

The Will of the People: Voucher Accountability in Arizona

Political leaders frequently invoke the phrase "the will of the people." Election victories are often portrayed as a public mandate, with major policy decisions justified as reflecting what voters want. Yet once campaigns end and governing begins, that commitment sometimes appears to shift. Too often, public policy seems to reflect not the priorities of ordinary people but the influence of those with the greatest political and financial resources.

Few issues illustrate this tension more clearly than education policy. In Arizona and across the nation, debates over school choice and voucher programs, known in Arizona as Empowerment Scholarship Accounts (ESAs), have increasingly raised questions about accountability, transparency, and the responsible use of taxpayer dollars.

Supporters often describe ESAs as a movement driven by parents. Yet the data reveal a different story. Whenever statewide voucher proposals have appeared directly on the ballot, voters have consistently rejected them. Despite that record, twenty-seven states now operate some form of voucher program through legislative action rather than direct voter approval. Meanwhile, between 75% and 90% of America's students continue to attend traditional K–12 public schools, demonstrating that public education remains the educational choice of the overwhelming majority of families.

This week's newsletter examines Arizona's Protect Education Act, a citizen initiative designed to establish commonsense safeguards for the state's ESA program. It also examines the Legislature's response through HCR2048, a measure that critics argue could undermine the initiative even if Arizona voters approve it. Ultimately, the debate is about more than school choice. It is about whether public dollars should come with public accountability and whether the will of Arizona voters will ultimately prevail.

The public response to the Protect Education Act has been remarkable. Volunteers gathered an estimated 421,451 signatures in just fourteen weeks while working in every one of Arizona's fifteen counties, often in temperatures exceeding 100 degrees. The effort far surpassed the 255,949 signatures required to qualify the initiative for the ballot.¹

The number of signatures matters for two reasons. First, it demonstrates broad statewide interest in the issue rather than support limited to one region or political stakeholder group. Second, it provides a cushion against anticipated legal challenges. Even before signature verification is complete, the Betsy DeVos funded American Federation for Children has announced its intention to challenge the petitions in court.²

The Protect Education Act would:

- Require mandatory background checks for employees working with children in all schools receiving ESA funds and require schools to investigate allegations of employee misconduct.
- Increase transparency and financial reporting requirements to reduce fraud and ensure public funds are spent appropriately.
- Prohibit ESA dollars from being used for clearly non-educational purchases such as luxury vacations, diamond jewelry, or large-screen televisions.
- Limit ESA eligibility to families earning \$150,000 or less, with annual inflation adjustments tied to Arizona's school funding formula.

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- Continue protecting services for students with disabilities, recognizing that approximately 91% of these students remain enrolled in their neighborhood public schools because many private schools accepting ESA funding do not provide the specialized services they require.
- Require unused ESA funds to be returned to the state instead of accumulating indefinitely in private accounts, allowing those dollars to be redirected toward Arizona's public schools.
- Require participating schools to maintain accreditation or administer a nationally recognized assessment while making student performance information available to parents and the public.

Students with disabilities would remain exempt from the income cap and assessment requirements to ensure families continue to have access to specialized educational services.²

Viewed collectively, these provisions do not eliminate ESAs. Instead, they establish basic expectations for transparency, accountability, and responsible stewardship of taxpayer dollars. Those principles have long governed Arizona's traditional K-12 public schools, and supporters argue they should apply whenever public funds support any K-12 educational institution.

The debate surrounding the Protect Education Act changed when negotiations between legislative leaders and the Arizona Education Association (AEA) failed to produce a compromise. Rather than reaching an agreement, the Legislature referred HCR2048, the *Military Families College Savings and Scholarship Protection Act*, to the ballot.

At first glance, the measure appears difficult to oppose. Who would object to protecting military families? Yet a closer examination reveals that its most significant impact is not on military families themselves, but on the future of the Protect Education Act.

The proposal contains a provision stating:

*“Notwithstanding Article IV, If a bill enacted into law or a measure approved by the voters on or after November 1, 2026 violates subsection A of this section, the entire bill or measure is void. A court may not sever any portion of a bill or measure that violates subsection A of this section.”*³

The practical effect of this language is straightforward. If Arizona voters approve both HCR2048 and the Protect Education Act, and a court determines that even one provision of the citizen initiative conflicts with HCR2048, the entire Protect Education Act, not just the disputed section, could be invalidated.

One provision of the Protect Education Act requires unused ESA funds to be returned to the state rather than remaining indefinitely in private accounts. HCR2048, however, seeks to prevent the accumulation of those funds for future educational expenses. If the two measures are found to conflict, supporters of the Protect Education Act could see the entire initiative nullified despite voter approval.

Supporters of HCR2048 argue that the proposal protects military families and preserves educational opportunities for children whose parents serve our country. Few Arizonans would disagree with that goal. Military families deserve our gratitude and support. The question is whether HCR2048 is actually designed to solve a widespread problem.

According to the Arizona Department of Education's Quarter 3 ESA Report, only 987 ESA recipients qualify under the category of students whose parent is on active military duty or was killed in the line of duty. Out of 102,891 ESA recipients, that represents less than one percent of the entire program.⁴

These numbers matter because they place the Legislature's argument in context. Most military families are unlikely to accumulate substantial unused ESA balances for future higher education expenses. As a result, military families have become the public face of legislation whose principal effect is protecting the broader ESA program from the accountability measures contained in the Protect Education Act.

