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Thomas J. Lasley

*University of Dayton*, [tlasley1@udayton.edu](mailto:tlasley1@udayton.edu)

Carolyn Ridenour

*University of Dayton*, [cridenour1@udayton.edu](mailto:cridenour1@udayton.edu)

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# *School Choice: Structured through Markets and Morality*

Thomas J. Lasley II  
Carolyn R. Ridenour  
*University of Dayton*

## ***Abstract***

*School choice is increasingly promulgated as a promising education reform policy for failing urban schools, but no solid evidence has yet shown the promise fulfilled. The authors argue that choice based on market theory without a moral center is insufficient. Without a moral foundation, such market-driven choice programs may actually disadvantage some children further. A market approach, absent a moral perspective, fails to encompass all the necessary dimensions for an educational system that can fulfill the traditional commitment to the common good and effectively serve all urban children, their families, and society. Six moral principles are offered along with examples of reform initiatives that may begin to evidence a morally-centered market viewpoint.*

School choice is the current educational reform mantra, especially for conservative critics of public education. Competition putatively will improve educational quality, drive down educational costs, and ultimately create a more dynamic educational system. Whether or not the choice theory holds is questionable. Although experiments in market competition are increasing, no clear evidence exists to show that market-driven systems result in enhanced student achievement. The critical question is: Does choice result in more educationally advantageous approaches for America's most vulnerable students—the students who are poor, of color, and reside in urban environments? This question looms large over educational policymakers because school choice schemes are an increasingly popular strategy for urban school reform; choice schemes are almost nonexistent in suburban and rural areas. School choice is in essence an issue of urban schools.

Many of the historic public school structures created for K-12 students have failed to deliver on implicit promises (Tyack and Cuban, 1995), necessitating strong calls for school reform. That failure is most pronounced in America's urban secondary schools. The comprehensive secondary school has served America's rich and poor for decades. Unfortunately, a one-size-fits-all school has not accommodated a significant segment of America's minority and low income population who are disproportionately enrolled in inner city (and typically high poverty and highly diverse) schools. For example, within the 61 largest urban school systems in this country, almost 77% of the students in 2001-2002 were African American, Hispanic, or other students of color; this proportion compares to about 38% in all schools across the country (Council of Great City Schools, 2004). Of students in these largest urban systems, 63% were eligible for free lunch subsidy in 2001-2002, compared to about 40% of students across the country (Council of Great City Schools, 2004). And, African-American, Latino, and Native American students dropped out of schools in absurdly large numbers (in excess of 50 percent in many urban environments). Even for white students in affluent areas the gradu-

ation rates are often distressingly low. And, while it is true that many students drop out and then secure a GED, it is equally true that serious questions arise as to whether a GED equates to a traditional diploma.

Enter Friedman and a myriad of neoconservative choice advocates. For Friedman and other market theorists, parent choice is the golden coin of the educational realm. Ostensibly, they do not oppose public schools; rather, they argue for a wide variety of for-profit, charter, parochial and government schools. Some choice advocates agree that the competition may initially create unevenness in quality, but over time those in poor urban environments will benefit from what those with affluence have demanded—better schools. Friedman captures the idea through an analog:

Throughout history, hasn't the relationship been just the other way around [with affluent families selecting the best schools for their children and poor families relegated to poor schools]? When automobiles first came out, they were very expensive. Only the rich could afford them. What happens over time, the well-to-do provide, as it were, the experimental funds to develop an industry. Automobiles are developed. The well-to-do buy them, and that provides the basis for a small industry. The industry grows, it develops better techniques, it becomes cheaper, and now almost everybody has an automobile. Surely, there's much less difference in the stratification of people buying automobiles now than there was, let's say, a hundred years ago, when the automobile industry was just getting started. Again, televisions were developed in the 1930s. They were very expensive; only the rich bought them. But now everybody has a television. And in general, over history, every improvement has benefited mostly low-income people. (cited in Kane, 2003, p. 58)

The public school was established not as a consumer good or a technological advancement such as the automobile, but historically has served a public purpose: to prepare

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effective citizens and, therefore, to enhance and stabilize the “common good.” Whether or not the automobile argument for market choice makes sense, Friedman’s theory has successfully captured the attention of those looking for solutions to the abject failure of so many urban schools to educate far too many students.

