

# NEPC REVIEW: TOWARD EQUITABLE SCHOOL CHOICE (HOOVER INSTITUTION, NOVEMBER 2020)



Reviewed by:  
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February 2021

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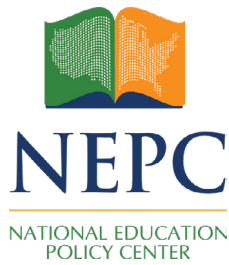
**Suggested Citation:** Lubienski, C. (2021). *NEPC Review: “Toward Equitable School Choice.”* Boulder, CO: National Education Policy Center. Retrieved [date] from <http://nepc.colorado.edu/thinktank/equitable-choice>

**Funding:** This review was made possible in part by funding from the Great Lakes Center for Educational Research and Practice.



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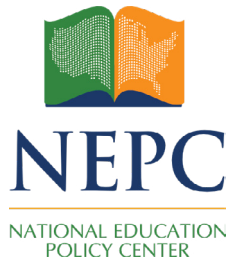
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## Executive Summary

A new report from the Hoover Institution seeks to offer evidence-based guidance for policy-makers in shaping more equitable outcomes from school choice programs. The report is apparently a response to two ongoing concerns. The first is the choice movement's ties to past segregationists seeking to avoid post-*Brown* integration efforts. The second is evidence of a link between choice and inequitable opportunities. These concerns have caused choice advocates to highlight the theoretical potential of non-residential-based school choice programs to improve upon residence-based school assignments. This review of the Hoover report examines its claims, its representation of the research, and its use of research in forming those recommendations. The review finds that although the report is useful as a snapshot of the current status of choice programs in the United States, its use of research is often problematic. Some of the research is misrepresented, many claims are made without citations to evidence, and some of the recommendations bear no connection to the evidence provided in the report. As such, the report is, as intended, a political guidebook for conservative policy-makers that fails to offer evidence-based guidance on making choice more equitable.



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## I. Introduction

In December of 2020, the Hoover Institution released *Toward Equitable School Choice*,<sup>1</sup> a self-described “evidence-based policy paper” that both summarizes some of the research on non-residential-based school choice programs (hereafter “choice” programs) and offers “a set of practical recommendations for state and federal policymakers’ consideration and usage.”<sup>2</sup> The report, authored by Hoover Fellow Paul Peterson, is part of Hoover’s “Education Success Initiative” that addresses topics such as district-based choice, charter schools, school choice and segregation, and the impact of private school choice.<sup>3</sup>

The report seeks to cast choice as a useful policy for promoting equitable opportunities, if not equitable outcomes. While the choice movement has claimed equity as one of its main goals since the implementation of choice policies in the 1990s, critics have raised concerns that choice may lead to greater inequities in educational opportunities and outcomes as better-positioned families and schools may use choice to enhance their advantage.<sup>4</sup> Concerns about inequitable outcomes have amplified as new evidence emerges,<sup>5</sup> pressuring choice advocates to address these concerns as well as the historical links between choice and segregation.

The report reviews research on choice programs in the US to provide evidence that could allay concerns about choice-driven inequities. Then, under a clear argument for scaling up choice programs, it promises evidence-based “principles and specific recommendations for state and local policy makers.”<sup>6</sup> This review examines the report’s claims, its representation of the research, and its use of research in forming those recommendations.

