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SCHOOL CHOICE AND THE NECESSITY OF VISION, A LITERATURE REVIEW

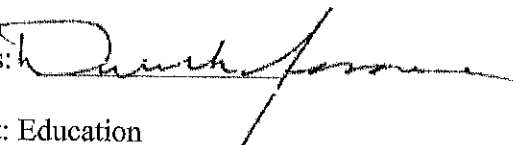
By

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Table of Contents

Abstract	iii
Introduction	1
<i>Education, an overview with school-choice in mind</i>	5
<i>Thesis</i>	13
Theme A: School-choice as an efficacious policy decision	14
Theme B: Research based solutions	19
Theme C: The moral hazard of chasing statistics	21
Theme D: Gaps in the literature	25
Conclusion	32
References	37

Abstract

School-choice has met opposition at the state level of politics in recent years despite growing support for all the policies covered under that broad category – Educational Savings Accounts, Tax-Credit scholarships, charter schools, and vouchers to name the primary policy options – from the voting public as well as the parents with children in schools. Because the predominant audience for reviews has been directed to state legislators, there is a gap that needs filling. That gap should be aimed at federal legislators and executive members to re-consider the purpose of the United States' universal public education in order that we might strengthen weaknesses of choice programs, strengthen strong performers, bolster those in the middle, and, ultimately, improve the traditional public school options.

The literature on school-choice can be divided into four categories: (1) Statistical Analysis of the efficacy of programs, (2) Curriculum reform, (3) Social reform, and (4) Social imaginary reform. A clear understanding of the strengths and weaknesses of each literature type naturally leads to a realization that states and localities are in need of some help to infuse their struggling schools with funding, offer tweaks to their middling programs, and to allow their strong districts to keep doing what they are doing well. The current system that funds localities do not help traditional public schools in high-poverty areas.

Ideally, this literature review unveils the weaknesses of the funding system for education would accomplish a few things:

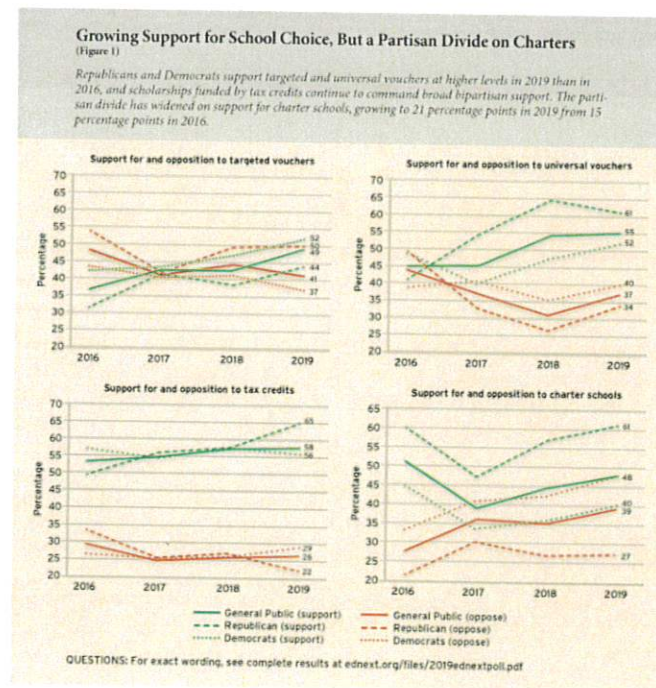
1. It would clarify the purpose of education and allow for localities or states to make that decision,
2. It would generate research for potential funding mechanisms for under-funded schools,
3. It would alleviate the stress on existing schools in under-funded districts by encouraging successful school-choice options, and
4. It would clarify the most successful school-choice policies to apply

The implications for policy are simple, school-choice is a viable option to relieve stress on existing schools that are performing poorly. Finding ways to encourage a both/and process that funds struggling schools and provides options for parents whose children are stuck in failing schools would best serve the people.