A focus on school choice is a focus on urban schools. School choice is not a significant issue in suburban or rural schools. Friedman’s arguments achieved persuasive power because many in the public schools who advocate against choice have not addressed the pronounced and serious problems confronting urban schools (i.e., high dropout rates and unacceptable racial achievement gaps in standardized test scores). Market advocates are seemingly winning the ideological battle for control of educational policymaking. Although 48% of 89 state legislators in six states expressed preferences for 10 reforms *other* than vouchers (such as enhanced teacher preparation and better early childhood education), they still tended to accept pro-market arguments for school reform in urban areas (Laitsch, 2002). Public schools, argue the critics, have not served urban families well. Market orientations have become the political and, for some, the practical solution.

Our contention is simple: Whatever reform policy is embraced to address the urban educational crisis must adhere to certain moral principles. First, it must do no harm to the educational opportunities available to students and, second, it must empower all within the educational system to achieve more fully to their personal potential, or in Dewey’s terms, “to live life to the fullest” (Cremin, 1961, p.123). Such principles necessarily constitute the moral foundation of schools paid for by the public to serve the common good.

In the next section, we present a discussion of the reality of the need for urban school reform and a discussion of the increased dominance of market theories in the reform effort. We then argue for the need for moral perspectives in relationship to embracing school choice program reforms. And, finally, specific recommendations for school choice are proffered that emphasize moral foundations as the core of any market theory for public schools.

### Urban Schools and the Emergence of Market Approaches

Public education is perceived by many conservative critics as the domain of the public school monopoly; that monopoly, the critics contend, is fraught with a variety of common evils: inefficiency, waste, and a lack of teacher accountability.

The public schools have had opportunities to “heal themselves,” especially since the issuance of the *A Nation at Risk* report in 1983. The Risk report argued for internal reforms (tougher coursework and higher, more flexible teachers’ salaries); the conservative reformers are demanding external form: choice. Some educators used the report as a vehicle

to argue for more resources and lower class sizes. Conservative critics are using the current “crisis” to argue for choice.

Choice is not a new concept. Adam Smith argued against monopolies as a mechanism for providing service; Milton and Rose Friedman (1980) “modernized” Smith’s concept suggesting that market forces could and should influence both school efficiency and teacher effectiveness. Indeed, the Friedmans argued for a voucher plan that “would give parents at all income levels freedom to choose the schools their children attend” (p.188).

Market advocates argue that by creating competition and giving parents options, strong schools will thrive and weak schools will be forced to change or close. Choice proponents argue that the way to solve the (urban) school crisis is to use competition to weed out weak and ineffective schools. The same students who have historically had a disproportionate share of unqualified teachers are now going to be a part of a reform experiment to see if competition can produce better schools with more effective teachers.

Market theorists were so successful that in 2002 the *No Child Left Behind* (NCLB) federal legislation was passed that proffered “public school choice” as a policy mandate. Specifically, schools that failed to achieve specified adequate yearly progress (AYP) goals must (after two years) provide parents with the option to transfer their children to higher performing public or charter schools, with priority status offered to the lowest achieving, low income students. NCLB made real what previously had been a practical possibility in just selected communities. It also opened the door to a wide variety of choice options that would challenge the “hold” of public schools on public education.

Choice advocates place the emphasis on the private good and the right of each parent to exercise choice. According to Halchin (1999), “As a market-based education system, charter schools present education as a consumer good, parents as consumers and students as commodities. The fragmentation of the school system, the weakening of the common school ethos, and explicit messages encouraging parents to shop around, all challenge views of education as a public good” (p.24). The immediate winners and losers of this shift from public to private good are unclear. Friedman argued that it would be the most privileged who benefited first (with opportunity trickle down to the poor). The long-term consequences of choice for society are potentially significant. That is, questions arise as to whether policies on school choice potentially place urban school communities at greater risk by diminishing the capacity of urban schools to serve the least advantaged students (both immediately and in the long-term) and by undermining the morale of urban teachers (Fiske and Ladd, 2000; Sawhill and Smith, 2000). That is, does choice mitigate a collective community demand to improve the schools for the “adversely selected” by placing too much emphasis on what fulfills personal needs?

