

# School Choice

## Why Is This Issue Important?

Many families already make choices about their children's schools based on where they choose to live or by paying for private school. Expanding school choice through policy can democratize choice and ensure that families who are priced out of certain districts and schools or who cannot afford private school tuition still have the opportunity to make choices for their family. These choices exist along a continuum. State leaders should work with stakeholders to determine which policy options are the right fit for their state.

## Opportunities for State Leadership

To help inform strategy, state leaders can consider:

### Policy Leadership

- What is the track record of public schools, private schools, public school choice (if applicable), and private school choice (if applicable) in our state?
- How are the different types of schools that receive public funding held accountable?
- Which student groups take advantage of choice in our state, and which do not?
- What are the greatest opportunities to expand access to high-quality options?
- What are the greatest barriers to expanding high-quality school choice in our state (e.g., political considerations, transportation/geography, etc.)?
- Which organizations or constituents are for and against school choice in our state? Why? How can we understand their concerns and find solutions?
- What schools participate in private school choice programs?
- How are charters authorized in our state? How do we define authorizer quality?

### Engagement

- What do key constituent groups (i.e., families, students, district leaders) want from school choice? How will we engage them around their vision for school choice in our state?
- What do students and families say are the greatest barriers to accessing high-quality options (e.g., good options, accessibility of information)? How can we address these barriers?
- What additional research or data is needed to inform our state's approach to school choice?

### Resources and Oversight

- How are decisions made regarding oversight and monitoring of school options (e.g., revoking a low-performing school's charter)? Is this process transparent? What data informs these decisions?
- What is the current price tag for school choice in our state? What will it cost to expand or improve high-quality options?
- What training and professional development is available for charter school authorizers and board members?
- Who are neutral authorities (e.g., academic researchers) that can inform policymaking on school choice in our state?

**State leaders planning to take action on school choice issues should begin by engaging stakeholders** — including students, families, educators, industry and workforce leaders, district superintendents, community groups, and others.

To support these conversations with stakeholders, it is helpful to understand background and research on school choice, promising practices from states, and contested issues that may emerge during discussions.

## Background and Research on Public School Choice

- Minnesota authorized the nation's first public charter school law in 1991.<sup>i</sup> Today, 44 states and the District of Columbia allow charter schools.<sup>ii</sup>
- A recent study estimated that 46 percent of families have access to at least one charter school within five miles of their home.<sup>iii</sup>
- The process by which choice options like charter schools are funded varies by state.<sup>iv</sup>
- Nationally, there are 4,340 magnet schools, and they collectively educate more than 3.5 million students.<sup>v</sup>
- 47 states and the District of Columbia have policies authorizing intradistrict and/or interdistrict choice.<sup>vi</sup>
- Findings on charter school students' achievement relative to that of their peers in traditional public schools are mixed.
  - » Some studies at the state, district, and charter management level have found charter school students — and particularly students from low-income families and in urban settings — perform better, while students in non-urban charters perform worse.<sup>vii</sup>

### School Choice Glossary\*

#### Public Choice Options

**Traditional district-run public schools:** Public schools that are operated by local school districts and boards of education and typically — though not exclusively — enroll students who live within a certain geographic boundary.

**Charter schools:** Public schools that are run and overseen independently under a charter (which can be authorized by a district, state, university, or non-profit) and have greater flexibility than traditional district-run public schools. Charter schools cannot charge tuition and must admit students by lottery if they have more students seeking to enroll than available seats.

**Open enrollment:** The option to enroll in other public schools beyond the one assigned based on home address, within the district (intradistrict) or in other districts (interdistrict).

**Specialized or magnet schools:** Public schools within traditional districts that have a specific theme or mission and can choose which students to accept based on grades, test scores, and other criteria.

#### Private Choice Options

**Private schools:** Privately-operated schools that charge tuition and are exempt from many of the regulations governing public schools.

**Vouchers:** State funds provided to parents to pay some or all of the cost of private school tuition.

**Tax-credit scholarships:** Individuals and businesses donate private funds to a non-profit organization that provides private school tuition scholarships to eligible students. In exchange for their donation, donors receive a state-tax credit.

