238</a>
Arizona	Lexie's Law for Disabled and Displaced Students Tax Credit Scholarship Program	2009	HB 2001	<a href="https://apps.azleg.gov/BillStatus/BillOverview/26716">https://apps.azleg.gov/BillStatus/BillOverview/26716</a>	<a href="https://apps.azleg.gov/BillStatus/BillOverview/26716">https://apps.azleg.gov/BillStatus/BillOverview/26716</a>
Arizona	Empowerment Scholarship Accounts	2011	SB 1553	<a href="https://apps.azleg.gov/BillStatus/BillOverview/29789">https://apps.azleg.gov/BillStatus/BillOverview/29789</a>	<a href="https://apps.azleg.gov/BillStatus/BillOverview/29789">https://apps.azleg.gov/BillStatus/BillOverview/29789</a>
Arizona	"Switcher" Individual Income Tax Credit Scholarship Program	2012	SB 1048	<a href="https://legiscan.com/AZ/rollcall/SB1048/id/155599">https://legiscan.com/AZ/rollcall/SB1048/id/155599</a>	<a href="https://legiscan.com/AZ/rollcall/SB1048/id/175529">https://legiscan.com/AZ/rollcall/SB1048/id/175529</a>
Arkansas	Succeed Scholarship Program	2015	HB 1552	<a href="https://legiscan.com/AR/rollcall/HB1552/id/417219">https://legiscan.com/AR/rollcall/HB1552/id/417219</a>	<a href="https://legiscan.com/AR/rollcall/HB1552/id/424964">https://legiscan.com/AR/rollcall/HB1552/id/424964</a>
Arkansas	The Philanthropic Investment in Arkansas Kids Program	2021	SB 680	<a href="https://legiscan.com/AR/rollcall/SB680/id/1058742">https://legiscan.com/AR/rollcall/SB680/id/1058742</a>	<a href="https://legiscan.com/AR/rollcall/SB680/id/1054271">https://legiscan.com/AR/rollcall/SB680/id/1054271</a>
Florida	Family Empowerment Scholarship Program	2019	S 7070	<a href="https://legiscan.com/FL/rollcall/S7070/id/855227">https://legiscan.com/FL/rollcall/S7070/id/855227</a>	<a href="https://legiscan.com/FL/rollcall/S7070/id/851794">https://legiscan.com/FL/rollcall/S7070/id/851794</a>
Georgia	Georgia Special Needs Scholarship Program	2007	SB 10	<a href="https://www.legis.ga.gov/legislation/20280">https://www.legis.ga.gov/legislation/20280</a>	<a href="https://www.legis.ga.gov/legislation/20280">https://www.legis.ga.gov/legislation/20280</a>
Georgia	Qualified Education Expense Tax Credit	2008	HB 1133	<a href="https://www.legis.ga.gov/legislation/23884">https://www.legis.ga.gov/legislation/23884</a>	<a href="https://www.legis.ga.gov/legislation/23884">https://www.legis.ga.gov/legislation/23884</a>
Indiana	Choice Scholarship Program	2011	HB 1003	<a href="https://legiscan.com/IN/rollcall/HB1003/id/58619">https://legiscan.com/IN/rollcall/HB1003/id/58619</a>	<a href="https://legiscan.com/IN/rollcall/HB1003/id/70622">https://legiscan.com/IN/rollcall/HB1003/id/70622</a>
Iowa	School Tuition Organization Tax Credit	2006	SF 2409	<a href="https://www.legis.iowa.gov/docs/publications/HJNL/20060502_HJNL.pdf">https://www.legis.iowa.gov/docs/publications/HJNL/20060502_HJNL.pdf</a>	<a href="https://www.legis.iowa.gov/docs/publications/SJNL/20060502_SJNL.pdf">https://www.legis.iowa.gov/docs/publications/SJNL/20060502_SJNL.pdf</a>
Kansas	Tax Credit for Low Income Students Scholarship Program	2014	HB 2506	<a href="https://legiscan.com/KS/rollcall/HB2506/id/352177">https://legiscan.com/KS/rollcall/HB2506/id/352177</a>	<a href="https://legiscan.com/KS/rollcall/HB2506/id/352176">https://legiscan.com/KS/rollcall/HB2506/id/352176</a>