Choice critics assert that whether high quality “choice” schools will be available (the supply side) for the urban poor

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cannot be assured through current reforms because the resources (that is, the requisite number of classroom seats) may not be available to support the exercise of choice. Further, they question whether the parents with access to choice programs possess the requisite social, emotional and intellectual resources to make good education choices (Robenstine, 2001). Elmore and Fuller (1996) argue:

...since parents and students with the least social capital seem also to be the ones who are least likely to engage in active choice, there are few demand-side incentives in choice programs for educators to engage in the deliberate design of programs that appeal to, and work well for, the most disadvantaged students. So it seems unlikely that choice, by itself, will stimulate creativity and improvement in the development of new, more effective educational programs. The problem seems to lie in the fact that the designers of choice programs have focused most of their attention, in all but a few cases, on demand-side issues, such as who gets to choose and how choices will be coordinated, rather than on crucial supply-side details, such as how schools and classroom actually differ. (p.197)

Critics of choice assert that the market solution falls short in producing advantages to those most disadvantaged (that is, those without adequate parental advocates). Some evidence to support this claim may be emerging in Great Britain. After two new laws were enacted in the late 1990s allowing parent choice, middle class Catholic parents exercised choice motivated only by *their* private interests in what was good for *their* children (Grace, 2002). Economists such as Hoxby (2001) argue that the market will engender viable schooling alternatives and enhanced teacher quality. The problem is whether more universal opportunity for all students will emerge. For example, there is little or no long-term evidence to suggest that market theory will help *all* schools perform more effectively, as is evidenced by what has occurred in both New Zealand (Fiske and Ladd, 2000) and Chile (Keller, 2001). Just as some Eastern European countries may lack sufficient capital to use capitalistic principles to ground their economies, so, too, some schools may be sufficiently different and insufficiently resourced as service providers that market approaches may (within the context of current resource allocations) be an inappropriate mechanism for enhancing quality on a broad community-wide scale.

That market theories have encompassed or are capable of encompassing a strong moral dimension is our concern. Real free markets rarely exist; market capitalism in which all the profits *and* all the costs are taken into consideration are rare. Market advocates fail to factor in their formulas all the “costs” of the consequences of choice for those most in need of public advocates. As long as schooling is valued for all children, the costs of educating all children are costs the public must bear. The financial costs of educating both those who opt out of traditional public schools (by exercising

choice) and those who are left behind in those schools (because they are unwilling or unable to exercise choice) must be taken into account. Further, those left behind will likely ratchet up huge costs as it’s likely they will be left in most dire and desperate circumstances and with evidence of the greatest personal need.

Thus far, there is little evidence that competitive market theories include all relevant stakeholders and, therefore, sufficiently benefit all educational consumers. Despite Friedman’s trickle down dream, evidence indicates that markets frequently do not benefit all consumers. Markets have always enhanced the lives of some but, concomitantly, appear to be incapable of enhancing the lives of all. So far, economic schemes are silent on ways to adequately support a high quality education for both those exercising choice and those left behind. In any choice scheme, market theories must be built that ensure benefits for all, which is, admittedly, an enormous, perhaps impossible, challenge that heretofore has not been realized, creating a certain moral void.

An additional consequence of the market approach is the wide spectrum of options created to serve children and families. Not all choice options may further the common good (i.e., prepare students to be full members in a free and equal democracy) because some choice options may be either intentionally or unintentionally exclusionary (e.g., an all-girls or all-boys school). Assuring each child an education for democratic citizenship is a longstanding and fundamental moral good. This moral good, this right of all children to a quality education, is built into the heritage of public schooling (Guttman, 2003). Those creating new school paradigms extol the virtues of the learning communities they are creating and the innovative ways of socializing children (Fuller, 2000), but some options fail to assure tolerance and equity, and to sustain the traditional values that schools historically have held. For example, some faith-based schools might restrict freedoms for groups such as gays and lesbians rather than guarantee unrestricted democratic liberty.

Additionally, if market choices expand too rapidly, traditional public schools may be weakened to the point that the government cannot guarantee space and opportunity for each child, especially if and when some choice schools fail. Such a governmental “quality” guarantee is essential within a compulsory educational system and that guarantee may be particularly difficult to achieve in smaller cities where resource options are more limited.