Introduction

Bill Clinton, George W. Bush, Barack Obama, and Donald Trump differ in countless ways, but education policy throughout these presidencies has kept to a trend-line: more local control with federal rewards for ingenuity. School-choice has been part of that improvement of increasing local control in each administration despite marginal policy differences unique to each administration's policy goals. Perhaps, the trend mirrors public opinion on school choice and is reflected in polling by Education Next as reported by Henderson (2019 – see figure 1).

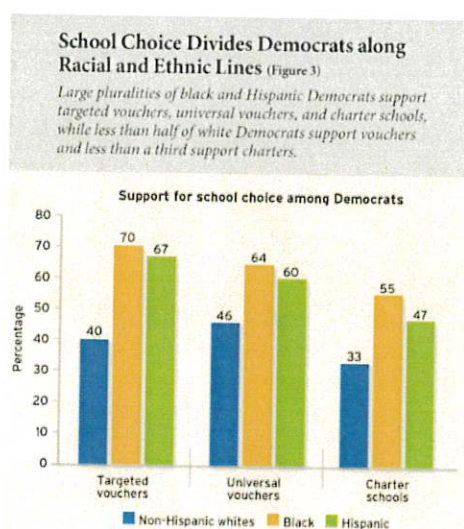
Figure 1



Note: From Henderson, M. B. (2019, August 20). *Public support grows for higher teacher pay and expanded school choice.* Education Next. <https://www.educationnext.org/school-choice-trump-era-results-2019-education-next-poll/>

Whatever the source of this trend, the literature supporting school-choice is mixed. At first glance, the literature falls under four clear categories that are best organized into four quadrants, bi-sected by an X- and Y- axis where the x-axis measures the political complexity required to make a change (see Figure 2). Statistical analysis of the efficacy of particular school-choice programs has quickly developed into a battle to control for exigent circumstances that just cannot be replicated in the messy world of education. This fight has culminated in the politicization of school-choice across the United States that defies the public polling numbers.

Figure 2



Note: From *Schooling in America Survey Dashboard*. (2021, March 22). EdChoice.

<https://www.edchoice.org/what-we-do/research/schooling-in-america-polling-dashboard-2/>

Two examples from recent news cycles in 2023 help illustrate this politicization. Pennsylvania Governor, Josh Shapiro, campaigned for school-choice in his 2022 election against republican opponent, Douglas Mastriano. Shapiro went so far as to feature his advocacy for school-choice reform as a campaign promise on his campaign's website in the run-up to election, but when the bill was on the verge of being passed in July of 2023,

Shapiro used the threat of his line-item veto to strike his delivered promise from the text of a bill despite record support for school-choice reforms (see Figure 2).

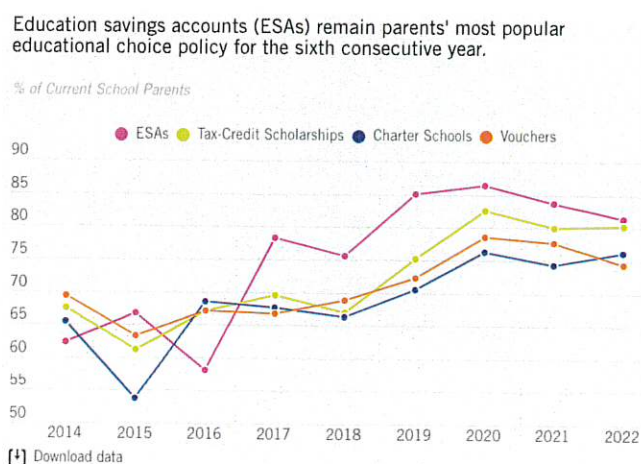
Governor Shapiro's choice to support the veto of his own campaign promise seems linked to a gubernatorial race from another Commonwealth to the south of Pennsylvania, Virginia. When Democratic gubernatorial candidate, Terry McAuliffe, boldly stated that he would back teachers when curriculum was questioned by parents, it was used against him politically and McAuliffe lost a tight election; however, the issue is more complicated than that. This literature review seeks to provide an explanation of how the literature might lead a political candidate to assert a campaign promise that seems to run counter to his political convictions only to renege on that promise once elected.