## II. Findings and Conclusions of the Report

The report seeks to highlight the benefits of choice programs by reviewing some of the research across different types of choice programs, including evidence of satisfaction, attainment, achievement, program costs, and equity. The report acknowledges that, overall, these

forms of choice have not transformed American education. Only about 15 percent of the student population is making use of these choice opportunities, and apart from the education provided by a relatively small number of outstanding charter and magnet schools, and access to high-quality private schools for low-income families, the quality of the educational experience at the new schools is not dramatically different from that available at assigned schools.<sup>7</sup>

Despite these acknowledgements, the report contends that there is demand for these programs, especially for less affluent children. To indicate advantages of choice, the report points to surveys of parental satisfaction along with attainment outcomes such as claims of higher college attendance rates, as well as assertions that performance for choice students is “better on tests of achievement in math and reading than those assigned to a district school.”<sup>8</sup> At the same time, it notes that “[c]hoice schools do not have a negative impact on the performance of students at assigned schools.”<sup>9</sup> The report also suggests that choice programs are lower-cost policy options, with private schools’ average tuition being about 9% less than average per-pupil spending in public schools.<sup>10</sup> With regard to social segregation, the report contends that choice programs at least do not “have baneful effects”<sup>11</sup> and have “little impact on the degree of ethnic segregation in the United States.”<sup>12</sup>

## III. The Report’s Rationale for Its Findings and Conclusions

The report advances from a clear premise that choice is already a “nearly universal” reality that has been an “inherent feature of the American education system”<sup>13</sup> since colonial times and into the present since families often choose residences based on school quality. Despite extant evidence of the segregative effects of choice programs briefly noted in the report, the report contends that by expanding choice and restricting regulation, equity will improve.

## IV. The Report’s Use of Research Literature

The report represents findings in ways that cast choice in a more positive light than is warranted. For instance, it cites the author’s own 2020 study claiming larger achievement gains for students in charter schools, despite criticisms of that research.<sup>14</sup> The issue of achievement is especially problematic: Not only are the report’s claims inconsistent and contradictory, but they also often ignore the evidence cited. At one point, the report notes that, “In many places, these students are performing better on tests of achievement in math and reading than those assigned to a district school”<sup>15</sup>—only to later repeat this claim verbatim, *except*

for removing the important qualifier, “In many places.”<sup>16</sup> After citing inconsistent benefits, the report asserts that at least choice schools do not “have baneful effects,”<sup>17</sup> neglecting to mention in that claim the recent evidence of large negative impacts on learning for students exercising school choice.<sup>18</sup>

Elsewhere, the report does briefly acknowledge the “negative impacts” from recent research on statewide voucher programs, but dismisses these impacts by speculating that they may be due to regulation.<sup>19</sup> On this issue, one observer has stated that the negative impacts are “as large as any I’ve seen in the literature’ — not just compared with other voucher studies, but in the history of American education research.”<sup>20</sup> This evidence is certainly “baneful,” despite the report claiming otherwise.

## V. Review of the Report’s Methods

As a review-based set of policy recommendations, the report does not discuss methods except that it “draws heavily” from four recent Hoover Institution reviews of school choice research, as well as from the author’s own work.<sup>21</sup>

## VI. Review of the Validity of the Findings and Conclusions

While the report offers an overview of the historical context and current state of choice, it suffers from a number of issues that undermine its conclusions, including missing, misrepresented, and contradictory evidence, as well as unsubstantiated recommendations. At several points, it makes claims about the research evidence that accurately reflect neither the specific study cited nor the wider research literature. In almost all these cases, the representations err on the side of casting choice in a more favorable light relative to the actual findings in the research.

For instance, the report suggests that charters serve higher proportions of disadvantaged students than do public schools.<sup>22</sup> But because charters are more concentrated in urban areas, we would *expect* charters to serve more disadvantaged students, on average. Using only the proportion of students eligible for lunch subsidies as a gauge of disadvantage is an imprecise measure that fails to reflect the *degree* of disadvantage; evidence suggests that choice students tend not to be the most disadvantaged students.<sup>23</sup>

