

ENDNOTES

- 1 Arizona Department of Education, "Empowerment Scholarship Account Handbook," p. 6, http://www.azed.gov/esa/files/2014/03/empowerment-scholarship-account-handbook2014.pdf.
- 2 Florida's Personal Learning Scholarship Accounts enrolled 1,800 students. For more information, see Kathleen McGrory and Christina Veiga, "New voucher program helps students with special needs," *Miami Herald*, October 5, 2014, http://www.stepupforstudents. org/docs/default-source/news-stories/14-10-5-mh-plsahelps.pdf?sfvrsn=0.
- 3 "State Tax Deductions for 529 Contributions," FinAid. org, http://www.finaid.org/savings/state529deductions. phtml (May 22, 2015).
- 4 For example, Congress could reform federal education and child care programs, or even high education benefits, to allow students to receive funds in a Lifelong Learning ESA if they forgo participating in certain programs, such as Head Start, other child care or early childhood education programs, Title I, or other programs under the Elementary and Secondary Education Act.
- 5 The White House, "Fact Sheet: A Simpler, Fairer Tax Code that Responsibly Invests in Middle Class Families," January 17, 2015, https://www.whitehouse. gov/the-press-office/2015/01/17/fact-sheet-simpler-fairer-tax-code-responsibly-invests-middle-class-fami (March 10, 2015).
- 6 Jonathan Weisman, "Obama Relents on Proposal to End '529' College Savings Plans," New York Times, January 27, 2015.
- Library of Congress, "Summary of H.R. 529," at: https://www.congress.gov/bill/114th-congress/house-bill/529?q=%7B%22search%22%3A%5B%22H.R.+529%22%5D%7D, (March 10, 2015).
- 8 The text of H.R. 529. Section 1(a) Findings and Purpose.

- "Senate Finance Passes 529 Reform Bill," Think Advisor, April 30, 2015. For more information about the proposal and changes made by the bill, S. 335, see: Joint Committee on Taxation, "Description of the Chairman's Mark of S. 335, A Bill to Amend the Internal Revenue Code of 1986 to Improve 529 Plans, As modified," http://www.finance.senate.gov/imo/media/doc/JCX-83-15%20%20529%20Markup.pdf (May 5, 2015). The bill was sponsored by a bipartisan group of senators: Chuck Grassley (R-IA), Bob Casey (D-PA), Richard Burr (R-NC), Mark Warner (D-VA), Pat Roberts (R-KS), and Ben Cardin (D-MD).
- 10 College Savings Plan Network, "529 2014 Year-End Report," http://www.collegesavings.org/index.aspx, March 10, 2015.
- 11 College Savings Plan Network, "529 2014 Year-End Report," http://www.collegesavings.org/index.aspx, March 10, 2015.
- 12 Investment Company Institute, "529 Plan Program Statistics: December 2014," June 4, 2015.
- 13 Digest of Education Statistics, 2014 Tables and Figures, Table 236.75, U.S. Department of Education, National Center for Education Statistics, http://nces. ed.gov/programs/digest/d14/tables/dt14_236.75. asp?current=yes.
- 14 "What Level of Knowledge and Skills Have the Nation's Students Achieved?" The Nation's Report Card, National Assessment of Educational Progress, 2013 Mathematics and Reading, http://www. nationsreportcard.gov/reading_math_2013/#/what-knowledge.
- 15 "Public High School Graduation Rates," The Condition of Education, The National Center for Education Statistics, https://nces.ed.gov/programs/coe/indicator_ coi.asp. This rate presents the average freshman graduation rate for high school students.



- 16 The graduation rate for low-income students in 2012 was less than 74 percent. Allie Bidwell, "Racial Gaps in High School Graduation Rates are Closing," USNews. com, March 16, 2015.
- 17 ACT, The Condition of College and Career Readiness 2014, http://www.act.org/research/policymakers/cccr14/readiness.html.
- 18 Ibid, http://www.act.org/research/policymakers/cccr14/findings.html.
- 19 Eric A. Hanushek, Paul E. Peterson and Ludger Woessmann, "U.S. Students from Educated Families Lag in International Tests," *Education Next*, Fall 2014/ Vol. 14, No. 4, http://educationnext.org/us-studentseducated-families-lag-international-tests.
- 20 American Federation for Children, "Ed Choice 101: Facts," http://www.federationforchildren.org/ed-choice-101/facts.
- 21 Dan Lips, "Education Savings Accounts: A Vehicle for School Choice," Goldwater Institute, November 2005.
- 22 Arizona Constitution, Section 10, at http://www.azleg.gov/FormatDocument.asp?inDoc=/const/9/10.htm (June 28, 2015).
- 23 Matthew Ladner, Ph.D., and Nick Dranias, "Education Savings Accounts: Giving Parents Control of Their Children's Education," Goldwater Institute Policy Brief No. 11-01, January 28, 2011.
- 24 Fiftieth Arizona Legislature, First Regular Session, SB 1553, http://www.azleg.gov/DocumentsForBill.asp?Bill_Number=1553&Session_Id=102&image.x=0&image.y=0.
- 25 So as not to require new money to be added to the general fund to pay for students that were not already in the public school system, students must have been attending a traditional public school at the time they applied for an account. If existing private school students had been eligible for education savings accounts, new money would have been required to pay for their use of this publicly funded system.

