



Florida's Journey to a New Definition of Public Education?

By John F. Kirtley, founder and chairman of Step Up For Students

Presented May 7 at Harvard University's [Spring Research Conference on School Choice](#)

What is “public education”? When I ask most people that question, the answer I usually get back is “Well, John, it’s the public schools.”

But if you think about that definition, what they are really saying is: “Public education is raising taxpayer dollars to educate kids, giving every penny to school districts, having the districts run all the schools in a fairly uniform manner, and then assigning kids by their ZIP codes.”

This definition, which has been dominant in our country for over 100 years, works well for most students. It worked well for me. I graduated from a large urban public high school in Fort Lauderdale and received a great education.

But it doesn't work well for every kid. Is that old definition the right one for today? Consider the Miami-Dade public school district, which has roughly 300,000 students. Over 100 languages are spoken in its public schools. And if you drive from Overtown to Coral

Gables, you will see tremendous economic diversity as well. Can a one-size-fits-all, top-down- managed, assign- kids-by-ZIP-code system produce excellence for every kid? It's a lot to ask.

Fortunately, Florida has, since the mid-1990s, been on a journey toward a new definition of public education. That new definition: Raise taxpayer dollars to educate kids but then empower families to direct those dollars to different providers, and even different delivery methods, that best suit their individual children's learning needs. And then let them disaggregate the funds, so they don't have to be spent all in one place, like for tuition at a school.

Florida has now fully embraced this definition. We have open enrollment in school districts. We have hundreds of district magnet schools. We have one of the best charter school laws, with multiple authorizers. And we have the ultimate expression of the new definition: Today, every student in our state, regardless of income or geography, can now receive an education savings account equal to the per-pupil amount allocated to that student in the state budget. That money can be spent on private school tuition, but also on thousands of other approved educational products and services. Families can essentially customize, or curate, their children's educations to the fullest extent possible, using taxpayer funds.

What does public education in Florida look like today? There are roughly 3 million K-12 students in the state whose education is funded by the taxpayers. Today, over 50% of them do not attend their zoned public school. Over 50%. In Miami-Dade, our largest district, over 70% of K-12 students funded by the taxpayers do not attend their zoned public school. Of the students choosing, roughly half a

million are using private school scholarships; 400,000 are in charter schools, and the rest are in district-run schools of choice, which is the largest category.

Florida's progression to this new definition has been anything but sudden.

We had the old definition until the mid-1990s. There were a handful of magnet schools created in response to desegregation orders in the 70s and 80s. Florida passed its first charter law in 1996, signed by a Democratic governor, I might add.

Starting with the election of Jeb Bush in 1998, Florida's journey to the new definition began in earnest. The first taxpayer-funded voucher program began in 1999 as a part of Jeb's comprehensive K-12 reforms. It was a targeted program meant to spur improvement in the worst public schools. Public schools were graded for the first time. If a school received two F's in a four-year period, the student at that school would be eligible for a voucher to use at a private school. Less than a thousand students ever received a voucher, as very few schools received two F's. The program was struck down in 2005 by our state Supreme Court in a highly controversial decision.

Two other programs provided the initial engine for private school choice starting in 1999. The McKay Scholarship Program offered a tuition scholarship to any public school student with an IEP, equal to the amount the district spent on the student. Even though the eligible population of special needs students was roughly 400,000 across the state, the program never had more than roughly 30,000 students.

In 2014, the legislature created the nation's second education savings account, called the Gardiner Scholarship program. Arizona created the first one the year before. The Gardiner Scholarship was available to certain categories of unique abilities students, primarily those with more challenging situations. For the first time, funds were disaggregated; families could use these taxpayer funds to buy things other than private school tuition.

In 2021, the McKay and Gardiner programs were merged into one program to serve all students with an IEP, and every account was made into an education savings account. Interestingly, growth really took off after this move. We now have roughly 140,000 students on the ESA for unique abilities students, and it continues to grow at 20% per year. I suspect that once all students with an IEP were able to disaggregate funds, that spurred the growth rate. Parents of all these students now had the ability to customize their children's education.

