

How effective are school choice policies?

In February 2017, Betsy DeVos was confirmed as the U.S. Secretary of Education, after a controversial vote that required Vice-President Mike Pence to cast a tie-breaking vote. [1] Among several other controversial plans, DeVos is a big proponent of school choice policies. In particular, she defends that students should be given vouchers, which could take the form of tax credits or savings accounts, to enroll in any school they choose. [2] Discussing the effectiveness of “school choice” is, therefore, very important under the light of the new Administration. Here, I use Nevada’s Education Savings Account (ESA) Program as an example of school choice policy, looking into how the American Civil Liberties Union (ACLU) has challenged the program and contested its legitimacy. Additionally, I discuss how school choice programs, particularly the ones based on vouchers, can further school segregation and which outcomes other examples of such programs have had in the past. Finally, we can draw from these discussions in order to propose potential solutions that could improve programs that are already in place.

Broadly speaking, school choice programs are initiatives that give parents the means to choose whether or not to enroll their children in their local public school or somewhere else. Sometimes, these programs give public funds to families so they can matriculate their children in the private school of their preference. These funds, or vouchers, can come in several different forms, such as tax credits, tax deductions and savings accounts. School choice supporters [3] claim that such policies are beneficial, because private schools generally have better academic performance and would benefit

students attending these institutions. Furthermore, they defend that the competition with private schools would force public schools to improve their outcomes and that school choice programs would decrease racial segregation in schools by allowing poor minority students to attend high-performing institutions. However, as discussed later, evidence shows that these claims are illusive. In fact, school choice programs might retain funds that would otherwise go to underfunded public schools. Moreover, private institutions funded under school choice programs are not subjected to high levels of accountability. Also, due to the educational level of poor parents, it is unlikely that segregation would decrease, since these families would not have information or resources to take advantage of these programs. School choice could actually worsen segregation in poor districts depending on how it is implemented.

One example of school choice policy is Nevada's Education Savings Account (ESA) Program, which the American Civil Liberties Union (ACLU) and its allies have challenged twice. [4] The program was established in 2015, launched in January 2016, and "it allows parents to remove their children from their assigned public schools and access a portion or all of their children's public education funding to pay for services like private school tuition, curriculum, learning therapies, tutoring and more." [5] Under this ESA program, students who are under 7 years old, who have attended public school for at least 100 consecutive in the past or whose parents are on active military duty qualify for funding support. The "average state basic support" adds up to about \$5700. Students with disabilities or whose families have an income below 185% of the value federally established as the poverty level are granted 100% of the average state basic support. Other students are eligible for 90% of it. [6] Both the Nevada Department of Education

and the ESA program website have very loose language about institutions and expenses for which the grant can be used. [7] A year after the ESA program's launching, the state's education system ranked last in the nation. Nevada state officials claim that it is still too early to see the program's outcome in student performance. [8]

The ACLU primarily challenged the program on the basis of which schools parents were allowed to enroll their children in. In Las Vegas, NV, for instance, 53% of private schools are religiously affiliated, mostly Christian or Roman Catholic. According to the ACLU, this ESA program is unconstitutional in Nevada, because public funds cannot be used for religious purposes in the state, [9] but several schools for which ESA funds are used have religious affiliations. These schools often deny evolution, promote worship, and discriminate against LGBT students and students who had an abortion. [10,11] Thus, Nevada's ESA Program also indirectly discriminates against certain groups of students.

According to the ACLU, "in Nevada, Liberty Baptist Academy uses a textbook 'based on the truth of God's word' that refutes evolution and promotes the universe as a 'direct creation of God.'" [10] In fact, On school website's header, [12] one can read "The mission of Liberty Baptist Academy is to Equip Leaders, Train Believers, and Produce Achievers for the cause of Jesus Christ." The ACLU claim goes on: "Logos Christian Academy disciplines students with corporal punishment. Bishop Gorman High School may dismiss students if they have had an abortion or helped someone obtain one. International Christian Academy will reject or disenroll a student who is gay or bisexual. Many of these schools require religious worship from the students on a daily or weekly

basis, can require parents to adhere to a statement of faith or attend the school's church, and require certain beliefs and conduct from teachers.” [10]

Other states also have examples of similar practices. In North Carolina, the group Equality N.C. prompted state officials to exclude schools with discriminatory policies from the state's voucher program eligibility. The request came after Myrtle Grove Christian School announced that parents would be “required to sign an agreement saying they don't support or participate in ‘sexual immorality, including homosexuality and bisexuality.’” [13] Hence, it is clear that, in order to have a successful school choice program that does not discriminate against some of the state's school-aged children, it is essential that religiously-affiliated institutions be excluded from the list of schools eligible for school choice public funds.