The second example from political news concerning education policy stems from Illinois and took place in May of 2023 and, yet again, centers around budget talks. The Illinois General Assembly voted to remove the "Invest in Kids" tax credit from next year's budget, ending a scholarship program supporting 9,000 kids with a waitlist of thousands more. The Illinois program has a \$75 million cap annually, but has only averaged \$55 million per year in contributions since its inception in 2017. For a little perspective, that \$75 million represents 0.14% of Illinois' total budget of \$50 billion or 0.77% of the \$9.6 billion earmarked for education (Sharkey, 2023).

These two examples of political machinations are important for any number of reasons, but most salient to the literature review is that the differences between the two states' approach to school-choice. Pennsylvania uses a charter program, while Illinois' was a tax-credit scholarship program. Both programs are, short of life-saving legislation in the fall session, dead within six months. This is fascinating seeing as support for any

school-choice program is at an all-time high among the general public, school-aged parents, and African-American and Hispanic parents (see Figures 1 and 2). Most literature reviews will arrange school-choice literature into the different categories of school-choice: Education Savings Accounts (ESAs), Tax Credit Scholarships, Charter schools, Vouchers, etc. The reviews will measure one program against the other for state policy-makers to understand what route their state should take for the quickest, positive affect on achievement in order to secure federal funding and support; however, this is not working in the face of political opposition as our two case studies display. The fight for school-choice has come to be defined by the political lines drawn in today's unhealthy political environment such that it is a dog whistle rallying cry to one party against another instead of a fight to salvage a broken education system. To understand why a different sort of literature review is necessary, you should first understand the education policy landscape (See Figure 3).

Figure 3



Note: From *Schooling in America Survey Dashboard*. (2021, March 22). EdChoice.

<https://www.edchoice.org/what-we-do/research/schooling-in-america-polling-dashboard-2/>

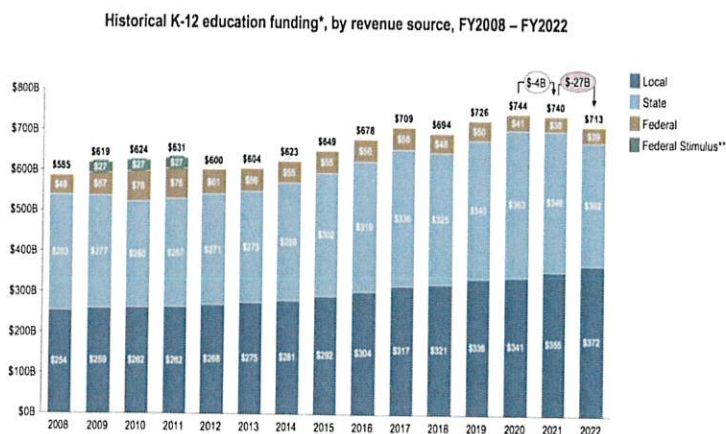
Education, an overview with school-choice in mind