The other engine of growth in private school choice was the Tax Credit Scholarship Program, created by the legislature in 2001. This program allowed companies that owed a certain type of Florida income taxes to receive 100% credit against those taxes for donations to a nonprofit giving tuition scholarships to low-income kids. Essentially, companies could redirect state taxes they owed to the scholarship program at no cost. This program started with a \$50 million annual cap, which helped 15,000 students in its first year. This program grew steadily until around 2017, when it hit a fundraising wall at around \$700 million per year, serving roughly 100,000 students. Initially, the demographics of the program were stark: Average household income of less than \$30,000 for a family of

four, and over 75% of students were Black or Hispanic. By 2017, the racial demographics were similar, and the average household income was still under \$50,000.

In his first week as governor in January 2019, Ron DeSantis had three picks to the state Supreme Court to replace age-mandated retirements. This was a hugely significant development for choice in Florida. In one week, Florida went from having probably the most activist state Supreme Court to the most constructionist. This eliminated the threat that a choice program would be eliminated by the court due to policy preferences.

In 2019, the legislature, urged by Gov. DeSantis, created a new scholarship program that essentially mirrored the tax credit program criteria, but was funded through the state budget rather than through tax credited donations. This allowed private school choice for low-income and now middle-income students to continue its growth.

The final, but critical addition: In 2023, the legislature made every K-12 student, regardless of income, eligible for an education savings account. We now had “universal” choice. Unlike other states like Texas, which have one program with different scholarship amounts for kids with IEPs, Florida has one program for kids with IEPs, another separate program for homeschooling students, and two programs with different funding sources that serve private school students. This makes the management of the programs much more complex.

Though several states claim to have “universal” ESA programs, where all K-12 students are eligible, to my knowledge, there are

really only four that are truly universal: Florida, Arizona, Iowa and West Virginia. The remainder of the states are universal in eligibility but restricted by funding caps. For example, the new Texas program has universal eligibility but is capped at \$1 billion in its first year. The program received applications for 250,000 students but will only be able to serve roughly 90,000 of them. Indiana and Ohio have universal tuition programs that are uncapped, but they are not ESAs.

This current school year, we have a total of roughly 520,000 students in Florida on ESAs across all programs, with scholarship value of over \$4 billion. Our nonprofit, Step Up For Students, manages 98% of them. It's quite a task. This school year, we will handle roughly 10 million transactions, including 1.5 million tuition payments, 3 million transactions on our online marketplace for educational goods and services, and 4 million reimbursements of purchases made by families with out-of-pocket funds. We processed applications for over 200,000 students in just the first three days. We have evolved to be part policy and advocacy nonprofit, part fintech company.

Now that the purchasing power in Florida has shifted from districts to families, we are seeing very interesting effects on the supply side of the equation. Since the beginning of private school choice in 2001, we have seen [literally hundreds of new private schools](#) started, many of them in low-income neighborhoods. Since 2012, there has been a [net growth](#) of 700 new private schools in the state. Many of them have been started by former public school educators, teachers, principals or both. There has always been demand for options from parents in low-income neighborhoods, but now that demand is funded, these parents can bring at minimum \$9,000 per

student. Unlike charter schools in Florida, these schools do not receive state or local funding for facilities, so they must be extremely entrepreneurial in their space creation. And yet they are creating. One of my favorite examples is called [Icon Academy](#) in Tampa. It started in 2018 as an elementary school. They now have a K-12 school in Tampa, a K12 school in Jacksonville, and a K12 school in Cleveland, where there is also a robust taxpayer-funded choice program. Total enrollment at all schools is 1,500 students. All of this was accomplished without any taxpayer funds for facilities. You can watch the [Icon Academy video](#) to learn more.

Unlike other states where Catholic schools are closing, we actually have [new ones opening](#) in Florida. We also have seen a robust expansion of [Orthodox Jewish schools](#) as well, with families moving to our state specifically to access the scholarship programs.

Many of these schools are what you would consider a traditional size, 100 students in kindergarten through fifth grade, often housed in a church building rented by the school. However, many are what we would consider “microschools,” sometimes with as few as 10 students or even fewer. There has been an explosion of these schools in Florida, many of which have also been started by public school educators. With even the poorest parents bringing \$9,000 per year, perhaps topped off by another thousand, it doesn’t take many students to create a viable business for one or two educators if they can find inexpensive space.

The Florida Legislature just made it easier to find such space. They just [passed a bill](#), which was signed into law by Gov. DeSantis, that removed often unnecessary and onerous local requirements that

prevented small private schools from operating. For example, if a building is zoned for a church, it is automatically now zoned for a microschool registered as a private school with the Florida Department of Education. Before this change, if an educator wanted to start a school in a church that held services for 500 people on Sunday, they would have to spend often over [\\$100,000 on fire protection upgrades](#) because local fire codes are different for schools than churches. I believe this change will rapidly increase the already strong trend of microschool creation in our state.