Many who oppose choice as a false and empty solution to failing urban schools call for massive investments in existing public schools. Their bottom line is that *all* children must have access to high performing schools with excellent teachers and that all students need options if choice schools fail (Fiske and Ladd, 2000). Unfortunately, one of the emerging NCLB problems appears to be that too few high-quality schools are available and proximate for students in urban



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areas. Brownstein (2003) writes: “given the choice between the low performing school in their own neighborhood and the mediocre school ten miles away, [urban] parents may stick to the path of least resistance [and choose low performing schools]” (p.48).

Moral concerns are naturally raised by school choice because parent choice, believed by some to bolster the power of the most disenfranchised families, actually may situate families and students in an even more vulnerable and risky status. Their status as “choosers” means that the quality of their children’s education in urban environments is not assured as it is in more privileged communities. “Choice” is offered disproportionately to those most disadvantaged and those least well served by traditional public schools. As a result, charter schools, one manifestation of the reform efforts, are an option for students in urban but not suburban schools (Finnigan, et al., 2004). Privileged parents can comfortably avoid the “advantages” of the market because historically, more likely than not, they have been served by effective schools and certified teachers. The elite and the middle class have had less risky circumstances and they have had the resources to choose housing in areas that demand and assure high quality schools.

The reality is that charter schools, while smaller in enrollment, employ fewer certified teachers than do traditional public schools—a 79% to 92% disadvantage (Finnigan et al., 2004) and were less likely than traditional public schools to meet state standards (Finnigan, 2004). There is also heated debate regarding whether charter schools serve, proportionally, students who represent the socioeconomic diversity of a community. Critics of charters argue that where charters “fare well” (e.g., Colorado) is the result of having a disproportionately lower number of poor children.

A universal program of school competition is based on a premise of winners and losers and, ultimately, of losers being forced out of business. Yet those schools and students most in need may be the “losers” if market approaches are implemented on a widespread basis because an advocacy system for the education of all children will be diminished as the personal preferences of selected parents emerge and the collective voice of the community is mitigated. Wells (1996) conceptually plays with this idea:

What will happen to these [high poverty] children in an educational free market predicated on the existence of both winners and losers? Who will advocate for them? Who will respond to their sense of injustice or their need for the security and cultural familiarity of a neighborhood school? These are important policy questions. In a truly deregulated system there is no guarantee and no safety net for these students. (p.48)

Though the NCLB legislation is still in its infancy, there are early signs that it is not achieving its goals. Although the legislation was intended to widen opportunities and fuel competitive pressures to force improvements in public

schools, some evidence exists that the law is not fully achieving intended effects. Brownstein (2003) observes:

It’s not only in the largest cities where the [NCLB] law has fizzled. In Cleveland, where 15,000 students in 21 schools were eligible, just 36 children requested transfers in the fall semester—and, of those, nine eventually returned to their original schools. In Boston, where students in 65 schools were eligible, apparently no students have used the new law’s provisions to change schools. Likewise, no students have moved in Dayton, Ohio, though 10 of the district’s 25 schools were on the state’s list of failing schools. In Louisville, Kentucky, 2,900 kids in the Jefferson County Public Schools were eligible to transfer. Only 180 have moved. (p.42-43)

It is because of the “resistance” described by Brownstein that many neoconservatives are now arguing for the *voucher* option. Vouchers are an outgrowth of the perceived failure of public school choice (i.e., there are an insufficient number of quality public schools).

Undoubtedly, *public* and *private* school choice options are going to become an educational reality. The salient question is whether choice will be able to fulfill the moral obligation to provide quality schooling to America’s K-12 student population. Or will choice further engender social and economic segregation and, as a result, mitigate the likelihood of comprehensive moral solutions?

### School Choice: A Moral Obligation

In this section, we attempt to lay out six moral principles that should ground school governance. Clearly, the debate regarding school choice has been heated and ideological. Two perspectives have gained visibility. Conservative critics who advocate choice view the education establishment as a protectionist monopoly, one seemingly willing to tolerate mediocrity in order to preserve the status quo. Educators dedicated to public schools view choice as a threat, one that is willing to sacrifice the educational success of some children in order to achieve ideological goals.

Our intention is not to suggest that either perspective is the best or right or most appropriate for children because we already know the current system has failed far too many young people and the choice system has still not demonstrated that it will succeed. Our principles are designed to attempt a way of thinking about markets based on the moral foundation that is the obligation of public education in this country, a profession of moral actors (Soder, 1990).