- 26 Jonathan Butcher and Jason Bedrick, M.P.P., "Schooling Satisfaction: Arizona Parents' Opinions on Using Education Savings Accounts," Friedman Foundation for Educational Choice, October 2013, http://www. edchoice.org/Research/Reports/Schooling-Satisfaction--Arizona-Parents--Opinions-on-Using-Education-Savings-Accounts.aspx.
- 27 Jonathan Butcher, "School Choice Marches Forward," Education Next, Winter 2013, http://educationnext.org/ school-choice-marches-forward-2.
- 28 Lindsay Burke, "The Education Debit Card: What Arizona Parents Purchase with Education Savings Accounts," Friedman Foundation for Educational Choice, August 2013, http://www.edchoice.org/Research/Reports/The-Education-Debit-Card--What-Arizona-Parents-Purchase-with-Education-Savings-Accounts.aspx.
- 29 Florida Senate, 2014 Session, SB 850, https://www.flsenate.gov/Session/Bill/2014/0850.
- 31 Cain v. Horne, 202 P.3d 1178 (Ariz. 2009), http://www.azcourts.gov/Portals/23/pdf2009/ CainOpinionCV080189PR.pdf.
- 32 See Niehaus v. Huppenthal, 310 P.3d 983 (Ariz. App. 2013), http://apps.supremecourt.az.gov/aacc/1ca/1caattyindex.htm.
- 33 See Niehaus v. Huppenthal, No. CV2011-017911 (Mar. Cty. Super. Ct. Jan. 25, 2012), http://goldwaterinstitute.org/sites/default/files/m5077507.pdf, and Niehaus v. Huppenthal, 310 P.3d 983 (Ariz. App. 2013), http://azcourts.gov/Portals/0/OpinionFiles/Div1/2013/1%20 CA-CV%2012-0242.pdf.
- 34 Goldwater Institute, "Florida's Personal Learning Scholarship Accounts," http://goldwaterinstitute.org/en/work/topics/education/education-savings-accounts/floridas-personal-learning-scholarship-account.
- 35 Goldwater Institute, Faasse v. Scott, http:// goldwaterinstitute.org/en/work/topics/education/ education-savings-accounts/case/faasse-v-scott.



- 36 Jenna Buzzacco-Foerster, "FEA Won't Appeal Challenge to SB 850," Political Fix Florida," January 8, 2015, http://politicalfixflorida.dev.wordpress.ewscloud. com/2015/01/08/fea-wont-appeal-challenge-to-sb-850.
- 37 Mississippi State Legislature, SB 2695, http://billstatus.ls.state.ms.us/2015/pdf/history/SB/SB2695. xml and Tennessee General Assembly, SB 27, http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0027.
- 38 Internal Revenue Service, "Qualified tuition Program (QTP)," http://www.irs.gov/publications/p970/ch08. html, accessed April 30, 2015.
- 39 Ibid.
- 40 According to the IRS, an eligible educational institution "is generally any college, university, vocational school, or other postsecondary educational institution eligible to participate in a student aid program administered by the U.S. Department of Education." 529 Plans:

 Questions and Answers, http://www.irs.gov/uac/529-Plans:-Questions-and-Answers (May 22, 2015).
- 41 Tom Anderson, "529 Balances Are Growing, But So Are College Costs," CNBC, March 4, 2015.
- 42 Ibid. Authors' calculations.
- 43 Ibid. Authors' calculations.
- 44 Authors' calculations.
- 45 Tom Anderson, "529 Balances Are Growing, But So Are College Costs," CNBC, March 4, 2015.
- 46 Governmental Accountability Office, "Higher Education: A Small Percentage of Families Saving in 529 Plans," GAO-13-64, p.8 at: http://www.gao.gov/assets/660/650759.pdf, accessed May 4, 2015.
- 47 GAO, "Higher Education: A Small Percentage of Families Save in 529 Accounts," GAO-13-64, December 2012.
- 48 Ibid. Coverdell accounts can be used toward expenses such as preschool, K-12 tuition and tutoring, and college costs.

