

SCHOOL CHOICE

State legislators should

- move from funding districts to funding students;
- focus on programs that provide the most freedom for the most people: tax credit-eligible education savings accounts; and
- avoid imposing rules and regulations on private schools, both in choice programs and outside them, especially that schools administer state standardized tests.

American elementary and secondary education is based on a backward model, in which it is expected that children will be shoehorned into what a school system offers rather than the system meeting the myriad and unique needs of diverse children, families, and communities. Local control has somewhat mitigated this problem, but over the decades public schooling has become highly centralized and homogeneous.

State policymakers should flip the model. Instead of funding school districts and enacting state-level controls to which families and children must conform, states should attach education funding to children and let families choose among options offered by educators who are free to decide what they want to teach and how they will teach it. Education should work with freedom and diversity, not against them.

A Brief History of American K–12 Education: From Freedom to Government Control

From the beginning of the colonial period to the late 1830s, education was generally considered to be the purview not of government but of free people, especially families and churches. Government did sometimes play a role, with some colonies requiring that children be provided with basic education in religion, reading, and mathematics, and with Massachusetts in 1647 going as far as requiring towns to ensure that there was a teacher or a grammar school

to whom families could send their children if they so desired. Government also sometimes supplemented the funding of schools because the greatest reliable generator of funds for schools in the Old World was one of the few superabundant things in the new: land. Even with that, Massachusetts families were expected to pay even for public schools as long as they had the means, and such government provision did not extend far beyond New England.

The absence of public schooling did not render Americans uneducated. Children throughout history have always learned a lot—through instruction from their parents and other elders as well as hands-on experience—whether the subject was how to obtain food and shelter or how the society into which they were born worked. In the colonial and early republican eras, much knowledge and skill were acquired by working with one’s parents on a farm—agriculture was by far the most common occupation for most of American history—or through an apprenticeship with a master of a trade, such as a printer or blacksmith. But there was also a great deal of less vocational learning, including in reading, writing, mathematics, and more, sometimes in schools, sometimes out of them. Indeed, an estimated 90 percent of adult white Americans were literate by the dawn of the “common schooling” movement in 1837. (African Americans were often forbidden by law from receiving an education.) As historian David Tyack has noted, “Before Americans generally accepted the idea that schooling should be publicly controlled and financed they clearly believed in education of the public.”

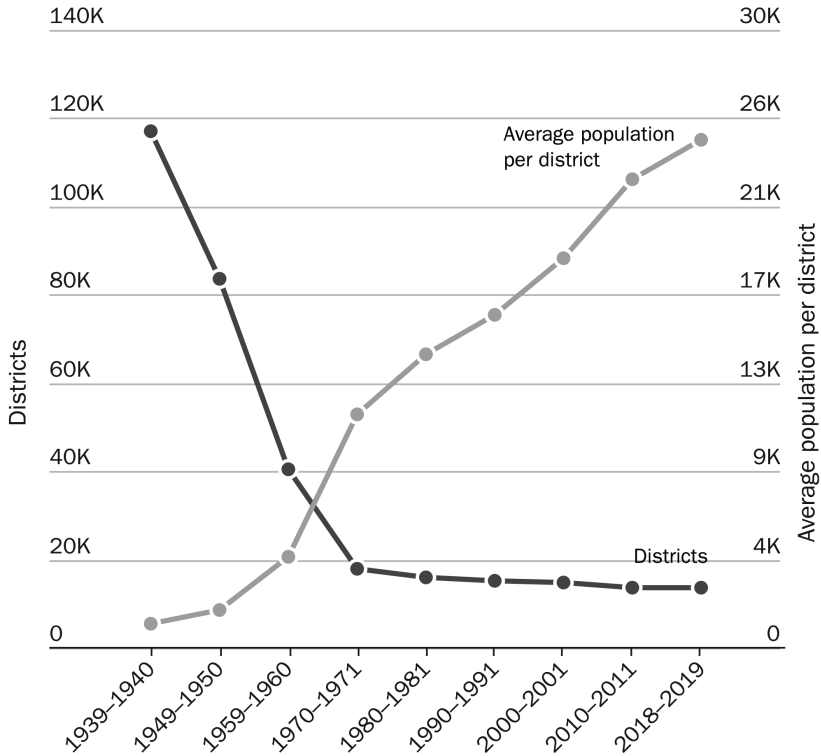
The year 1837 marks the start of the public-schooling era because it is the year that tirelessly crusading Horace Mann—“father of the common school”—became the first secretary of the Massachusetts Board of Education. He was the leading advocate in the country for uniform, government-provided schooling, aimed at creating virtuous, unified state and national citizens. It took a long time for public schooling to become coupled with compulsory education laws. The first was not passed until 1852, in Massachusetts, and the last among then-existent states was passed in Mississippi in 1918, and use of the schools was long sporadic.