One of the reasons both case studies above came from state budget debates is because of the way education is funded in the United States. States and Localities fund over 90% of their education budget while the federal contribution rarely exceeds 10% of any state's education budget, and is more often around 7%. In fact, that 7% of federal funds provide funding for Head Start and free and reduced lunch programs. That said, that 7% comes with quite a few strings like “Migrant Student Tracking . . . vocational rehabilitation . . . Disability Determination Service for Social Security” and the like. These strings mean that some states can receive more federal funds for state-level administrative tasks. The financial impact of these strings is vast, ranging from 30% to 81% of State Education Agencies' (SEAs) administrative costs (US Government Accountability Office, 1994). This local funding system is why so many literature reviews, aimed at convincing state legislatures how they might commit their money miss the point. A literature review that seriously considers the purpose of education, and one that aims to allow states the freedom to explore school-choice within their own dominant, political culture – that is, one that is not prescriptive in what school-choice a state might utilize or how it might implement that program – might find better success by seeking opportunities to inject federal funds that are already moving to the SEAs. This system also has the benefit of taking advantage a pattern initiated under the Clinton administration, continued by George W. Bush's *No Child Left Behind (NCLB)*, affirmed by Obama's *Every Student Succeeds Act (ESSA)*, and continued by Trump's White House (*Federal policy on education, 2017-2018*; Executive Office of the President, 2017).

A result of this funding mechanism is that there is no better predictor for the success of a local school district's students than the property taxes in that locality. For instance, "nationally, high-poverty districts spend 15.6 percent less per student than low-poverty districts" (Semuels, 2016), which means that city-center and rural districts are in dire need of these monies being argued over at the state-level and there is not a mechanism to overcome this reality. In fact, states have attempted to sue the federal government to overcome this obstacle and, right or wrong; constitutional or not they have consistently lost. Perhaps a review of the literature that seeks to explore the purpose of education and how states can reasonably disagree on this and appeal to the federal government for additional funding to explore their hypothesis might aid in the ingenuity necessary to help our suffering schools. Even better, perhaps a review might suggest that localities can appeal to the federal government through their SEAs in order to get the money the need for the problems they are seeking to solve (Semuels, 2016).

The trend of encouraging local and state control while implementing federal carrots for innovative or successful programs across the nation has been met with fierce opposition in spite of record support for school-choice programs from parents "on the ground" in their local school districts.

Figure 4: Obama's ESSA funds account for increased federal spending during his administration, while CARES Act monies account for COVID years



Note: From Tyton Partners. (2021, January 28). *Making the grade: The state of K-12 funding – is there enough?* Tyton Partners. <https://tytonpartners.com/making-the-grade-the-state-of-k-12-funding-is-there-enough/>

While you do see an oscillation in the years 2008-2022 in the chart above, much of this increased federal funding stems from either federal funds in times of national emergencies like the reaction to the 2008 recession and COVID relief or from increased investment in successful schools under ESSA. The Obama administration's increased school-funding was a response to a massive decrease in state funding because of the economic crisis at the time (Leachman et. al., 2017).

The question naturally arises, why would a mechanism to fund under-performing – and therefore underfunded – school districts be necessary? Surely there is a solution to this issue. There does not currently exist a funding mechanism to help struggling school districts. George W. Bush attempted this with his NCLB legislation that sought to identify under-performing schools and then create a way out of that, but it seems to have been flawed. Oddly, the flaw was that the solution for a school which could not find its way out of poor performance was for the federal government to take over. The Obama

White House sought to correct for Bush's mistakes with his re-write of the 1965 Elementary and Secondary Education Act (ESEA) ESSA, thinking Bush had been too punitive in his approach. In fact, the trend away from federal control over local education was only secured when the Democratic president signed alongside a Republican controlled house and senate in the 114th congressional session.

On the state-side of things, there have been many attempts to secure funding for under-funded schools throughout the years, including lawsuits in 45 of the 50 states. This started with the 1973 San Antonio Independent School District v. Rodriguez wherein the Supreme Court distinguished between access to education and the funding mechanism which allows for discrepancies between local districts and has been affirmed all the way through to a 2018 re-trial of a Connecticut suit claiming similar grounds: "by failing to maintain an education system that provides children with suitable and substantially equal opportunities, the state is violating their constitutional rights" (Issue Profile, 2017). This claim underscores the discrepancy between the educational outcomes of a wealthy district and a district in poverty; however, the argument was unsuccessful on two occasions. First during the initial filing in the State of Connecticut in November of 2005 and its re-hearing that began in September of 2016 and concluded in January of 2018 when Chief Justice Rogers of Connecticut stated that:

"because we conclude that the trial court was correct in its initial determination that the plaintiffs failed to establish that the state's educational offerings are not minimally adequate ... that the state has not violated their equal protection rights under the state constitution, the plaintiffs cannot prevail on their claims that the state has not provided them with a suitable and substantially equal educational opportunity" (*The end of a long road*, 2018).