- 49 Liz Weston, "Are 529 Plans Really Just a Tax Break for the Rich?" Reuters, January 22, 2015.
- 50 College Board, *Trends in Student Aid*, 2014, p. 10, https://secure-media.collegeboard.org/digitalServices/misc/trends/2014-trends-student-aid-report-final.pdf.
- 51 College Board, *Trends in Student Aid*, 2014, p. 10, https://secure-media.collegeboard.org/digitalServices/misc/trends/2014-trends-student-aid-report-final.pdf.
- 52 Ibid.
- 53 For example, see Dr. Richard Veddder, Going Broke by Degree: Why College Costs Too Much, AEI Press, 2004.
- 54 College Board, "Trends in College Pricing, 2014," http://trends.collegeboard.org/sites/default/files/2014-trends-college-pricing-final-web.pdf, p. 7.
- 55 Richard Arum and Josipa Roksa, *Academically Adrift* (Chicago: University of Chicago Press, 2011).
- 56 Kevin Carey, "The End of College: Creating the Future of Learning and the University of Everywhere," Riverhead Books: New York, 2005, p. 9.
- 57 Ibid. P.10.
- 58 Ibid. P.8.
- 59 Pew Research Center, "Cumulative Student Debt Among Recent College Graduates," October 7, 2014, http://www.pewsocialtrends.org/2014/10/07/cumulative-student-debt-among-recent-college-graduates.
- 60 Ericka Davis, "Student Debt: Trends and Possible Consequences," Financial Insights, Dallas Fed, September 3, 2014, http://www.dallasfed.org/assets/documents/banking/firm/fi/fi1403.pdf.
- 61 Jaison R. Abel, Richard Deitz, and Yaqin Su, "Are Recent College Graduates Finding Good Jobs?" Federal Reserve Bank of New York, 2014, http://www.newyorkfed.org/research/current_issues/ci20-1.pdf.
- 62 Ibid.
- 63 Ibid.



- 64 Ibid.
- 65 For an extreme example, Jima Ngei, a Nigerian, completed 250 MOOC courses since September 2012. See The Chronicle of Higher Education, "250 MOOCs and Counting: One Man's Educational Journey," April 20, 2015, http://chronicle.com/article/250-MOOCsCounting-One/229397.
- 66 Sergiy Nesterko, "HarvardX Worldwide Course Enrollments Visualized," edX, January 17, 2014, https://www.edx.org/blog/harvardx-worldwide-courseenrollments.
- 67 Coursera Blog, "Coursera hits 1 million students across 196 countries," August 9, 2012, http://blog.coursera.org/post/29062736760/coursera-hits-1-million-students-across-196.
- 68 College Board, Trends in College Pricing, 2014, http://trends.collegeboard.org/sites/default/files/2014-trends-college-pricing-final-web.pdf (May 5, 2015).
- 69 Arizona Department of Economic Security, "State of Arizona 2012 State Workforce Plan," p. 12, https://www.azdes.gov/uploadedFiles/Employment/Arizona-Integrated-Workforce-Plan-2012-2016.pdf.
- 70 Colorado Department of Labor and Employment, "Industry Projections (Long-term) for Multiple Industries in Colorado in 2012-2022," https://www.colmigateway.com/vosnet/analyzer/results.aspx?session=indproj.
- 71 Davey Alba, "50 Years On, Moore's Law Still Pushes Tech to Double Down," *Wired Magazine*, April 19, 2015, http://www.wired.com/2015/04/50-years-moores-lawstill-pushes-tech-double.
- 72 Naomi Shavin, "The 10 Most Endangered Jobs in 2014," Forbes, July 15, 2014.
- 73 U.S. Bureau of Labor Statistics, March 31, 2015, http://www.bls.gov/news.release/pdf/nlsoy.pdf.
- 74 According to the IRS, funds saved in a 529 account can be spent at some non-college post-secondary educational institutions, such as vocational schools, or other schools that are eligible for federal financial

- aid. But lifelong learners would stand to benefit from greater flexibility to pursue job training, tutoring, apprenticeships, and other instructional relationships that would not be formally recognized by the U.S. Department of Education, which may help the learner improve her professional skills.
- 75 Department of the Treasury, Internal Revenue Service, "Tax Benefits for Education," http://www.irs.gov/pub/irs-pdf/p970.pdf.
- 76 While we believe that IRS rules and general practice regarding charitable donations already permit a charity to raise funds for low-income students' Lifelong Learning Education Savings Accounts, there may be some ambiguity about the legality of such tax-exempt donations. Federal law prohibits a 501(c)(3) nonprofit organization from organizing for the inurement or private benefit of particular individuals, so the organizations could not award scholarships to specific students at the request of the donor. According to the IRS: "A section 501(c)(3) organization must not be organized or operated for the benefit of private interests, such as the creator or the creator's family, shareholders of the organization, other designated individuals, or persons controlled directly or indirectly by such private interests. No part of the net earnings of a section 501(c) (3) organization may inure to the benefit of any private shareholder or individual." Internal Revenue Service, "Inurement/Private Benefit - Charitable Organization," http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Inurement-Private-Benefit-Charitable-Organizations.
- 77 Policymakers should structure these benefits in a manner that is equitable, such as by phasing out the benefit as family income rises to avoid creating a circumstance where a family loses eligibility for an ESA benefit by modestly increasing their family income, which would create problematic incentives to discourage work and increased earnings.
- 78 Such as under Title I of the Elementary and Secondary Education Act or under the Individuals with Disabilities Education Act.