Kentucky	Educational Opportunity Account Program	2021	HB 563	<a href="https://legiscan.com/KY/rollcall/HB563/id/1040147">https://legiscan.com/KY/rollcall/HB563/id/1040147</a>	<a href="https://legiscan.com/KY/rollcall/HB563/id/1040148">https://legiscan.com/KY/rollcall/HB563/id/1040148</a>
Louisiana	Louisiana Scholarship Program	2008	HB 976	<a href="https://www.legis.la.gov/legis/ViewDocument.aspx?d=789640">https://www.legis.la.gov/legis/ViewDocument.aspx?d=789640</a>	<a href="https://www.legis.la.gov/legis/ViewDocument.aspx?d=789473">https://www.legis.la.gov/legis/ViewDocument.aspx?d=789473</a>
Louisiana	School Choice Program for Certain Students with Exceptionalities	2010	HB 216	<a href="https://legiscan.com/LA/rollcall/HB216/id/15030">https://legiscan.com/LA/rollcall/HB216/id/15030</a>	<a href="https://legiscan.com/LA/rollcall/HB216/id/15031">https://legiscan.com/LA/rollcall/HB216/id/15031</a>
Louisiana	Tuition Donation Credit Program	2012	HB 969	<a href="https://legiscan.com/LA/rollcall/HB969/id/178502">https://legiscan.com/LA/rollcall/HB969/id/178502</a>	<a href="https://legiscan.com/LA/rollcall/HB969/id/186515">https://legiscan.com/LA/rollcall/HB969/id/186515</a>
Mississippi	Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program	2012	HB 1031	<a href="https://legiscan.com/MS/rollcall/HB1031/id/173084">https://legiscan.com/MS/rollcall/HB1031/id/173084</a>	<a href="https://legiscan.com/MS/rollcall/HB1031/id/183517">https://legiscan.com/MS/rollcall/HB1031/id/183517</a>
Mississippi	Nate Rogers Scholarship for Students with Disabilities Program	2013	HB 896	<a href="https://legiscan.com/MS/rollcall/HB896/id/230536">https://legiscan.com/MS/rollcall/HB896/id/230536</a>	<a href="https://legiscan.com/MS/rollcall/HB896/id/248790">https://legiscan.com/MS/rollcall/HB896/id/248790</a>
Mississippi	Equal Opportunity for Students with Special Needs Program	2015	SB 2695	<a href="https://legiscan.com/MS/rollcall/SB2695/id/409135">https://legiscan.com/MS/rollcall/SB2695/id/409135</a>	<a href="https://legiscan.com/MS/rollcall/SB2695/id/418737">https://legiscan.com/MS/rollcall/SB2695/id/418737</a>
Missouri	Empowerment Scholarship Accounts Program	2021	HB 349	<a href="https://legiscan.com/MO/rollcall/HB349/id/1015425">https://legiscan.com/MO/rollcall/HB349/id/1015425</a>	<a href="https://www.senate.mo.gov/21info/Journals/RDay6205061339-1440.pdf">https://www.senate.mo.gov/21info/Journals/RDay6205061339-1440.pdf</a>
Montana	Tax Credits for Contributions to Student Scholarship Organizations	2015	SB 410	<a href="https://legiscan.com/MT/rollcall/SB410/id/438792">https://legiscan.com/MT/rollcall/SB410/id/438792</a>	<a href="https://legiscan.com/MT/rollcall/SB410/id/438561">https://legiscan.com/MT/rollcall/SB410/id/438561</a>

Nevada	Nevada Educational Choice Scholarship Program	2015	AB 165	<a href="https://legiscan.com/NV/rollcall/AB165/id/446187">https://legiscan.com/NV/rollcall/AB165/id/446187</a>	<a href="https://legiscan.com/NV/rollcall/AB165/id/446188">https://legiscan.com/NV/rollcall/AB165/id/446188</a>
New Hampshire	Education Tax Credit Program	2012	SB 372	<a href="https://legiscan.com/NH/rollcall/SB372/id/205734">https://legiscan.com/NH/rollcall/SB372/id/205734</a>	<a href="https://legiscan.com/NH/rollcall/SB372/id/198753">https://legiscan.com/NH/rollcall/SB372/id/198753</a>