Another fascinating development on the supply side has been the explosion of what we call “à la carte” education providers. These are providers of specialized programs or services that are used by students who are not enrolled full time in a school. We have seen hundreds of these providers start or grow since scholarship funds have been disaggregated. We have roughly 150,000 students on scholarships who do not attend a school full time. Their parents are assembling their own educational programming, mixing and matching from an ever-expanding menu of providers. This year, over 7,000 à la carte providers in Florida received ESA funding, up from 1,900 two years prior. Many of them are tutors and therapists, but a growing number offer more specialized and innovative services. One provides biology lessons out in the forest. Another provides STEM lessons, including physics, at a skateboarding park. To read about these and other examples, I urge you to read Step Up’s [briefing on à la carte learning](#) and [watch the video](#).

One common message we hear from choice opponents is that these laws will not benefit — or they will even harm — rural communities. Opponents put forth two contradictory arguments: Choice programs

won't benefit rural communities, because there aren't any private schools to serve kids. Simultaneously, they claim that vouchers will decimate rural communities by siphoning off students and money from their few public schools, which they hail as the backbone of their rural areas.

Florida has proven this narrative about choice hurting rural areas to be false. Private schools are being created in these areas to meet demand. The number of private schools in Florida's rural counties has expanded over the past 20 years, from 69 to 120. Even in the most sparsely populated counties, funded choice is enabling supply to meet demand. Further, we are seeing growth in microschoools and à la carte providers in rural areas. But it has not decimated these areas. Over the past decade, private school enrollment's share in Florida's rural counties rose from 4.5 to 6.9%. At the same time, total enrollment in rural district schools grew by 3.3%.

Of course, we have a [video](#) and [white paper](#) on this topic for you as well.

To me, one of the most encouraging developments in our journeys has been the response of school districts. In Florida, every county is a district, so we have huge ones like Miami-Dade with 300,000 students, and small rural ones with 1,500. Almost all districts have responded to competition by creating options that parents want. Miami-Dade alone has created over 100 magnet schools, some of which are ranked among the best schools in the country. I am proud to say that after being labeled an "F" school for the first few years of grading, my own Fort Lauderdale High School rebranded as a pre-

law magnet and is now an A school every year with a national champion debate team.

Another encouraging response from school districts: [50 of 67 districts are now offering classes and services](#) on Step Up's platform for purchase by scholarship students. Districts have realized that there are roughly 150,000 scholarship students with over \$1.5 billion in purchasing power, who are not in school full time. Many of their parents are eager to purchase a district online class, an in-person class, a robotics club, or other services. This is an area of growth for districts.

Research and test results show that things have improved since we began this journey. In 1998, 37 states gave the NAEP. We were ranked 35th.

By 2018, we were fifth. We have seen some post-COVID slide, but we are still in the top 10 in the Urban Institute rankings adjusted for poverty. There have also been studies showing that low-income scholarship students outperform their public school peers in college attendance and graduation. Two studies by David Figlio and Cassandra Hart showed that the Florida Tax Credit Scholarship Program had significant competitive effects, raising performance in nearby public schools. In fact, another study by Patrick Graff of the American Federation for Children showed that this competitive effect from the scholarship program was 11 times more effective than increasing per-pupil spending. Finally, graduation rates have increased from the 60% range for all students in the mid-1990s to over 90% today. For African American students, graduation rates have gone from below 40% to 87% in 2025.

We've talked a lot about markets, supply and demand, academic studies and the like. But I will close by saying that the Florida experience comes down to power; Who has the power to decide what education children will get. Will it be families or government? Over the last 25 years, we fought hard in Florida to give parents that power. We almost lost that fight several times. For example, in 2013, the Florida teachers union and the public school superintendents association filed a lawsuit demanding that the courts shut down the tax credit scholarship. Step Up put out a call to scholarship families to come to Tallahassee, which is four hours from the nearest big city, to show how they felt about the lawsuit. This [video](#) shows the result. Fortunately, parents won that battle. And they eventually won the war to keep the power to decide their children's education. And so, our journey to the new definition continues.

Thank you.