Public schooling did not, as literacy levels attest, typically fill an education vacuum. It crowded out private schools and other options, including the many forms of education in the colonial era—homeschooling, apprenticeships, private schools of many types—and later pushed aside or took over widespread private academies that were the forerunners of public high schools.

Despite the uniformity goal espoused by some of its elite backers, for much of public schooling’s history, it was typically very local. As can be seen even in the relatively recent district data in Figure 1—the oldest national data readily available—districts have become fewer and larger since 1940. Overall, the number of districts dropped from 117,108 in 1939–1940 to 13,452 in 2019,

Figure 1

Number of school districts and average population per district



Sources: U.S. Department of Education, National Center for Education Statistics, *Digest of Education Statistics, 2020*, Table 214.10, https://nces.ed.gov/programs/digest/d20/tables/dt20_214.10.asp; and “Historical Population Change Data (1910–2020),” U.S. Census Bureau, April 26, 2021, <https://www.census.gov/data/tables/time-series/dec/popchange-data-text.html>.

while the population rose from 132,164,569 to 331,449,281. That moved the average population per district from 1,129 to 24,639—more than 20 times larger. Consolidations were driven by efforts to eliminate districts run by immigrant communities, to achieve economies of scale, to enable more racial integration, and other aims.

Because people naturally tend to live with others like themselves—religiously, culturally, ethnically—small districts enabled public schools to reflect the cultures and values of the members of their oft-homogeneous communities. That fostered peaceful coexistence; people did not have to fight to get the teaching they thought was right for their children—in contrast to what we have seen in stark relief over COVID-19 policies, critical race theory, and more in recent years.

In larger districts, religious and cultural conflicts, sometimes even violent, occurred. Of course, anyone in a small district not of the predominant group

no doubt often felt marginalized. Also, African Americans, and sometimes children of Asian and Hispanic heritage, were either barred from public schooling completely or forced into segregated institutions.

In addition to forcing diverse people to wrestle for control to get the teaching they want, larger districts tend to be less responsive to the communities they serve and to perform more poorly as a result. The odds of knowing school board members or bumping into them at the grocery store and sharing your thoughts is pretty low when your district serves tens of thousands of families. Making matters even worse, since the federal government became heavily involved in education in the 1960s, it has increasingly imposed requirements on all public schools and tasked states with implementing them, greatly decreasing local control while increasing state and federal power.

Outcomes

It is impossible to rigorously compare our present situation with the counterfactual—what if we had left education to the free market? That said, the evidence suggests that if we had left education in the free market, we would likely be in no worse condition in terms of educational outcomes and would have more peace in education.

Studies that have examined outcomes for students randomly selected to receive or not receive private school scholarships they requested—scholarships help put private schooling on a more equal financial footing with public schooling—have gotten mixed results on standardized test scores. (Random assignment helps pinpoint the effects of the schools versus characteristics of students who attend them.) But as seen in Table 1, studies have more often found positive test-score effects than negative. And many people do not believe that test scores are useful indicators of educational success, asserting that they reduce education to what can easily be measured as opposed to outcomes such as character development, critical thinking, and more.

More conclusive than test score outcomes is attainment. Several studies have shown that school choice leads to greatly increased high school graduation rates and college attendance, while none have found negative effects. Research has also found that chosen schools, controlling for outside factors, produce more tolerant, knowledgeable, and active citizens. Meanwhile, history—including that of countries such as the Netherlands, Belgium, and Canada—has shown that school choice helps reduce social conflict among diverse people by enabling them to freely pursue education best suited to their beliefs and desires.