Principle 1: *The policies and practices put into place must be ones that create opportunities for all students to succeed without engendering, intentionally or unintentionally, the circumstances for some students to fail.* Reformers must aspire to a zero tolerance program for structures that exist as opportunities for unintentional failure. Some stu-

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dents do choose intentionally to fail. It is regrettable but true. However, no system of education should be created that encourages such a choice. The current traditional system has fostered such choices for far too many students. And competition commonly operates within a framework of winners and losers. Plans must be designed in such a way that they preclude the kinds of loopholes that leave some children vulnerable, leave some children behind. For instance, not all educators in urban schools have effectively interacted with parents and adult family members of children they serve. Without adequate information and access, these parents and adult family members can find themselves ill-prepared to make appropriate choices for their children (Ferrero, 2003). These are the children that many choice programs do, indeed, leave behind, a consequence unacceptable in a choice program that integrates markets with a strong moral dimension. They are also the students who have been left behind in traditional educational structures. New structures must “mend” the broken information and communication bridges between families, communities, and schools. Families cannot make good choices absent good information about their children and about their schools (Ferrero, 2003).

Principle 2: *The choice programs that emerge must expand beyond secular and religiously based schools.* All schools in a choice program supported by public money must practice nondiscrimination and commit to ethnic, gender, religious, ability (both physical and cognitive) and racial equity. “Choice markets” that include schools where equality, tolerance, and nondiscrimination are not fundamental values are flawed and will create pernicious long-term consequences for American society. Some sectarian schools discriminate on the basis of religion, for example. This reality is contrary to a central moral principle: schools that leave no child behind must ensure equity and militate against segregative practices.

Principle 3: *The market policies on choice (and/or any governance structure instituted as a result of choice schemes) must be structured in a way that ensures high quality system-wide educational opportunities with no schools receiving, for whatever reasons, disproportional numbers of students of high poverty* (see Van Lier, 2004a). The idea is not new. Dewey’s writings consistently argue for such an approach; schools (within any community) must represent for each child an essential guarantee. In Goodlad’s terms, the “schools represent the only means to comply with the law [regarding compulsory education]” (p.73) and because of that fact any policy must foster more universal access, especially for students who do not have advocates, to place, even unintentionally, overwhelming numbers of “adversely affected” students in specific schools.

Principle 4: *The “right” to an education in any choice program is a right exercised by parents on behalf of their children.* Advocates of “parental choice” rely heavily on the word “parent.” These advocates frequently decry the fact that parents who opt to send their children to private schools are (unfairly) charged double for their children’s

education: first by their school taxes and, second, by the private school tuition (see discussion in Macedo, 2003). Education “adequate for a first-class (free and equal) citizenship” is a child’s right in this country (Gutmann, 2003) but it is a right exercised by parents.

Parents have no constitutional guarantee to select a school of choice for their child to be paid for by taxpayers. Hence, because of the disestablishment clause of the U.S. Constitution, parents who select private religious schools for their children are not guaranteed public financial support (Gutmann, 2003).

From a moral perspective, some argue that parental power with respect to their children’s potential should not be unlimited in a market milieu. Swift (2004) differentiates between “unfair inequality” in the life chances of students vs. “simple inequality” in life chances. School governance policies necessarily will tolerate simple inequality, unfairness when it is the result of legitimate parent “partiality,” he claims and if the “unfairness does no harm to the worst-off” (p. 326). Admitting that there is real inequality in status due to the unequal family backgrounds among children (i.e., some more privileged toward formal education success than others), he argues, from principle, that this is “simple inequality.” In a market sense, he identifies an “unfair inequality,” as circumstances where “parents are allowed differentially to invest in their children’s potential-development...unfair if some children have their potential developed more than others just because of their parents’ preferences and/or capacity to act on those preferences.” (p. 326). To assure justice, schools (and communities) must, then, act *in loco parentis* to preclude the population of students they serve from sliding into “unfair inequality” environments. This moral argument is grounded in the nexus between the child’s right to an education and the parents’ economic power is relevant to the next principle as well.