The report also makes claims about cost advantages for choice schools, indicating that per-pupil spending on public schools is greater than private school tuition.<sup>24</sup> Such comparisons are misleading since they do not account for differences in the populations served, costs for high-needs students that are disproportionately represented in public schools, and other issues. The report asserts that public schools are plagued by special interests that make them inefficient while downplaying an initial promise that choice schools would do more with less funding, bemoaning funding “disparity” that favors public schools.<sup>25</sup> It then seeks to dismiss equity in funding as a solution, claiming that “the relationship between

socioeconomic background and student achievement has remained extremely wide over the past fifty years”<sup>26</sup> and ignoring a voluminous research literature on the link between funding and more equitable outcomes.<sup>27</sup>

Despite overwhelming evidence that early promulgation of choice was not based in equity but libertarian perspectives,<sup>28</sup> the report repeatedly asserts that choice programs emerged “to address the . . . inequities” associated with residential segregation.<sup>29</sup> In an attempt to dismiss evidence that choice was used to perpetuate inequities, the report briefly acknowledges the link between early choice proposals and southern segregationists’ attempts to undercut *Brown v Board* by suggesting that those early programs were never implemented. However, Milton Friedman—cited in the report—explicitly acknowledged the potential use of vouchers to sustain segregation when he published his proposal for them in the immediate aftermath of the Supreme Court’s 1954 decision. Indeed, while the report states that Friedman contended that “choice would induce school improvement,” there is very little in Friedman’s essay that links choice to that goal. Instead, Friedman was much more focused on rolling back the role of government in education and encouraging individual choice as an end in itself. The report argues that equity served as the inspiration for the modern choice movement, failing to consider that choice provides subsidies for fiscally challenged private schools (some of which, the report briefly acknowledges, is due to sex-abuse claims), as well as for middle-class families who likely would have paid for private school tuition themselves without taxpayers footing the bill.<sup>30</sup>

*The report makes a number of recommendations aligned with ideology rather than empirical evidence.*

In setting out specific policy recommendations, the report displays a remarkable disconnect between the evidence and its conclusions/recommendations, which appear as an ideological wish list rather than policy guidance based in empirical evidence. For instance, the report recommends greater autonomy of schools without showing evidence that autonomy is in fact related to a greater range of options or better outcomes. It points to choice schools’ responses to the COVID pandemic as proof of the benefits of autonomy, claiming that “charter networks also provided more systematic instruction when the COVID-19 pandemic forced school closings in the spring of 2020.”<sup>31</sup> Yet, the study it cites to support that claim made no comparisons between charter and district schools.<sup>32</sup> The report also fails to consider evidence that autonomy may be related to detrimental impacts, particularly in limiting equitable access for some groups of students through exclusionary practices.<sup>33</sup>

The report makes a number of recommendations aligned with ideology rather than empirical evidence. For instance, it recommends that charter schools “should have public support to cover their capital costs as well as their operating expenditures,” but fails to tie that issue to evidence of equity or outcomes.<sup>34</sup> Likewise, it asserts that a “family’s choice of school should not be distorted by fiscal policies that favor one sector over another,”<sup>35</sup> without providing an empirical basis for this claim. Similarly, it concludes that the “focus should be on enhancing choice in secondary education,”<sup>36</sup> without providing empirical evidence to support this recommendation.

The report fails to explain several other assertions. It highlights apparent variations in charter achievement in different regions of the country without explaining why this is notable,

nor what insights could be gained from this observation. It indicates that “some research suggests that principals must have control over instructional and pedagogical approaches, teacher selection,” etc.,<sup>37</sup> but cites none. While it relies on test outcomes in making claims about program effectiveness, and positions parents as rational actors choosing schools based on available information, it then dismisses the notion of offering parents such information about private school effectiveness.<sup>38</sup>

Perhaps most importantly, the report never explains why encouraging families to choose what are often lower-performing schools is a worthwhile policy.<sup>39</sup> The report notes that non-Catholic Evangelical/Christian schools are “the most rapidly growing component of the private sector,”<sup>40</sup> but fails to note that they are also the lowest performing type of school.<sup>41</sup> However, even in its aversion to regulation, the report recommends that policymakers “Preclude low-quality private schools from participating in government-sponsored programs but resist the temptation to regulate the private sector”<sup>42</sup>—as if performance standards for program eligibility were not a form of regulation.