North Carolina	Special Education Scholarship Grants for Children with Disabilities	2013	H 269	<a href="https://legiscan.com/NC/rollcall/H269/id/279582">https://legiscan.com/NC/rollcall/H269/id/279582</a>	<a href="https://legiscan.com/NC/rollcall/H269/id/296696">https://legiscan.com/NC/rollcall/H269/id/296696</a>
Oklahoma	Lindsey Nicole Henry Scholarships for Students with Disabilities	2010	HB 3393	<a href="http://www.oklegislature.gov/BillInfo.aspx?Bill=hb3393&amp;Session=1000">http://www.oklegislature.gov/BillInfo.aspx?Bill=hb3393&amp;Session=1000</a>	<a href="https://oksenate.gov/sites/default/files/journals/sj20100526.pdf">https://oksenate.gov/sites/default/files/journals/sj20100526.pdf</a>
Oklahoma	Oklahoma Equal Opportunity Education Scholarships	2011	SB 969	<a href="https://legiscan.com/OK/rollcall/SB969/id/73739">https://legiscan.com/OK/rollcall/SB969/id/73739</a>	<a href="https://legiscan.com/OK/rollcall/SB969/id/76875">https://legiscan.com/OK/rollcall/SB969/id/76875</a>
South Dakota	Partners in Education Tax Credit Program	2016	SB 159	<a href="https://legiscan.com/SD/rollcall/SB159/id/515488">https://legiscan.com/SD/rollcall/SB159/id/515488</a>	<a href="https://legiscan.com/SD/rollcall/SB159/id/506444">https://legiscan.com/SD/rollcall/SB159/id/506444</a>
Tennessee	Individualized Education Account Program	2015	SB 27	<a href="https://legiscan.com/TN/rollcall/SB0027/id/438377">https://legiscan.com/TN/rollcall/SB0027/id/438377</a>	<a href="https://legiscan.com/TN/rollcall/SB0027/id/436222">https://legiscan.com/TN/rollcall/SB0027/id/436222</a>
Tennessee	Education Savings Account Pilot Program	2019	HB 939	<a href="https://legiscan.com/TN/rollcall/HB0939/id/856452">https://legiscan.com/TN/rollcall/HB0939/id/856452</a>	<a href="https://legiscan.com/TN/rollcall/HB0939/id/857164">https://legiscan.com/TN/rollcall/HB0939/id/857164</a>
Utah	Carson Smith Special Needs Scholarship Program	2005	HB 249	<a href="https://le.utah.gov/~2005/status/hbillsta/hb0249.003h.txt">https://le.utah.gov/~2005/status/hbillsta/hb0249.003h.txt</a>	<a href="https://le.utah.gov/~2005/status/hbillsta/hb0249.001s.txt">https://le.utah.gov/~2005/status/hbillsta/hb0249.001s.txt</a>
Utah	Special Needs Opportunity Scholarship Program	2020	HB 4003	<a href="https://legiscan.com/UT/rollcall/HB4003/id/956757">https://legiscan.com/UT/rollcall/HB4003/id/956757</a>	<a href="https://legiscan.com/UT/rollcall/HB4003/id/956758">https://legiscan.com/UT/rollcall/HB4003/id/956758</a>
Virginia	Education Improvement Scholarships Tax Credits Program	2012	HB 321	<a href="https://legiscan.com/VA/rollcall/HB321/id/187074">https://legiscan.com/VA/rollcall/HB321/id/187074</a>	<a href="https://legiscan.com/VA/rollcall/HB321/id/187076">https://legiscan.com/VA/rollcall/HB321/id/187076</a>
West Virginia	Hope Scholarship Program	2021	HB 2013	<a href="https://legiscan.com/WV/rollcall/HB2013/id/1021735">https://legiscan.com/WV/rollcall/HB2013/id/1021735</a>	<a href="https://legiscan.com/WV/rollcall/HB2013/id/1030324">https://legiscan.com/WV/rollcall/HB2013/id/1030324</a>

Source: Authors' calculations.

# Notes

1. Editorial Board, “School Choice Advances in the States,” *Wall Street Journal*, March 29, 2021, <https://www.wsj.com/articles/school-choice-advances-in-the-states-11617059660>; and Jason Bedrick, “The Year of Educational Choice Is Here,” EdChoice, July 1, 2021, <https://www.edchoice.org/engage/the-year-of-educational-choice-is-here/>.
