



TO: Revenue Committee  
FROM: Jeremy Ekeler, Associate Director of Education Policy  
Nebraska Catholic Conference  
DATE: February 9, 2022  
RE: LB1237 (Opportunity Scholarship Act) (Support)

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church and advances the Gospel of Life through engaging, educating, and empowering public officials, Catholic laity, and the general public.

On behalf of the 110 Catholic schools serving over 26,000 students in Nebraska's three dioceses, we offer our support for LB1237 Opportunity Scholarships.

The history of Catholic education in America is a rich one that actually predates the country's founding. Along the way Catholics and their schools faced prejudice that ultimately manifested the bigoted "Blaine Amendments" of 1875. Blaine's tainted precedent was rooted in a hatred for Catholics and laid the groundwork for the rhetoric stifling educational opportunity we still experience today. Iterations of this attempt to eliminate school choice are diminishing but do exist in many states (including Nebraska).<sup>1</sup> The U.S. Supreme Court recently ruled clearly against Blaine Amendments (*Espinoza v. Montana*<sup>2</sup>) and is considering another case (*Carson v. Makin*<sup>3</sup>) that would further undermine the unfounded belief that states only support public schools in the work of educating children.

It is fitting to recall this history in light of claims against educational opportunity in Nebraska. While 48 other states have some form of school choice, Nebraska has none. In other words, the rest of the country sees that the arguments attacking school choice are just as unfounded today as they were when James Blaine presented them nearly 150 years ago.

Here's why: Parents have the right to choose the best educational setting for their child. If this discussion were about medical care or nutrition (both of which are often supported by tax dollars), no one would argue about the validity of supporting the family. Furthermore, we already successfully provide school choice for early childhood<sup>4</sup> and post-secondary education.<sup>5</sup> Ultimately Nebraska is in conflict with itself as it empowers parents at every turn except in its K-12 system.

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<sup>1</sup> <https://ij.org/issues/school-choice/blaine-amendments/>

<sup>2</sup> [https://www.washingtonpost.com/opinions/low-income-families-are-the-true-winners-of-the-supreme-courts-religious-schools-ruling/2020/06/30/ef176d9a-bb03-11ea-bdaf-a129f921026f\\_story.html](https://www.washingtonpost.com/opinions/low-income-families-are-the-true-winners-of-the-supreme-courts-religious-schools-ruling/2020/06/30/ef176d9a-bb03-11ea-bdaf-a129f921026f_story.html)

<sup>3</sup> <https://ij.org/case/maine-school-choice-3/>

<sup>4</sup> <https://www.firstfivebraska.org/blog/apply-school-readiness-tax-credit/>

<sup>5</sup> <https://ccpe.nebraska.gov/ACE>

We now have a robust collection of national data on school choice programs.<sup>6</sup> These things are clear:

- 1) Public school outcomes improve when they compete for kids. This is important for Nebraskans to know as we have egregious achievement gaps for low-income and minority students and rank 31st in Education Week's Quality Index.<sup>7</sup> Catholic schools in Nebraska, meanwhile, continue to raise the state's graduation rates, improve average test scores, and close gaps across all populations.<sup>8</sup>
- 2) Programs like LB1237 exist in 21 other states. They have a positive fiscal impact bringing in roughly \$1.60 for every dollar invested in the program.<sup>9</sup>
- 3) States with school choice programs do not diminish the funding of public education.

Considering the tainted history of suppressing school choice in America, the rich tradition of Catholic education, the proliferation of school choice programs (over 20 new programs in 2021), and the overwhelming data in support of school choice, it is well past time to give Nebraska families educational opportunity.

Thank you for your time and consideration.

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<sup>6</sup> <https://www.edchoice.org/wp-content/uploads/2021/11/Whos-Afraid-of-School-Choice-by-Jason-Bedrick-and-Ed-Tarnowski.pdf> (also see this report for #1 and 3#)

<sup>7</sup> <https://www.edweek.org/policy-politics/state-and-national-highlights-reports-quality-counts-2021>

<sup>8</sup> See ACT Testing Data on Nebraska nonpublic schools.

<sup>9</sup> <https://www.edchoice.org/school-choice/types-of-school-choice/tax-credit-scholarship/>