Under the current law in Nevada, students can get up to \$5700 per year to attend a private school instead of their local public school. However, this is not enough money to pay for tuition in a high-performing private school in the state. For example, the average annual school tuition in Las Vegas, NV is \$7663 for elementary school and \$9825 for high school. Hence, poor families whose children go to failing schools would still be unable to enroll their pupils in private schools that are supposedly better. In Las Vegas, minorities represent only 22% of private school enrollment, but 74% of public school students, and this is unlikely to change with school choice policies. [14]

Studies show that a few reasons why racial segregation might worsen academic performance. Among such reasons are biases against children in racial minority groups. Because of biases, teachers usually have lower expectations for minority children, who

are also more likely to be expelled from their classrooms. Lower expectations usually lead to less dedication from the teacher to help students of color, leading to a racial achievement gap. [15] These schools populated in its majority by students of color have weak performance and lower graduation rates. Hence, they are also less likely to attract experienced teachers or to have more advanced classes. [16]

It is also worth noticing that white American parents, who are more likely to be wealthier and, thus, well educated, usually use more of their education and social capital to be vocal in their children's education. [16] Pressure from parents on the school board usually prompts the school to take steps to improve their academic outcomes and keeps the school accountable. Hence, attending desegregated schools is not only beneficial so that children can be exposed to diversity, but also so that poorer children can benefit from the social capital of wealthier families. Notwithstanding, poorer children are the ones who are benefited the least in school choice programs that rely on subsidies to send them to private schools, such as Nevada's ESA program.

As previously discussed, middle- and upper-income families are far more likely to use vouchers than lower-income families, since these grants usually do not pay for the full amount of tuition. Nonetheless, the access to these programs and to racially integrated schools is not solely limited by financial reasons. Well-educated parents tend to make better-informed decisions when choosing where to matriculate their children. For example, a study shows that "In Dayton, [...] voucher mothers averaged 13.6 years of schooling, versus 13.2 years for decliners [who did not enroll in the program despite being selected]; 20 percent of voucher mothers were college graduates, compared with only 6 percent of decliners." [17] This study also shows how the same trend is observed

in other cities, such as Washington, D.C. and New York City. In New York, “Only 46 percent of the mothers of the eligible population had graduated from high school, compared with 82 percent of the voucher mothers.” [17] This confirms that parents with higher levels of education usually have more information and knowledge to deliberate about where to enroll their children and how to benefit from different opportunities.

Nevertheless, parents who have attained higher levels of education usually come from wealthier backgrounds and are more likely to be white. Hence, it is reasonable to assume that those who need subsidies to attend better and integrated schools the most would be deprived access to these programs not only because of their parental income, but also because of their parents’ access to information and education. Hence, school vouchers are examples of school choice programs that are prone to worsen segregation in schools.

In addition, giving attention to English Language Learning (ELL) students is especially important in Nevada. The state is home to the district with the second largest ELL population in the country, the Clark County School District. In 2010, almost a third of the district’s students were enrolled in the ELL program, and the ELL population had a growth rate of 3.44% per year. [18] However, ELL pupils usually come from immigrant families, who sometimes have just arrived in the United States. The information gap is even greater for these families on multiple different levels. Recent immigrants are less likely to understand the system and to be aware of all of the school options available. The language barrier might lead parents to be less vocal in their children’s schools, so their needs are less likely to be met. The English language can also be an obstacle for these parents to obtain information about the schools and education programs available to their

children. Thus, while ELL children are much more likely to be poor, in racial minority groups, and in failing schools, [19] school choice programs are much less likely to benefit these kids, who need the help of ESAs the most, than white American children of the same age. In a vicious cycle, segregation is then worsened by Nevada's ESA Program, which was originally intended to pioneer desegregation.