**Education savings accounts (ESAs):** State-created savings accounts containing a child's public education funds that can be used to pay for a variety of educational services, including private school tuition, tutoring, educational therapies, curriculum, online courses, summer school and more.

*\*Adapted from Anne O'Brien, "A Glossary for the Current Education Debate," Edutopia, April 4, 2017.*

- » Other national studies show no or minimal differences in academic progress between English learners in traditional public and charter school settings,<sup>viii</sup> but also found lowered achievement rates for students with disabilities in some types of charter school settings.<sup>ix</sup>
- A 2016 study of Florida charter school graduates found that they were more likely to persist in college and to report higher earnings compared to graduates of traditional public schools.<sup>x</sup> However, another study of Texas charter schools found on average minimal increases for graduation and enrollment in two-year and four-year colleges and a decrease in earnings.<sup>xi</sup>
- Parents exercising agency over their children's education may itself be thought of as a positive outcome. An analysis of families' choices in New Orleans found that families tended to select schools based on school performance scores, distance from home, where siblings were already enrolled, legacy name/status (high school-only) and that offered afterschool care (elementary-only), extracurriculars, band, and sports.<sup>xii</sup>
- Though precise comparisons are difficult to make, a recent analysis showed that, on average, charter schools are funded at lower per-pupil rates than traditional public schools.<sup>xiii</sup>

## Background and Research on Private School Choice

- In 1990, the Milwaukee Parental Choice Program became the first voucher program to allow students to take public funds to attend private schools (vouchers). Today, 15 states, as well as the District of Columbia, operate 26 different voucher programs.<sup>xiv</sup>
- For students receiving vouchers,<sup>1</sup> three recent state-level studies have shown negative effects on math achievement (ranging from an average decline of 3-4 percentile points in Indiana<sup>xv</sup> to a loss of 27 percentile

points in the first year and 17 percentile points in the second year in Louisiana<sup>xvi</sup>) compared with earlier random assignment studies finding positive results.<sup>xvii</sup> However, a study of students participating in the Florida Tax Credit scholarship program showed they were 15 percent more likely to enroll in college, and that students enrolled in the program for a longer period of time had higher rates of college enrollment.<sup>xviii</sup>

Some studies of private school choice programs have not shown measurable differences in civic engagement,<sup>xix</sup> while others have shown positive effects on measures of civic life such as political tolerance and volunteerism.<sup>xx</sup>

### Promising Practices

Although every state leader must weigh their local context when making policy decisions, some promising practices from other states may help to inform their approach.

#### Expand access to facilities:

Most charter schools must provide or find their own buildings and many do not have access to state facility funding, which can limit access to or expansion of charter schools. Some public school districts have empty facilities and states can create incentives or clarify existing policies to improve charter schools' access to these spaces or provide stronger financial support.<sup>xxi</sup> For example, **Utah's** legislature established their Charter School Revolving Account, which provides loans for charter school facility funding.<sup>xxii</sup>

#### Invest in transportation:

While many students have educational options beyond their in-boundary school, some are unable to take advantage of these opportunities due to transportation barriers, like a lack of bus routes or a long commute.<sup>xxiii</sup> By increasing funding or allowing more flexibility in how funds are spent on transportation, policymakers can make it easier

1 Private schools do not necessarily have to administer the same assessments that traditional public charter schools do, which can limit some comparisons, but private schools are required to participate in the federal National Assessment of Educational Progress.

for students to take advantage of different school choice options. Several states, including **Iowa, Louisiana, and New York**, require transportation services to be provided to students enrolled in charter and private schools and some cities allow all students to commute for free.<sup>xxiv</sup>

