

## **Public Funds Public Schools (PFPS): Private school vouchers on the ballot on election day.**

The October 25 issue of Public Funds Public Schools reviews the voucher issues on the ballot in Nebraska, Kentucky and Colorado. The outcome of these ballot issues will have a substantial bearing on the short term, possibly even the long-term voucher movement.

### **Private School Vouchers on the Ballot on Election Day**

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This November, voters will have the opportunity to determine the future of private school vouchers in several states, in some cases by deciding whether to repeal existing voucher laws through ballot referenda, and in others by voting on whether to adopt amendments to state constitutions that could pave the way for vouchers.

Voucher programs, which divert scarce public resources to private schools, have been repeatedly shown to [fund discrimination](#) against students and families, [fail to improve student outcomes](#), and [undermine funding and resources](#) for public schools, which serve the vast majority of children. They are also widely unpopular with voters. In fact, every time vouchers have been on the ballot, they have been rejected.

Here are the key states to watch on Election Day:

- **Nebraska:** After a long battle to reach a referendum, voters will have the opportunity to decide whether to repeal [Legislative Bill 1402](#), 2023 legislation that established a tuition voucher program with universal eligibility. A prior referendum on a voucher law passed in 2022 was mooted by passage of the current voucher law, but public school advocates again gathered enough signatures, putting the 2023 law before the voters. Despite a legal challenge to the current referendum, the Nebraska Supreme Court [unanimously ruled](#) in September that LB1402 was subject to the referendum process.
- **Kentucky:** [Amendment 2](#), if passed, would amend the state constitution to allow the General Assembly to use public dollars to fund education outside the system of common (i.e., public) schools. The Kentucky Supreme Court previously [struck down](#) a 2021 law that would have established the state's first voucher program. In its ruling, the Court determined that the law violated the state's constitutional prohibition on using taxpayer dollars to support nonpublic schools without voter approval.
- **Colorado:** Voters will decide on [Amendment 80](#), which seeks to add the "right to school choice" to the state constitution and define school choice to include private school and homeschooling. An [analysis](#) by the Colorado Fiscal Institute estimates that a universal voucher program could cost the state close to \$800 million.

In addition to voucher measures appearing on ballots this year, there was significant action on voucher laws in state legislatures. Find out where voucher laws were proposed and where they passed and failed in 2024 using the [PFPS bill tracker](#). Visit the [Advocacy page](#) on the PFPS website for resources to assist in advocacy efforts to ensure public funds are used to support and strengthen public schools.