At this point, we now come to the end of school-choice literature that is simply about education policy. The literature can be divided into four clear categories:

1. Education policy – the research we’ve covered to this point in the introduction;
2. Curriculum – the research that focuses on what is taught in any given school system;
3. Social policy – the research that suggests – and correctly, it should be said – any change made to the mechanism of education in this country cannot overcome inequalities established before the child arrives at a school; and,
4. Social imaginary – the research that suggests we have a poor understanding of what success looks like in education policy, so we must further amend our culture to identify success.

Below, I will quickly outline the types of literatures included in categories two through four in order to better explain why considering the affect of their literature is vital for the success of any federal education policy that seeks to help traditional public schools by funding school-choice in impoverished districts.

-2-

Curriculum

In many ways, Common Core and the state standards of education established by George W Bush’s NCLB are categorized here. These sources are treated in quick-order during this literature review though. This is not because they lack credibility, but because the first category suggests that school-choice options of this nature aren’t necessarily successful because of their prescribed approach to education, but are, instead, successful insofar as they have strict behavior guidelines or support their teachers effectively. While this literature is certainly substantive and worthy for individual school-choice providers to read, it is beyond the scope of this review. With that in mind, literature that supports agreed upon standards like state-wide standards, national standards like the Common Core, or even culturally agreed upon standards from the likes of ED Hirsch or even classical schools are certainly worthy of attention. This literature may well help parents choose effective schools under particular tax credit scholarships.

-3-

Social Policy

This literature is germane to the discussion at hand, but not necessarily included at length in this review. In fact, literature of this kind is already cited in education circles to underscore the importance of one way the federal government is already involved in local education funding: namely, the Health and Human Services department's support of Head Start programs across the country. Reading this literature provides an insight in two ways: first, it displays effective use of federal funds that takes up a large part of that 7% of federal monies supporting local education, and second, it displays a cold reality: that no matter how much success education policy on the first level is, there will always be marginal failures large enough for opponents to attack.

A 2015 study by the Economic Policy Institute claims that "the social and economic disadvantages that generate these gaps should be addressed directly and eliminated through social and economic policies, not just education policies" (*Achievement gaps exist as early as when children begin kindergarten*, 2015). While exploring this is valuable, this is also beyond the scope of this literature view. That is to say, that the EPI is correct in asserting that there are problems that education policy alone cannot fix even while those problems are measurable while researching education outcomes.

The literature on these social gaps dates back to The Coleman Report (1966), which was released within a year of the Elementary and Secondary Education Act in 1965. The Coleman report and literature that has followed it explores achievement gaps

in education that exist within the traditional public schools and, therefore, will also show up among school-choice options seeking to help alleviate those achievement gaps.

Literature of this nature has explored the “existence and persistence of gaps, mechanisms driving the gaps, consequences of the gaps for subsequent learning and development” as well as “the policies and programs to address the gaps” (*Achievement gaps exist as early as when children begin kindergarten*, 2015, p. 5).

This literature, which includes recent findings by Heckman (2008), Heckman & Koutz (2012), Morsy & Rothstein 2015; Putnam 2015; and Rothstein (2004) is helpful to read for those seeking an understanding of the federal role in education policy as well as the limitations placed on school-choice by means beyond education policies control.

