

The School Choice Debate in Texas

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This past January, Texas governor Greg Abbott (R) proclaimed January 24-30 “School Choice Week” in the state and encouraged Texans to participate in a rally at the Capitol “to learn more about the variety of educational options available and support families’ ability to choose the educational environment that best suits their children’s needs” (National School Choice Week). Four months later, activists established a new advocacy group, Texans for Education Opportunity, which, according to its executive director, promotes “all forms of ‘school choice,’ including charters and traditional public schools” (Collier). Although technically school choice includes a parent’s choice to keep their child in the local traditional public school, advocacy groups such as National School Choice Week and Texans for Educational Opportunity focus far more on promoting charter schools and vouchers as an alternative to “failing public schools.”

School choice advocates are becoming more vocal, but there is of course another side of this education-reform debate. Organizations which advocate on behalf of public districts, administrators, and teachers, such as the Association of Texas Professional Educators oppose these alternative schooling options. In 2013, sixteen public school districts in the San Antonio area joined with business and community leaders to launch Go Public which, in their own words, is “a campaign to generate better awareness of the facts about San Antonio-area independent public school districts and the wonderful, life-changing things that happen in our schools every day.”

Both sides have good intentions; both sides want children to receive a quality education in the state of Texas. The disagreement is one of purpose and methods. What is the goal of education within the state of Texas - what do we want students to learn and achieve by the time they graduate? What type of educational institution can best fulfill that purpose - private

schools, charter schools, home-schooling, or traditional public schools? School choice advocates often point to poor teachers and weak curriculum as the cause of failing public schools. They argue that school choice will close the demographic achievement gaps and force public schools to improve through competition. Economist Milton Friedman began advocating for school choice in the middle of the twentieth century, applying the principles of free market capitalism to education. Alternatively, those who support traditional public schooling argue that the majority of public schools are not failing and that school choice would siphon tax dollars away from public schools, which would cause more public schools to fail. If public schools are “failing” as so many reformers claim, is it really the best idea to drain them of funds? If academic choice is what students and parents are seeking, many traditional public school districts offer choice in the form of magnet schools or campus-level choice programs within their district. Texas is not the only state debating over education reform, but as a resident of the state, that is where I chose to focus my research.

Until the late twentieth century, most parents and students had two choices in education - public or private. Increasing options through various “school choice” plans became a focus of educational reformers in the second half of the twentieth century as American public schools became more inclusive. As children of color and children with disabilities became equal participants in public education, more attention was focused on the achievement gap between high and low performing students. The failure to close that achievement gap is one cause for a new growth in education reform movements in the late twentieth century. Nationwide, there is little consensus on the problems of public education, the purpose of public education, and what

exactly would “fix” the institution, but in the late twentieth century the idea that school choice was a solution to failing public schools became more prominent.

School choice within traditional public education really began with the creation of magnet schools in the 1960s and 1970s, which were established as a means of achieving racial integration in the public school system. In those districts segregated by housing policies and demographic trends, magnet schools could provide opportunities for students to attend campuses outside their attendance zones. In addition to this goal of integration, school choice plans emerged from a growing dissatisfaction with American public education. In the 1950s, public intellectuals such as Arthur Bestor and Richard Hofstadter attacked the prevalent pedagogical model of the day, which was based on John Dewey’s child-centered, progressive ideas. According to men such as Bestor and Hofstadter, progressive education was minimizing intellectual training in favor of practical training. Thirty years later, in the 1980s, it appeared that not much had changed when E.D. Hirsch, Jr. published *Cultural Literacy*. Hirsch again blamed Dewey’s influence on pedagogy for the “dumbing down” of American schoolchildren. Public intellectuals also brought national attention to the fact that children of color and children raised in poverty were performing at lower levels than other students. Charter schools originated as labs where teachers could experiment with curriculum and pedagogy, many with the express goal of targeting at-risk students and closing the achievement gap.

The first charter schools were established in Minnesota in 1992. By the end of the twentieth century, charter school legislation had been passed in thirty-four states and the District of Columbia. Today over forty states have adopted charter school legislation. Though charter policies differ from state to state and many charters are financed and managed by private

companies, charter schools receive federal, state, and/or local funds. Most charter school legislation allows charters to operate under a board of directors rather than an elected school board. Although most states have accountability measures in place for charter schools, those measures vary from state to state, and most states allow charters more flexibility and freedom than traditional public schools. For example, in the state of Texas charter schools must meet the federal mandate for hiring “highly qualified teachers,” but those teachers do not have to be certified by the state board.

Proponents of charter schools typically argue that providing parent choice and freedom for innovation will result in greater gains for disadvantaged demographic populations and will, through market competition, encourage public schools to improve. Texas passed its first charter legislation in 1995. In that same year, a study published by the Texas Public Policy Foundation boldly claimed that “[d]isadvantaged students will be able to escape from the worst, most violence-ridden schools” and “[p]ublic school administrators and boards of trustees will be under greater pressure to improve academic quality and create safe learning environments” (Dougherty and Becker). Unfortunately, more than a decade later, standardized test data revealed that those goals were, in most cases, not achieved. A research team reported in 2009 that “in Texas (in both reading and math), charter middle schools appear to be falling short of traditional public middle schools” (Zimmer, et al., p. xvi). For the 2014-2015 school year, 76.5% of charter school campuses met accountability standards set by the state, while 87.2% of traditional public school campuses met accountability standards (Raise Your Hand Texas). The 2009 study also found “no evidence that charter schools systematically produce different effects for different demographic groups” (Zimmer, et al., p. 85). Applying the principles of free market capitalism

to educational institutions also does not seem to have the intended effect nationwide, though in Texas there were slight indications of charter schools having a small effect on raising the performance of public schools (Zimmer, et al., p. 82).