2. For a count of the new and expanded programs in 2021, see Jason Bedrick and Ed Tarnowski, “How Big Was the Year of Educational Choice?,” *Education Next*, August 19, 2021, <https://www.educationnext.org/how-big-was-the-year-of-educational-choice/>. For partisan control of state legislatures, see National Conference of State Legislatures, “State Partisan Composition,” <https://www.ncsl.org/research/about-state-legislatures/partisan-composition.aspx#>.
3. Chris Stewart, “Education Needs a Bigger Tent, Not a Bigot Tent,” *Education Post*, May 25, 2021, <https://educationpost.org/education-needs-a-bigger-tent-not-a-bigot-tent/>.
4. Jennifer Wagner, “Blame the Left: Who Needs Bipartisanship Anyway?” EdChoice, November 5, 2019, <https://medium.com/educationchoice/blame-the-left-who-needs-bipartisanship-anyway-f75d08c81155>.
5. Kevin Carey, “How the Dems Lost on Education,” *American Prospect*, August 15, 2008, <https://prospect.org/features/dems-lost-education/>.
6. Justin C. Cohen, “An Open Letter,” Justin C. Cohen, May 26, 2016, <http://www.justinccohen.com/blog/2016/5/26/an-open-letter>.
7. American Federation for Children, “The Education Savings Account Act,” <https://www.federationforchildren.org/wp-content/uploads/2016/09/Model-Legislation-The-Education-Savings-Account-Act-2015.pdf>.
8. ExcelinEd, “Education Scholarship Accounts,” 2018, [https://excelined.org/wp-content/uploads/2018/05/ExcelinEd.PolicyToolkit.ESAs\\_ModelPolicy.2018.pdf](https://excelined.org/wp-content/uploads/2018/05/ExcelinEd.PolicyToolkit.ESAs_ModelPolicy.2018.pdf).
9. ExcelinEd, “The Great Schools Tax Credit Program Act,” 2018, [https://excelined.org/wp-content/uploads/2018/05/ExcelinEd.PolicyToolkit.ESAs\\_ModelPolicy.2018.pdf](https://excelined.org/wp-content/uploads/2018/05/ExcelinEd.PolicyToolkit.ESAs_ModelPolicy.2018.pdf).
10. Rebecca Klein, “Voucher Schools Championed by Betsy DeVos Can Teach Whatever They Want. Turns Out They Teach Lies,” *HuffPost*, December 20, 2017, [https://www.huffpost.com/entry/school-voucher-evangelical-education-betsy-devos\\_n\\_5a021962e4b04e96f0c6093c](https://www.huffpost.com/entry/school-voucher-evangelical-education-betsy-devos_n_5a021962e4b04e96f0c6093c).
11. EdChoice, “School Choice in America Dashboard,” March 1, 2021, <https://www.edchoice.org/school-choice-in-america-dashboard-scia/>.
12. One challenge for data collection was that school choice programs were not always enacted as stand-alone legislation. Choice initiatives may have been amended into wide-ranging budget legislation or other omnibus education bills. To the best of our ability, when we determined a choice program was passed inside of more expansive legislation, we excluded it from our analysis. Our goal was to document partisan voting patterns for lawmakers faced with enacting school choice programs exclusively. We did not want to muddy the analysis by evaluating how legislators voted on other topics.
13. Because each observation in our sample is a successfully enacted program, every value in this column exceeds 50 percent.
14. EdChoice, “Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program,” 2012, <https://www.edchoice.org/school-choice/programs/mississippi-dyslexia-therapy-scholarship-for-students-with-dyslexia-program/>.
15. Jay P. Greene and Frederick Hess, “Education Reform’s Deep Blue Hue,” *Education Next*, March 11, 2019, <https://www.educationnext.org/education-reform-deep-blue-hue-are-school-reformers-right-wingers-centrists-neither/>.
16. Robert Pondiscio, “No, School Choice Is Not the Answer to Critical Race Theory,” *Thomas B. Fordham Institute*, July 8, 2021, <https://fordhaminstitute.org/national/commentary/no-school-choice-not-answer-critical-race-theory>.

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