Principle 5: *Teachers and schools must ensure that all students, regardless of their financial wealth or personal resources, receive equal access to quality schools.* School funding, community tax base, and family wealth all need to be taken into consideration as sources of student support. If students are forced to attend school to ensure the public good, schools and teachers must treat all students of every social class fairly and equitably in order to assure the students’ good.

It is somewhat ironic that the market forces that allure reformers are, in some sense, the same forces that explain the disintegration of the urban schools reformers who are ostensibly trying to make better. A shrinking tax base within large urban inner cities resulted from dramatic outsourcing of jobs to the outer cities, the suburbs, and then off shore. The move from a manufacturing to an information economy upended the economic base of urban areas. In addition, corporate productivity is enhanced through improved efficiency, including lower labor costs (i.e., job losses). For instance, manufacturing jobs are almost nonexistent and other job opportunities that historically supported the jobs of urban

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families and urban schools are gone. Corporate globalization has changed the labor force dynamics throughout the country, most dramatically in urban areas. Schools supported by those tax dollars are increasingly vulnerable, particularly when schools compete with other state services for diminishing state funding as states attempt to make up for lower federal funding for all programs. According to Anyon (1997):

Corporate profits flow to other countries because such practices go unchallenged. We have been in a long period of social quiescence. There has not, in recent years, been sufficient will to challenge federal and state policies that maximize private wealth while minimizing the public good. (p. 185)

This principle, then, obligates any choice scheme to be one in which financial costs to urban schools will be no greater than the financial benefits the choice program will reap for those same schools.

Principle 6: *The moral foundation of a market scheme is related to the role of teachers and administrators:* A choice program must strengthen the professionalization of teaching as well as bolster its moral foundation. Teaching is a moral act. Teachers in traditional schools are held to clear standards of professional conduct. When teachers assume roles in the marketplace, it is imperative that they behave equally professional and ethical. Some argue that choice might engender teacher deprofessionalization because of the rapid turnover of teachers in choice environments. If true, what costs redound to students in particular and education in general because of choice reforms where the emphasis is somewhat singularly on student achievement as opposed to more generally on student success? Soder (1990) writes:

Compulsory schooling, then, carries with it immense moral obligations and provides a legitimate basis for restructuring teacher professionalization rhetoric...it is precisely because children are compelled [to attend school] and children are defenseless and have low status that teaching has moral obligations and moral praiseworthiness. (p.74)

When schools compete for students, teachers are rewarded for increased enrollments (and those enrollments result from student achievements). Teachers' success is measured by the extent to which they can account for what might be a record of higher test scores (what the market values) at the expense of equally substantive dimensions of the common good, for instance, providing equitable access to learning to poor and minority students, improving the quality of life in inner city neighborhoods devastated by poverty, and enhancing the job skills of future workers. These measures, while beneficial to the common good, may be devalued in a choice market because the emerging choice environment may be "value-added" oriented through a narrow measure of student test scores.

The value-added concept ensures that some structures, some systems, and some teachers function better than others. High performers in market driven schools are those who achieve a defined goal: high test scores. And the cen-

tral player in fostering that achievement is the teacher. Those who embrace the market orientation are not concerned with the credentials of the teacher; they are concerned with the "outputs" produced by that teacher: student achievement (Kanstoroom and Finn, 1999). Outputs such as test scores are not readily or even reliably assessed, however. Data need to be collected over several years before conclusions can be reached about a school's success and even informed supporters of value-added approaches argue for cautions around how test scores are used (Promise and Peril of Using Value-Added Modeling, 2004). While market systems surely will allow some schools to flourish with test score increases, others will fail and without some type of centralized oversight the interests of the students will not be protected.

### Policy Recommendations

Two ideas will be proffered regarding how educators should respond to the current ideological tug-of-war regarding choice. First, *controlled* choice should become a policy option. Controlled choice is not a new concept. Al Shanker argued for a form of controlled choice years ago, especially if teachers played a central role (Chubb, 2003). Shanker envisioned charter schools as a form of controlled choice, and they still represent an option. But, clearly some critical questions have surfaced relative to the overall effectiveness of charters and to whether charters are educating the same "mix" of students evidenced in the larger communities within which they are located. Controlled choice occurs when communities work together to identify schools (public or private) that meet students' needs and transcend traditional political and even geographic boundaries. Controlled choice is important because markets are not perfect (Chubb, 2003). Van Lier (2004) describes what it might look like for Cuyahoga County (Cleveland, Ohio):

