



# NHCSL

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS

## RESOLUTION No. 2025-08

### Rejecting Universal School Vouchers

Reported to the Caucus by the NHCSL Education Task Force  
Sen. Teresa Ruiz (NJ), Chair

**Sponsored by**  
**Rep. Adam Zabner (IA) and Sen. Flavio Bravo (AZ)**

Unanimously ratified by the Caucus on November 22, 2025

1   **WHEREAS**, the Supreme Court has long recognized the constitutionally protected  
2   right of every child in the United States to a free K-12 public education, highlighting  
3   its foundational role in individual opportunity and democratic participation;<sup>1</sup> and,

4   **WHEREAS**, every state's constitution mandates the creation of a public education  
5   system; and,

6   **WHEREAS**, public education is the cornerstone of a healthy democracy and the most  
7   powerful, equitable means for advancing opportunity, economic mobility, and civic  
8   engagement—especially for Latino, immigrant, and other marginalized communities;  
9   and,

10   **WHEREAS**, in Resolution 2023-09, Calling for More Community Schools, this Caucus  
11   affirmed “its commitment to remove barriers to academic success by embracing the  
12   community school approach for students, parents, families/caregivers, and educators  
13   to form partnerships with community leaders to provide the services they require for

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<sup>1</sup> *Plyler v. Doe*, 457 U.S. 202 (1982).

14 students to succeed" and urged "officials to transform existing public schools into  
15 community schools to better serve students, their parents and the community;" and,

16 **WHEREAS**, around 80% of all the country's pre-K-12 students attend traditional  
17 public schools, 10% attend private schools, 6.6% attend public charter schools, 2.8%  
18 are homeschooled, and 1% attend a virtual public school; and,

19 **WHEREAS**, in the 2023-24 school year, 14.6 million Hispanic students (around 93%)  
20 were enrolled in public pre-K-12 schools, making up 29.5% of all enrollees, the  
21 highest rate ever.<sup>2</sup> Of those, 9 out of 10 attended a traditional public school as  
22 opposed to a public charter school.<sup>3</sup> Conversely, as of the latest data,<sup>4</sup> only around 5%  
23 of Hispanic pre-K-12 students attend private schools and thus are only 12.1% of  
24 private school students. Half of those attend Catholic schools in which they make up  
25 18.1% of enrollees;<sup>5</sup> and,

26 **WHEREAS**, educational access remains a core national priority, and ongoing debates  
27 over school choice and educational funding present opportunities and challenges for  
28 expanding opportunity in equitable and inclusive ways; and,

29 **WHEREAS**, school voucher policy in the U.S. began with debates over educational  
30 choice in the mid-20th century. The modern voucher movement gained national  
31 attention around 1955 when free-market economist Milton Friedman proposed a  
32 system where government funds would follow students to the school of their choice,  
33 including private and religious institutions. The goal was to introduce market  
34 competition into the education system and provide families with more options; and,

35 **WHEREAS**, 33 states and Washington D.C. have some form of private school voucher  
36 program with 17 of those states offering voucher funding to families regardless of  
37 income, called "universal vouchers." Six states—New Hampshire, Indiana, Tennessee,  
38 Wyoming, Idaho and Texas—established or expanded to universal voucher programs  
39 in 2025; and,

40 **WHEREAS**, voucher programs are designed to increase educational opportunity;  
41 however, they are not subject to the same accountability standards as traditional  
42 public or charter schools—both of which receive public funds. Ensuring robust

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<sup>2</sup> A total of 49.5 million students were enrolled in public school in 2023. Only 2.8% of K-12 students were homeschooled as of 2019 the latest year with available data.

<sup>3</sup> Estimate based on the prior school year rate, the latest for which data is available. While Hispanics tend to be less or equally represented in public charter schools than in traditional public schools in most states, they are very overrepresented in public charter schools in 14 states (Florida, Illinois, Iowa, Massachusetts, Missouri, New York, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Wisconsin and Wyoming).

<sup>4</sup> 2021-22 school year.

<sup>5</sup> Only 1.9% of Hispanic K-12 students were homeschooled as of 2019 the latest year with available data.

43 accountability systems for all schools receiving public dollars is essential to  
44 protecting students and public trust; and,

45 **WHEREAS**, private schools are not required to disclose how they spend the funds  
46 they receive, measure their academic achievement, make their academic standards  
47 public, hold public meetings, or educate children with disabilities. Moreover, the  
48 absence of public accountability for voucher funds has contributed to rampant fraud,  
49 waste, and abuse in current voucher; and,

50 **WHEREAS**, private schools participating in universal voucher programs are not  
51 bound by the same key civil rights protections as public schools. Salient federal  
52 protections such as Title VI and Title IX of the Civil Rights Act of 1964 which protect  
53 against racial and sex discrimination, as well as components of the Individuals with  
54 Disabilities Education Act (IDEA) such as: Free appropriate public education (FAPE),  
55 IEP or 504 plans, and LRE mandates, are not federally mandated in private schools;  
56 and,

57 **WHEREAS**, private schools are not held to the same academic accountability  
58 standards as public schools. Moreover, private schools are not mandated to abide by  
59 the same teacher certification rules as public schools. Currently, public schools must  
60 hire certified teachers; however, the same cannot be said about private schools. Of 29  
61 states surveyed about their voucher systems in 2020, only 11 require that all teachers  
62 in participating private schools have a bachelor's degree and five states require that  
63 all teachers in participating private schools be licensed. These unfulfilled gaps in  
64 guaranteeing teacher quality are significant; and,