Charter schools may not be producing the desired effects, but they are also apparently not as harmful as public school advocates may claim. One argument frequently used against charters is that they will drain public schools of their best resources - adequate funding, quality teachers, and high-performing students. That last claim - that charter schools skim the best students away from public schools - is not supported by the data. In most states, students who switch to charters were performing near average when they made the switch. In Texas, in fact, students of color who attend charter schools typically perform below average (though white students who choose charters typically perform above average). One reason for this trend in Texas might be that there are special charters (and fewer restrictions) for campuses which enroll primarily at-risk students.

Though it seems that on average charter schools are not achieving significant results, it is difficult to measure their progress for the same reasons it is difficult to truly measure public schools. Averages tend to hide the best examples and the worst offenders. Additionally, there are a variety of factors that influence student learning both in and out of the classroom. It is difficult to compare students who choose to go to charter schools (who might inherently be more motivated than those who choose to stay in public schools) to those students who stay in their local public school.

As the evidence gathered, charter laws in Texas have changed. On one hand, the current cap of 215 will be raised to 305 in 2019. There are currently 182 charter schools in the state, so

there are plenty of opportunities for new charter schools to be established. On the other hand, in 2013 the state of Texas tightened accountability regulations for charters and now the state can close charters that fail to meet accountability standards three years in a row. Since the law was passed, 17 schools have lost their charter. It is interesting to note that one of the early arguments for charters was that deregulation and privatization, getting rid of government bureaucracy, would lead to greater innovation, and thus success, in private schools; it seems this is not always the case, in some schools (as in other industries) it only led to inadequate leadership and misuse of funds. Texas policy continues to support charters, but policymakers have realized that lax regulation can often lead to failing charter schools.

Another school choice solution offered by reformers is vouchers, which would allow parents to use public, tax-supported funds to pay for private school tuition. First suggested by Milton Friedman in the 1950s, vouchers did not gain traction in education policy until the 1980s and 1990s, apart from a failed experiment in a California school district in the 1970s. In 1990, Wisconsin became the first state to implement a voucher program and now over twenty states and Washington, D.C. allow vouchers. In most voucher systems, the state will provide just under the per-pupil average spent in the state. Thus, voucher programs do not necessarily provide choice to poorer families because they usually do not cover the full cost of the private school options available to students and parents. Vouchers have also been challenged in the courts because public funds are being used to support religious education, though in the most recent case in Nevada a district judge found them constitutional.

For the past two decades there has been a growing push for vouchers in Texas, though the legislature has not yet passed voucher legislation. Although there have been a few

privately-funded pilot voucher programs, such as the CEO Horizon Scholarship Program in San Antonio's Edgewood Independent School District (ISD) which lasted from 1998 until 2008 when it ran out of funding, the legislature had not come close to passing voucher legislation until 2015. In 2015, the Texas Senate passed a bill that would provide tax cuts to businesses who donated funds for school choice "scholarships" that parents could use to send their children to private schools. That bill did not make it through the House of Representatives, but Lieutenant Governor Patrick, who served as chairman of the Senate Education Committee while he was a state senator, is determined to try again in the next legislative session. At an event sponsored by the Texas Public Policy Foundation this past January, Lieutenant Governor Dan Patrick (R) informed the audience that in the next legislative session he would encourage the Texas Senate to pass legislature offering an "educational choice scholarship program." The executive director of newly-organized Texans for Educational Opportunity identified its primary objective as promoting "education savings accounts," which, like vouchers and unlike Patrick's scholarship program, would provide public funds for parents to pay for "private school tuition, tutors or home-schooling materials" (Collier). Nevada has recently passed similar legislation.

Many urban and suburban districts have responded to this increasing demand for school choice by advertising and expanding their intra-district magnet schools and choice programs. Fort Worth ISD, Dallas ISD, Northside ISD (San Antonio), Northeast ISD (San Antonio), San Antonio ISD, to name a few, all offer such programs. Grand Prairie ISD, situated between Dallas and Fort Worth, is one of few "open-enrollment" public school districts, not only offering choice to students within its boundaries, but accepting students from outside its boundaries as well. Like charter schools, these magnet schools often specialize in particular career paths or

focus on a distinct mission, but unlike charter schools these traditional public options are still subject to all state regulations.

It seems that school choice, in the form of charter schools and vouchers, has not significantly improved education in America, particularly in Texas. In *The Schools We Need and Why We Don't Have Them*, E.D. Hirsch, Jr. argued that since most public and charter schools in America follow the same tradition of progressive pedagogy, there is only an illusion of choice. Charles Glenn upheld the Dutch model of public schooling as an example of publicly-funded school choice, but according to Hirsch, “some 16 percent of Dutch schools perform below par, compared with 1 to 5 percent of below-par schools in the nonchoice systems of Sweden, Denmark, Japan, and South Korea” (Hirsch, p. 61). It is unlikely that there is a panacea for our dissatisfaction with public education in the United States, and at this stage in the school choice movement, there is no significant evidence to support the claim that charters and vouchers will improve education across the board in the United States. Regardless, it seems that support for the school choice movement is growing within the state of Texas and the nation, parallel with a general grassroots libertarianism that has swept the nation in recent decades.

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