At least some outer-ring suburban parents might be willing to send their children to areas of Cleveland such as University Circle. There, a magnet school could draw on resources at Case Western Reserve University, University Hospitals and The Cleveland Clinic, says Regano. (Cleveland School of the Arts, a public magnet school adjacent to University Circle, already enrolls suburban students.) (p.7)

Clearly this type of controlled choice creates complications but it also fosters real opportunities. First, it requires schools and school districts to work together to identify better educational options and, second, it necessitates the development of more unique and innovative curricula which are more likely to be appropriate to the unique learning needs of urban students. Urban students are rejecting some of the extant systemic reform educational structures. And, competition (and choice) has still not demonstrated that innovation will result from enhanced choice. That is bad news for students of need in high poverty contexts. Controlled choice, especially when it is based on more innovative cooperative



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structures, may actually engender the innovation that students need because adults will be working together to address a need rather than competing against one another to achieve a political or goal.

The Dayton Early College Academy (Dayton, Ohio) is an example of controlled choice. It represents a cooperative partnership between very different entities (a public school and private university) and it illustrates an entirely new curriculum model for how to reach urban students, which requires yet another form of cooperation between a local and a state educational agency. The school is part of the public system even though it operates outside some of the district's union agreements, which illustrate another form of cooperation. In the DECA case, cooperation brings together educational reformers with traditional educational leaders.

Second, school districts should begin to evolve more loosely coupled administrative structures to ensure that all schools in a school district (regardless of type) are under a common umbrella of administrative oversight and operate within certain educational parameters.

Cincinnati (Ohio) was one of the first communities to experiment with the "umbrella" or "portfolio of schools" concept. All schools (charter and traditional public) were a part of the Cincinnati system, though some were more directly controlled by the school district than others. The key was that the administrators for the district maintained some involvement over all schools so that the students were not adversely affected when and if a school were to fail.

The "portfolio of schools" approach places all schools, regardless of type, under some type of community administrative structure. That structure focuses on ensuring the viability of each school using various forms of accountability data. Each school may have its own independent board that reports annually on student performance, especially as student tests scores are compared to those of students in demographically similar situations. Such community boards would not function without managing at least some anticipated tension between the promises of choice (fewer bureaucratic constraints on instructional innovation) and the realities of accountability (bureaucratically established standards of success) (Cohen-Vogel, 2003).

The umbrella administrative unit is essential because market force approaches in education work under a spurious assumption that parents are going to make good choices about their children's educational opportunities. For some children and some families the assumption is valid, but for far too many urban children it is, quite simply, not true. Some children in urban environments have absolutely no (or at least very limited) adult oversight. Those children need someone or some "body" to act as an advocate for their needs. That body needs to ensure that adequate performance data for all schools are available and that parents have adequate access to such data and that fair admissions processes are in place for all schools to ensure that the segregation of students by race or gender does not occur.

The umbrella approach is also imperative because of the limited (human and financial) resources available in most communities. Without an umbrella structure, a variety of potential providers (e.g., charters, for profits) compete for extant resources to help with the support of their individual schools. Such competition focuses the energy of adults in opposition rather than having those energies working together for the benefit of all students.

Umbrella structures are also important as a mechanism to ensure that well-designed educational models within a community evolve. Uncontrolled choice is potentially just as problematic (and perhaps more so) than allowing current dysfunctional structures to continue. A Brookings Institution publication explains the rationale for community oversight best:

Choice programs will not be implemented easily or even cheaply. The surest way to help guarantee their successes will be conscious, well-thought-out strategies drawing on the best thinking of the worlds of government and philanthropy. And perhaps the surest way to encourage their failure is to implement choice programs quickly, carelessly, and cheaply, optimistic that at some point things will all work out for the best (School Choice, 2004, p. 36).

A moral educational system is one where the focus is on the students, with adults creating structures to ensure that students in failing schools are not hopelessly on their own when problems occur or not within structures where adults are in a zero sum game for resources with some students being adversely affected because "their" adult advocates cannot compete successfully for educational advantages. The community governing unit exists as a proxy parent that ensures all students have advocates if and when some schools fail. A market theory of choice within which are embedded strong moral constraints is one within which all urban children will be protected from policies or practices that limit their full social and intellectual development.

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