While the report devotes all of 14 words toward acknowledging recent evaluations finding negative impacts from statewide voucher programs, it never addresses why we are seeing such outcomes, aside from speculating about detrimental impacts of regulation on voucher programs. Yet without seeking to understand why findings of modest or null impacts of smaller, citywide voucher programs turned negative for larger programs in recent years, it is difficult to gauge the potential of such programs to address equity concerns. Moreover, while virtually all recent voucher programs have been advanced under a rhetoric of equity,<sup>43</sup> and despite the premise of the report’s focus on equity, this report explicitly makes the argument that voucher programs should be expanded beyond economically disadvantaged families.”<sup>44</sup>

There have been concerns for some time that choice is *linked* to greater levels of segregation.<sup>45</sup> While the report concludes that the “best available evidence indicates that charter schools—and other forms of choice—have had little effect on the degree of segregation in US schools,”<sup>46</sup> the research cited to support that claim actually found “extremely high levels of isolation” for Black students in charter schools.<sup>47</sup> The report also makes simplistic claims implying that the stability of segregation in urban areas shows that the growth of charter schools has not exacerbated segregation when a more nuanced analysis would look across different cities and sectors.

The report makes several contradictory assertions. It claims that “[s]chool choice should facilitate desegregation,”<sup>48</sup> but offers no plan, gives no consideration to the incentives schools may recognize to avoid particular types of students,<sup>49</sup> and identifies no mechanisms that will secure opportunity for different students across sectors. The report also makes the notable admission that choice *causes* segregation to increase. It then, however, tries to mitigate that concern by making two claims. First, the report suggests that overall increases in segregation from choice programs are small. Second, despite past concerns about segregation and White flight, the report contends: “To the extent that segregation increases, it is at the will of minority families who choose desired schools regardless of ethnic composition.”<sup>50</sup> In addition to excusing choice’s causal impact on segregation because it is purportedly the choice of minority families, the report is consistently vague about allowing schools the autonomy



to segregate, even as it seeks to make choice more equitable.

## VII. Usefulness of the Report for Guidance of Policy and Practice

As efforts to encourage choice and other market mechanisms have expanded, we see growing levels of segregation and tenuous and even negative impacts on achievement cited (albeit briefly) in this report. Nonetheless, the general recommendation of the report is to advance multiple forms of choice such as expanding charter schools and loosening income restrictions on vouchers. The report admonishes “some advocates of choice [who] celebrate their favorite form while denigrating others.”<sup>51</sup> Indeed, an underlying assumption of this report is that all choice is good and desirable as an end in itself, regardless of impacts on achievement and even equity.

The report has some uses, particularly as an overview of the relationship between choice and segregation in the US and a snapshot of the current status of choice programs. The reader must be aware that the report draws from a particular perspective, authored by the nation’s “leading advocate of school choice,”<sup>52</sup> and published by a conservative institution known in part for its school choice advocacy. Some recommendations—such as advice on providing transportation options—indicate a desire to make choice more equitable. Others—such as allowances for schools to avoid serving some students and making vouchers available to more affluent families—undercut any equity impulse.

The report should be read as a political guidebook more than as evidence-based policy advice. Indeed, the report explicitly highlights opportunities for the GOP: “the prospects for expansion of private school–choice opportunities are ordinarily limited to circumstances in which Republicans have control of the legislative and executive branches of government.”<sup>53</sup> It casts teachers unions as special interests driving political donations opposing choice initiatives, but makes no mention of education “reform” funders that support school choice, including the work of the Hoover Institution. Indeed, the charge leveled *in the report* could easily be turned *on the report* itself: “[C]laims and allegations offered up by narrow groups and vested interests, often with little supporting evidence, too often dominate public conversations.”<sup>54</sup>

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