-4-

Social Imaginary

This fourth category of research literature is the most vital in this review, and is of equal importance to the first category. That is, if school-choice policy is to be successful, if policy-makers need to be clear about the limitations of what they can achieve through school-choice, if there exists a healthy literature about achievement gaps that cannot be solved without the help of social policy, then policy makers should at least be aware of those seeking to solve these problems outside of the traditional public schools. These resources can be categorized along the political spectrum, with people from both the American right and left contributing to the issues.

Two voices whose differing opinions help establish two clear alternatives are Michael Apple and Frederik deBoer. Michael Apple rarely needs an introduction in education because his work toward a critical pedagogy from the University of Wisconsin-

Madison has been consistent since the late 1970s (*Ideology & Curriculum, 1979; Education and Power, 1982; Can Education Change Society, 2012* to name only a few). Frederik deBoer, on the other hand, published his first work in 2020. Both men are squarely on the far-left of America's political spectrum, yet their ideas present a fruitful distinction worthy of policy-makers attention: can education be changed if the goal is political in its nature?

Both men answer no in their own way. Apple declares, after forty years of work, that not "much that can be done in schools" (Apple, 2015) because poverty and its correlation to location determine so many educational outcomes; however, deBoer asserts that our country and its political class have fallen for "the notion that academic value is the only value, and intelligence the only true measure of human worth" (deBoer, 2020, p. 5). The only way out of this for deBoer is for policy-makers to recognize that the way out of our broken educational system is to embrace that kids have differing talents and seeking to measure our success through numbers of educational attainment and college admissions is an awful failure.

Apple's and deBoer's differing theses test the boundaries of our social imaginary because, to fulfill them, would be to alter the course of our entire culture. Apple is compelled to continue his work among marginalized communities and to be "influential in counterhegemonic work in education and many other spheres of society" (Apple, 2015) while deBoer is convinced that "only revolution, not evolution will save us" (deBoer, 2020, p. 240) it is important to note that hopelessness is not necessary if policy-makers will only heed the advice of the literature and properly assess the value of the

statistical analysis of the efficacy of schools. Currently too many policy-makers are like deBoer and Apple. They are trapped by ideology, statistics, and bad-faith argumentation.

In order to get out of this, heeding the advice of the likes of Nikolas Rose, Helen Gunter, and Patti Lather who expand the work of Hannah Arendt into the realm of education, policy-makers should be aware of the limitations placed on policy by statistics, numbers, and directive associated with them.

Thesis

Since a trend exists in education that increases state and local control of educational funding while accepting an influx of federal funds from time to time, and state legislatures seem consumed by politics that refuse to accept the efficacy and popularity of these programs; it seems logical that there exists a space for delivering monies to localities who are most in need of the solutions. But what are the hurdles to achieving this? What that looks like and how it is developed is what the literature review is designed to help identify. In order to accomplish that, a clear understanding of the strengths and weaknesses of school-choice programs, a basic understanding of public school funding, and a realization that chasing statistical analyses as a measure of educational success is healthy to a point are both necessary in achieving a better system. SEAs and localities would also need to develop an idea of what an investment in school-choice options achieves, and options for that are provided by this literature review. Without a cohesive understanding of the limitations of statistics to lead to effective change in education policy and without an overarching philosophy of what education in each state is meant to achieve, education policy will always fall short for those students suffering from its failures.

Theme A: School-choice as an efficacious policy decision

A series of studies from 2009 to 2019 confirm that not-for-profit school-choice options educate more diverse students than local districts. They do it just as well, if not better, than the district school in classrooms with lower teacher-to-student ratios, making more productive use of time in the classroom, and they reduce crime. Even with all these gains still leaves some students struggling without a solution, and that last fact is often held against school-choice advocates as if the same is not true to a higher degree in traditional public schools.