As a bonus, research has consistently found that more options lead to improved *public* school test scores. Competition, it appears, spurs public schools

Table 1

Overall effects for studies of private school choice programs

Outcome	Total number of studies	Number of studies with positive effect	Number of studies with no visible effect	Number of studies with negative effect
Program participant test scores	17	11	4	3
Educational attainment	7	5	2	0
Parent satisfaction	32	30	1	2
Public school students' test scores	28	25	1	2
Civic values and practices	11	6	5	0
Integration	7	6	1	0
Fiscal effects	73	68	4	5

Source: EdChoice, "Overall Effects Counts for Studies of Private School Choice Programs," *The 123s of School Choice*, April 19, 2022. The number of effects detected may differ from the total number of studies because of dual classification of studies that detect both positive and negative effects.

to improve. Choice is also a potential money saver for taxpayers, with the average per-pupil expenditure in public schools sitting at roughly \$16,000 and average private school tuition just about \$12,000.

Recommendations

States should adopt school choice. At its most basic level, that means the norm should be having funding follow students to the educational options—traditional public school, charter, private, homeschool—that their families select. To be most meaningful, choice must include the ability to attend truly private schools. Charter schools, though privately managed, are public schools, and they are not sufficient to provide robust choice. As public schools, they are held accountable through the use of state tests and, hence, state curricular standards, and they cannot be religious.

Vouchers—simply letting government dollars follow children to private schools—are the most direct way to deliver choice that includes private schools. They are not, however, ideal.

To minimize the threat of stultifying regulation, it is important to give both funders and families freedom. On the funder side this is done through tax credits that (a) individual filers can get for their own private schooling expenses or (b) corporations or individuals can get on their income, property, or other

taxes if they donate to groups that provide families funding to choose private options. Ideally, donors do not just choose to donate; they are also able to choose among different providers so that their funding does not go to schools that do things to which they might object, such as teaching math poorly or espousing religious beliefs they do not share.

Credits for donors are typically called scholarship tax credits. As of early January 2022, such credits existed in 21 states, while credits and deductions for a family's own private education expenses existed in 9 states. Scholarship tax credits have been shown to grow more quickly and to carry lighter regulatory loads than vouchers, likely because no taxpayer is forced to fund anyone's school selection.

Even more powerful for families than scholarship tax credits are tax credit-eligible education savings accounts (ESAs). ESAs—essentially, savings accounts holding funds specifically for educational uses—can help pay for private school tuition but also other education expenses, including tutoring for children who need extra help, therapies for students with disabilities, the purchase of science equipment for homeschoolers, and more. They move from *school* choice to broader *education* choice.

The ESA concept is relatively new, first implemented with government funding in Arizona in 2011. As of early January 2022, eight states had government-funded ESAs, and one state—Kentucky—had enacted a tax credit-eligible ESA program.

No matter what private-choice programs a state or district adopts, it is important to minimize regulation. First and foremost, that means not requiring that participating schools administer state standardized tests. Requiring state testing de facto cripples choice by forcing schools to focus on state curricula, homogenizing a key part of what makes many private schools different. Schools should also be free to set their own admissions, pricing, and teacher quality criteria, allowing them to build cohesive communities and try different ways to fund and deliver education. Allowing profit is also crucial, as profit-making signals other educators that a model is in demand and should be replicated.

Along with minimizing rules should be maximizing scholarship size and reach. Within the realm of scholarship tax credits and tax credit-eligible ESAs, that means setting high caps on the total amount of credits available, on the size of the credit for which donors are eligible, and on making credits 100 percent—for example, if you donate \$1,000, you get a \$1,000 credit. There also should be high or no caps on how many students are eligible. Such caps often take the form of strict, numeric enrollment limits or highly restrictive means testing.

If scholarship tax credits or tax credit-eligible ESAs are not politically viable, vouchers are a move in the right direction, but lawmakers must be extra vigilant

about threats to regulate participating schools. Charters are also an option, and they are preferable to all schooling being assigned according to students' home addresses, but their great limitations must be understood. Also, they often take students from private schools because families see them as essentially the same thing, only free. If they hurt private schooling, that might well render them a long-term loss for educational freedom.

Conclusion

For much of American history, education was largely based in liberty, at least for people that government did not bar from receiving it. Over time, though, public schooling became more commonplace and eventually highly centralized, crowding out private options and the ability for people to attend true community public schools. Today, public schooling is highly centralized. That is neither good for unique children, families, and communities nor good for society. States need to remedy that centralization with educational freedom, and the ideal way to provide that is through tax credit-eligible ESAs.

Suggested Readings

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