



Let Bryce's Law Live Up to Its Potential

Published on *Show-Me Institute* (<https://showmeinstitute.org>)



By: Susan Pendergrass

Parenting is hard. We want to do more than just keep our children safe and happy. We try to give them every possible opportunity to succeed in life, and that effort often begins with finding them the best possible school, or at least making the best of their assigned public school.

Parents of children with special needs face especially daunting challenges. Upon finding out that they will be raising a child with a disability, they must immediately learn as much as they can about their child's condition. As the child approaches school age, the parents have to think about so much more than just a classroom and a teacher. It's not surprising, therefore, that parents of students with disabilities have a particular need for more options regarding their child's education.

Fortunately, four years ago the Missouri legislature recognized this need and passed Bryce's Law, named for Rep. Dwight Scharnhorst's grandson, who was born with severe autism. Bryce's Law allows parents of children with autism, Down Syndrome, and several other disabilities to seek scholarships through certain scholarship-granting organizations to attend private schools.

Unfortunately, the legislative process resulted in a final bill that was materially different than the one Scharnhorst proposed. The final version of the law was structured in such a way that not a single child has received a scholarship. In fact, not even one of the contemplated scholarship-granting organizations has even materialized. Imagine the hundreds or thousands of children

who have missed out on scholarships because elected officials in Jefferson City failed to draft an effective means for providing those scholarships.

The law will be up for renewal in 2019. Isn't it time for the state of Missouri to put real funding behind Bryce's Law and ensure it is a functioning program that can help Missouri students with special needs?

There were concerns in the past with "public" funding going to "private" (often religious) schools, but the recent Supreme Court decision in *Trinity Lutheran v. Comer*, from right in our back yard in Columbia, would seem to permit such funding so long as it was generally available to religious and nonreligious schools alike and that religious schools were neither favored nor disfavored in the application process.

If directly funding Bryce's Law is a bridge too far, allowing the contributions to scholarship-granting organizations to be tax *credits* instead of tax *deductions* (as Rep. Scharnhorst had originally intended) is also a possibility. In that case, it would be the contributions of private citizens rather than money from the public treasury that would fund the scholarships. The state of Missouri already offers a raft of pro-social tax credits for everything from child advocacy and crisis pregnancy centers to food pantries to youth development and crime prevention programs. Scholarships for students with special needs are an equally worthy cause.

Note that families don't have to attend private schools. If they are being well served by their assigned public school, they can stay there. If, however, that public school is not meeting their child's needs, they would have a chance to give another school a try.

There is a bitter irony to having a law on the books that could do so much for children with special needs, but cannot deliver the promised benefits because it fails to provide a viable funding mechanism. The time is ripe for the Missouri Legislature to fix its past mistakes and put Bryce's Law to work for the families it was intended to help.

About the Author



*Susan Pendergrass
Director of Research and Education Policy*

Susan Pendergrass was Vice President of Research and Evaluation for the National Alliance for Public Charter Schools before joining the Show-Me Institute. Prior to coming to the National Alliance, Susan was a senior policy advisor at the U.S. Department of Education during the Bush administration and a senior research scientist at the National Center for Education Statistics during the Obama administration. She earned a Ph.D. in Public Policy from George Mason University.

Read Online

<https://showmeinstitute.org/blog/school-choice/let-bryce%E2%80%99s-law-live-its-potential>

Links

[1] <https://showmeinstitute.org/blog/school-choice/let-bryce%E2%80%99s-law-live-its-potential>

Mission Statement

Advancing liberty with responsibility by promoting market solutions for Missouri public policy.

Show-Me Institute

5297 Washington Place 3645 Troost Avenue
Saint Louis, MO 63108 Kansas City, MO 64109
Phone: (314) 454-0647 Phone: (816) 287-0370
Fax: (314) 454-0667

Email: info@showmeinstitute.org

Support Our Work

The Show-Me Institute is a tax-exempt 501(c)(3) nonprofit organization. Make your tax deductible contribution today: <http://ShowMeInstitute.org/donate>