With all these advantages, the literature is clear on which students are not effectively served by school-choice options: students with special educational service – students on IEPs, 504s, or English Language Learners (ELL). Because we know these strengths and weaknesses of school-choice, it is vital that we develop school-choice in a way that supplements what traditional public schools offer. In short, “understanding which practices are associated with the largest impacts can help identify potentially promising educational strategies,” even if the relationship is not necessarily causal because “examining associations of practices with impacts is the necessary first step” toward solving the problems plaguing America’s poorly performing schools (Mathematica Policy Research Group & Center on Reinventing Public Education, 2012). A 2009 study by Stanford University’s Center for Research on Education Outcomes found that charter schools were improving performance in the early years of the 21st century. This improvement came not from some big breakthrough, but because the functional and successful charter schools remained open while the poorly performing schools shut down. This is not an option among America’s traditional public schools,

though. Without the testing grounds of a healthy school-choice alternative, students and parents in America's poverty centers are sentenced to a hopeless waiting game for their kids who need an option now.

School-choice options also educate a more diverse, higher-poverty students than their traditional public school counterparts. Stanford's CREDO asserted this in their 2009 study stating, "There is a higher proportion of students in poverty at charter schools than at the traditional public schools" (p. 26-27) and this is affirmed by Figlio, Hart, & Metzger (2009), Hart (2014), Anderson & Wolf (2017), and Kisa et al (2017). Hart, specifically, states that Florida voucher "participants are more likely than eligible nonparticipants to come from disadvantaged public schools on multiple dimensions" (Hart, 2014, p. 1). This is to say that while charters are often accused of cream skimming students through back-logged lotteries and based on parental savvy, this doesn't seem to be the case for two predominant reasons. First, Stanford's 2013 update to their 2009 literature suggests that "the typical charter student arrives at a charter school with lower levels of educational performance" (Anderson and Wolf, 2017, p. 91) than in their 2009 CREDO study. And, second, "CREDO also found suggestive evidence that students had falling scores in TPS in the two years prior to their switch to charter schools" (Anderson and Wolf, 2017, p. 91). This has been cautiously confirmed by Anderson and Wolf (2017) when they state that we "may be uncertain about the true program impact," because these studies are not generalizable to the public (Anderson and Wolf, 2017, p.91). For instance, there may well be cream skimming – the process of selecting higher-achieving candidates for schools – but it is not necessarily an advantage for the program. Anderson and Wolf continue to bemoan the difficulty of replicable studies in the messy

environment of educating children before they simply urges school-choice researchers to “think carefully about the potential for different types of selection bias in their studies” (Anderson and Wolf, 2017, p. 29) because selection bias can occur “positive[ly]...negative[ly]... both...or neither” (Anderson and Wolf, 2017, p. 5) depending on whether the study is considering measured (grades, performance, etc) or unmeasured (parent interest, ability, or student motivation) factors.

School-choice options achieve their success better than traditional public schools too. While this cannot be true across the board, according to CREDO’s 2013 update to their 2009 research, “a quarter of charter schools outperform their local TPS alternatives in reading. . .29 percent do so in math. . . . And the share of charter schools that produced inferior outcomes compared to their local TPS has declined to 19 percent of schools in reading and 31 percent in math” (CREDO, 2009) which suggests that charter schools are not only out-performing their public school counterparts, but improving the rate at which they do so as time progresses.

A perfect example of this growth over time is CREDO’s 2015 update of their performance among three subgroups that, in the 2013 report, weighed against the charter school performance numbers. The report states that, “urban charter schools also perform significantly better with three additional subgroups whose performance depressed the aggregate performance of Black and Hispanic students in the 2013 report” (*Urban Charter School Study Report on 41 Regions*, 2015, p. 25). Those three subgroups include Black students not in poverty, Hispanic students not in poverty, and Hispanic students who are not ELL. While the struggles remain with school-choice and special needs students, their performance is markedly better only six years on from the original