One can notice that money is not the only barrier for students in poor families and racial minorities to access high-quality education. Therefore, school choice policies should not only rely on giving vouchers, but also on making sure that poorer families, whose kids usually attend failing schools, are able to take advantage of these programs. In 2010, Nevada's state census showed that 57.2% of its foreign-born population was born in Latin America. Moreover, while Hispanics and Latinos accounted for 16.4% of the national population, they made up 26.6% of Nevada's population. [18] Hence, translating Nevada's ESA Program information into Spanish would be a first step towards reaching out to immigrating families whose children are ELL students and typically marginalized. Currently, the ESA website is only available in English.

We can also learn from school choice programs implemented in other states. Take, for example, the D.C. Opportunity Scholarship Program, the only voucher program in the nation that is federally funded. A recent evaluation by the Department of Education "found that students who attended a private school through the program performed worse on standardized tests than their public school counterparts who did not use the vouchers." [20] The one-year long study was performed with 1700 children, about half of who were selected in a lottery to take advantage of the program and half who did not receive the benefit. [21] While the example in Washington, D.C. might not be reflective of the

situation in all other school districts across the country, the study has enough evidence that school choice programs might not be the best solution to improve student performance. Math scores were, in average, 7% lower for students enrolled in the program, and the declining scores were even more evident for students who left schools that were performing well to attend private institutions. [21] This study about the case in D.C. is also evidence that, if school choice programs are to be implemented, private schools should be kept accountable with the same standards as public schools. In the event that a given private school is not performing at least at the same level as the public schools in the same district, this school should be removed from the program.

Another sensible measure would be implementing lotteries, such as the ones already used in some states to select students for magnet schools. Previous research shows that inter-district magnet schools are the only school choice programs that actually promote racial and socioeconomic integration. When they were first introduced, “magnets designed as desegregation tools employed ‘controlled choice’ pupil assignment plans that considered how an applicant’s race contributed to the magnet school’s racial balance. Today, controlled choice pupil assignment plans continue to be used in both mandatory and voluntary desegregation plans.” [22]

An ideal school choice program would, therefore, also implement a system that guarantees that the schools for which the voucher funds are going have desegregating efforts in place and use the same accountability metrics as public schools. The program could have a list of schools for which parents can use the grants. Students could apply for the lottery, and this system would assign students to different schools based not only on luck but also on a socioeconomic and racial quota. This would make sure that children

from poorer backgrounds, and not only from wealthy and well-connected families, also attend high-performing schools that have already passed through a performance filter.

Inter-district plans might be a reasonable solution, given that racial minorities tend to live in specific isolated neighborhoods. Simply giving access to the lotteries, however, would not be enough. In order to make an inter-district school choice lottery work, states should implement a form of efficient and safe transportation between districts. [22] Without this transportation route, it would be hard an expensive for students in more isolated neighborhoods to attend better-performing schools in different districts. It is also worth noting that such an inter-district lottery system would not only bring racial minorities to wealthier districts, but possibly also bring students from mostly white suburbs to private schools in less integrated neighborhoods. These students will bring their parents' social capital to influence school officials' decisions and hopefully improve academic outcomes in less privileged districts.

In conclusion, we see that school choice programs based on vouchers or subsidies, such as Nevada's ESA Program are not effective to help those who actually attend failing public schools. School choice policies are ineffective, because low-income parents usually cannot afford the remaining portion of private schools' tuition and also because such policies worsen racial integration. These programs enhance segregation, as parents who have access to information and more resources are typically white and richer. As we have seen, in order for a school choice program to be implemented, there are several precautions to be taken. First, schools partially funded by voucher grants should be subjected to the same accountability standards as public schools in the same district. Second, it is important that the schools for which these funds can be used do not

have discriminatory policies, such as the ones that some religiously-affiliated institutions might have. Third, the program should have features that accounts for racial and socioeconomic desegregation. These policies include implementing a lottery with racial and income quotas in order to distribute students across schools. Moreover, since neighborhoods can be segregated by race, it is important that the lottery allows students to enroll in school in different districts. In order for this inter-district endeavor to work, safe and reliable transportation should be provided to students. Finally, in places like Nevada, with a high concentration of Latin American immigrants and a large population of ELL students, who typically come from immigrant families, the information about the school choice program should at the very least be translated into Spanish. This would help closing the information gap that also leads to segregation.

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