#### **Promote unified or open enrollment systems:**

In choice-rich environments, unified enrollment systems (aligning traditional public, public charter, and sometimes private school enrollment timelines, deadlines, application materials, and application processes) can help families take greater advantage of the educational options around them.<sup>xxv</sup> Districts like **Denver, New Orleans, and Washington, DC** have unified enrollment systems. State leaders can connect local leaders and incentivize these practices. Most states require districts to honor intradistrict and/or interdistrict open enrollment, and some states like **Connecticut** give priority for students currently attending low-performing schools and use a lottery system to ensure racial and socioeconomic integration.<sup>xxvi</sup>

#### **Encourage transparency:**

A recent survey of parents in choice-rich cities revealed that finding sufficient information to make decisions about where to enroll their children is a commonly-cited barrier.<sup>xxvii</sup> Some cities produce consolidated enrollment guides, but others do not or only report on some data. States can incentivize or fund comprehensive school profiles and work to make data more accessible. The federal Every Student Succeeds Act (ESSA) requires states and districts to produce annual school report cards that can help improve transparency.

### **Remaining Issues**

In order to lead in this area, state leaders will need to understand where there are differences of opinion to bring people together.

#### **Purpose of school choice:**

Is school choice meant to increase competition with, and lead to improvement among, traditional public schools? To be a laboratory for innovative practices that can then be scaled? To provide a way out of schools with a record of low performance and improve educational access for low-income families? To allow families to choose the right educational option for their children? Or something else? When considering the purpose of school choice, state policymakers should understand what role it will play in their state and understand that some constituents are opposed to school choice in any form.

#### **Online and virtual options:**

Courses offered online have grown in popularity and availability in recent years. These offerings, including options like distance learning, individual courses, and virtual schools (where students receive all of their instruction online or through another virtual platform, rather than supplementing instruction in brick-and-mortar schools) can expand access to more rigorous or diverse content and address transportation challenges, especially in rural areas. Recent research on virtual schools, however, has shown that, on average, students enrolled in these programs demonstrate weaker academic growth than their peers in traditional public schools.<sup>xxviii</sup> There are potential strategies to improve the quality and accountability of virtual models, such as limiting expansion to virtual schools with demonstrated effectiveness or restricting which types of authorizers are allowed to oversee virtual schools.<sup>xxix</sup>

#### **Role of state accountability:**

Some proponents of school choice argue that reducing regulation and streamlining accountability allows for a more market-driven approach to education and removes undue constraints on enrollment and access. Others contend that stronger oversight and accountability for all schools, including schools of choice, is an important lever to ensure that all students are making progress, public dollars are spent efficiently, and schools are meeting their goals.

### Use of public funds for education at religious institutions:

Private school choice can include the option to attend religious institutions, which can produce better outcomes for students<sup>xxx</sup> and instill values that are important to students and their families. But some critics argue that allowing public funds to be spent by parents at religious institutions through the use of vouchers and ESAs undermines the separation of church and state. And there is not agreement on what accepting public funds — and the additional state accountability and regulations that accompany them — should mean for religious schools’ instructional and hiring decisions. Individual state constitutions may also include Blaine amendments, which prohibit public funding to be spent at religious schools.<sup>xxxi</sup>

### Effects on equity:

Some private schools may limit enrollment or hiring on the basis of sex, sexual orientation, religion, and/or disability since private schools are exempt from many federal protections in these areas if they do not accept federal funds.<sup>xxxii</sup> Both traditional and charter public schools are required to take and serve all students, though neither sector adheres to those requirements in all cases and this requires ongoing vigilance. Vouchers do not cover the full cost of tuition in many instances, which can continue to keep certain schools out of reach for students from low-income families.

## Resources

- **Education Commission of the States**
  - » Choice Resource Page
  - » Policy Analysis: Voucher Programs
  - » Questions to Consider When Creating or Modifying Charter School Laws
- **Learning Policy Institute**, Expanding High-Quality Educational Options for All Students: How States Can Create a System of Schools Worth Choosing
- **National Conference of State Legislatures**, The Next Generation of School Vouchers: Education Savings Accounts
- **Aspen Education & Society Program and Council of Chief State School Officers**, Leading for Equity: Opportunities for State Education Chiefs (see Commitment #10 — “Empower Student Options”)

## Endnotes

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