65 **WHEREAS**, students in voucher-funded schools also lack First Amendment rights,  
66 and, unless specifically tailored, may lack services and protections they receive in  
67 public schools, going so far as to refuse to offer services to students with special needs  
68 and English language learners; and,

69 **WHEREAS**, with a lack of comprehensive accountability, a voucher-funded private  
70 school is not required to offer Title III services, which encompasses English Language  
71 Learners services, if the school refuses to consult with Local Education Agencies that  
72 deliver ESEA programs. In the state of New York, the vast majority of Local Education  
73 Agencies did not provide any Title III ELL funding to private schools during the 2023-  
74 2024 school year, indicating that private schools often chose to opt out of these  
75 services. In California during the 2022-2023 school year, zero private schools  
76 participated in the Title III Immigrant Student Program; and,

77 **WHEREAS**, states may legislate their own protections to universal voucher laws. But,  
78 of the 62 active voucher programs in 2019 across 28 states, only 26 programs in 14  
79 states had explicitly included anti-discrimination protections in their state law  
80 establishing a voucher program. But fewer than half of state voucher programs have

81 language to safeguard student's federal protections. Protections of student's rights  
82 nationally across school choice programs remains a significant hurdle for students  
83 with disabilities being able to benefit from the program—highlighted by the  
84 Government Accountability Office leading to the publishing of guidance entitled,  
85 "Questions and Answers on Serving Children With Disabilities Placed by Their  
86 Parents in Private Schools;" and,

87 **WHEREAS**, there are myriad findings about the effectiveness of school vouchers on  
88 academic achievement and progress. Some evidence shows improvements in  
89 parental satisfaction. But programs in Louisiana, Indiana, and Ohio have shown no  
90 change or worse academic results than public schools. Additionally, voucher systems  
91 may give rise to isolation for recipients due to difficulties regarding transportation  
92 accessibility—especially in rural areas that do not often have nonpublic schools—  
93 leading to an exclusive environment. This is especially important in states such as  
94 Oklahoma, where 52% of their public schools are considered rural; and,

95 **WHEREAS**, in fact, on April 21, the Navajo Nation Council unanimously passed  
96 legislation opposing President Trump's Executive Order 14191, which encourages  
97 the use of federal education funds—including Bureau of Indian Education (BIE)  
98 resources—for private, charter, and religious schools; underscoring that 31 of the 66  
99 BIE-funded schools on the Navajo Nation are in rural, broadband-limited regions,  
100 making school choice policies both unfeasible and potentially harmful to Navajo  
101 students; and,

102 **WHEREAS**, in some states, such as Arizona, the expansion to universal vouchers has  
103 led to substantial increases in program costs with costs skyrocketing to over five  
104 times the original estimates. Some of these rising costs are due to 73% of ESA  
105 vouchers (under the universal program) being awarded to participants with no  
106 history in the public school system because they were in private schools to begin with.  
107 In FY 2026, enrollment for Arizona's pre-universal program is projected at 24,008  
108 students, with universal at 86,000 and over 5,000 pending applications. In sum, it will  
109 cost \$448 million to fund the pre-universal program and \$516 million for the  
110 universal program—totaling almost \$1 billion for the FY 2026 Arizona ESA program;  
111 and,

112 **WHEREAS**, other states are also dealing with the unaccountable consequences of  
113 universal voucher programs. For example, in Iowa, during the first two years of the  
114 program, of the students transferring from public schools, most would have been able  
115 to access private school without ESA support. Moreover, enrollment in Iowa's public  
116 schools was decreasing before implementation of their ESA program and has been  
117 accelerated since its establishment, provoking concerns about long term cuts to  
118 public school funding; and,

119 **WHEREAS**, narrowly tailored voucher programs that prioritize low-income students  
120 and students with disabilities can be of benefit if they coupled with strong protections  
121 for students and have long experience providing specialized programs beyond the  
122 capacity of public schools.<sup>6</sup>

123 **THEREFORE, BE IT RESOLVED**, that the National Hispanic Caucus of State  
124 Legislators (NHCSL) opposes the diversion of public funds to a federal or state  
125 universal school voucher program that lacks the same accountability standards or  
126 guarantees to a fair education as mandated to public schools; and,

127 **BE IT FURTHER RESOLVED**, that the above opposition to universal voucher  
128 programs still allows for narrowly tailored programs that prioritize low-income  
129 students and students with disabilities, while maintaining strong public school  
130 systems that serve over 90% of Latino students in primary and secondary school; and,

131 **BE IT FINALLY RESOLVED**, that NHCSL reaffirms its support for community schools  
132 and other data-driven solutions within public education, such as dual-language  
133 programs that increase student choice while remaining accountable to taxpayers and  
134 civil rights standards and provide a high-quality, free public education in a safe,  
135 inclusive, and welcoming environment.

136 IN ITS MEETING OF JULY 25, 2025, THE NHCSL EDUCATION TASK FORCE  
137 UNANIMOUSLY RECOMMENDED THIS RESOLUTION TO THE EXECUTIVE  
138 COMMITTEE FOR APPROVAL.

139 THE NHCSL EXECUTIVE COMMITTEE UNANIMOUSLY APPROVED THIS RESOLUTION  
140 ON AUGUST 5, 2025, AT ITS MEETING IN BOSTON, MA.

141 THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS UNANIMOUSLY  
142 RATIFIED THIS RESOLUTION AT ITS ANNUAL MEETING OF NOVEMBER 22, 2025 IN  
143 OKLAHOMA CITY, OKLAHOMA.

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<sup>6</sup> “[Studies](#) find the best results in urban settings, often from Catholic schools that have decades of experience serving immigrant communities and Black and Hispanic students.”