If that criticism is accurate, military families are being placed in the middle of a much larger political debate. They deserve better than to become the centerpiece of a campaign over ESA policy.

In opposing the initiative, the American Federation for Children argued:

*"Let's be clear: The policies on the table were widely popular and in place in every other ESA program with universal eligibility."*⁵

For context, Arizona enrolls approximately 1.1 million K–12 students. Roughly 100,000 students, or about 9 percent, currently participate in the ESA program. More significantly, approximately three out of every four ESA recipients never attended a traditional public school before receiving ESA funding.

That means only about 2% of Arizona students receiving an ESA actually transferred from traditional K-12 public schools into the ESA program. While the program is unquestionably important to participating families, describing it as "widely popular" seems to be a stretch. Participation continues to represent a relatively small share of Arizona's overall student population.

The debate has also produced familiar political labels.. Ryan Mills, spokesperson for the Goldwater Institute, said that ESA funds are *"threatened by an activist attack on the state's landmark school choice program."*⁶ T

Suddenly the parents, grandparents, retirees, teachers, community members, and citizens who collected the signatures are activists. These people are not activists, but rather people who are the voice of the people. They are not professional political operatives. They were Arizona citizens who devoted countless hours, often in triple-digit temperatures, to exercise one of Arizona's most important constitutional rights.

Calling those volunteers "activists" is misleading and disingenuous. They are participants in the democratic process. Regardless of where one stands on ESAs, gathering signatures and asking voters to decide is not an attack on democracy, it is democracy in action. Interestingly the school choice advocates never seem to be activists.

The American Federation for Children has also argued that, if approved, the Protect Education Act would effectively destroy school choice in Arizona.³ Yet the initiative does not eliminate ESAs, prevent parents from choosing private schools, or prohibit alternative educational options. Instead, it asks a straightforward question: Should any educational institution receiving public tax dollars be expected to meet basic standards of accountability, transparency, and fiscal responsibility?

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If accountability is appropriate for traditional K-12 public schools, it is reasonable for Arizona voters to ask whether similar expectations should apply whenever public funds are directed to private educational providers. Ultimately, this debate is about more than ESAs. It is about public trust. Taxpayers have every right to expect that education dollars, regardless of where they are spent, are used for legitimate educational purposes and are subject to appropriate public oversight.

That is why this week's celebration of traditional K-12 public education belongs to SOS Arizona, the AEA and the thousands of volunteers who helped put the Protect Education Act on the ballot. It is also a celebration of the parents and education advocates that support traditional K-12 public education. A celebration of “the will of the people” when it comes to ESAs in Arizona. A celebration of civic engagement by the people truly expressing “the will of the people.”

As Election Day approaches, I encourage every voter to look beyond campaign slogans and political advertising. Read the ballot measures. Examine the facts. Ask which proposals provide the greatest transparency, accountability, and stewardship of public resources.

Regardless of your position on school choice, one principle should unite us all: public dollars deserve public accountability. If “the will of the people” means anything, it should mean that every publicly funded education program, traditional K-12 public schools, charter schools, or ESA-supported private schools, is held to transparent, consistent, and responsible standards.

If you enjoy my work please subscribe for free to my substack newsletter, and help spread a message of celebration of traditional K-12 public education.

<https://wymang.substack.com/publish/home>

Notes:

¹ Protect Arizona Website. *Here are the Reforms we Need.* <https://protectedaz.com/>

² Helen Rummel. Major Arizona school voucher reform measures hits big milestone. Phoenix, AZ. (Arizona Republic). July 2, 2026.
<https://www.azcentral.com/story/news/politics/arizona-education/2026/07/02/protect-education-voucher-reform-measure-gets-421k-signatures/90773457007/>

⁵ American Federation for Children Press Release. AFC Will Keep Fighting to Protect Arizona ESA Families. Dallas, TX (American Federation for Children). June 30, 2026.
<https://www.federationforchildren.org/afc-will-keep-fighting-to-protect-arizona-esa-families/>

⁵ Representative Michael Way HCR2048: Military Families College Savings and Scholarship Protection Act. Phoenix, AZ (Arizona Legislature) June 2026.
<https://www.azleg.gov/legtext/57leg/2R/laws/hcr2048.pdf>

⁵ Honorable Tom Horne. *Arizona Empowerment Scholarship Account (ESA) Program. Fiscal Year 2026 Quarter 3 Report.* Phoenix, AZ (Arizona Department of Education). May 29, 2026.

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https://www.azed.gov/sites/default/files/2026/06/ESA%20FY26%20Q3%20Executive%20_%20%20Legislative%20Report.pdf

⁶Jerod MacDonald-Evoy. *Voucher Oversight initiative turns in 420k signatures, more than enough to make the ballot.* Phoenix, AZ (Arizona Mirror). July 2, 2026

<https://azmirror.com/briefs/voucher-oversight-initiative-turns-in-420k-signatures-more-than-enough-to-make-the-ballot/>