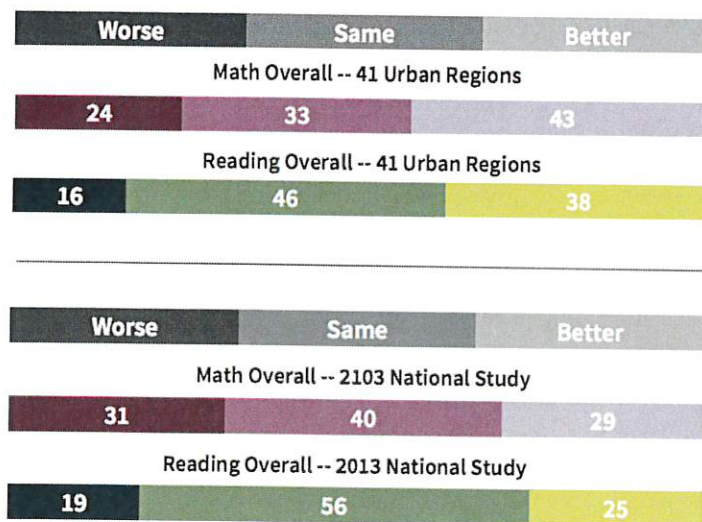
CREDO report. In fact, it is measurable by “gains in both math (43 days additional learning) and reading (29 days additional learning) compared to local urban TPS.” This is achieved as charter schools adapt to the demands made by parents, students, and the research offering critical views of their efforts. This is not something traditional public schools are really free to do even while TPS remain the obvious choice for particular student groups. It is important to note that, “urban charter schools show a general upward trend in quality over time, achieving positive annual impacts of 58 additional days of learning in math and 41 additional days of learning in reading by the final growth period” (*Urban Charter School Study Report on 41 Regions*, 2015, p. 31), which is magnificent growth for a growing diversity of students in America’s urban areas.

Where property values are low, education is weak in America. This means that low-value rural areas as well as urban areas struggle to provide quality education because, while more money does not necessarily mean a quality education, there is a minimum level of investment necessary for success. School-choice helps alleviate some of these struggles in urban centers of poverty in two ways: school-choice has provided students more valuable time in the classroom and it has reduced crime and increased safety in these urban environments. CREDO’s 2015 exploration of 41 urban areas with healthy school-choice options established that school-choice options increase their positive effect the longer students are enrolled in them. Below, is a figure from that study displaying the positive affect Urban Charter programs had in their 2013 study v the 2015 study. As you can see from the 2015 study, entitled “41 Urban Regions,” the “better” category expanded in both Math and Reading categories while the “worse” category contracted sharply in just two years. CREDO asserts that this assessment “group[s]

charter school students by their school of enrollment each year and compare the average academic progress to the average of their similarly-grouped virtual peers” (*Urban Charter School Study Report on 41 Regions*, 2015, p. 27) in order to show the efficacy of the programs growing as students are enrolled over longer periods of time.

Figure 5

Table 11: School-level Quality Comparisons – 41-Region Urban Charter School Study Results and 2013 National Charter School Study Results



Note: Urban Charter School Study Report on 41 Regions Credo.Stanford.Edu 2015, nyccharterschools.org/wp-content/uploads/2020/12/Urban-Charter-School-Study-Report-on-41-Regions.pdf. Accessed 6 Aug. 2023.

School-choice also helps their students avoid crime and create safer places for their students to exist. According to research on school-choice in New York City’s Promise Academy and in Milwaukee’s Parent Choice Program (MPCP), participation in each program by late middle-school or early high school age is associated with “lower rates of conviction for criminal activity and lower rates of paternity suits” by the time students are in their mid- to late-twenties in the MPCP particularly (DeAngelis and Wolf,

2019, p. 15). Dobbie and Fryer (2014), discovered that female students are less 10.1% less likely to be pregnant while males are 4.4% less likely to be incarcerated six years after they are enrolled in the Harlem Children' Zones Promise Academy. These are important realities to bear in mind when dealing with educational attainment. As you will see in Theme D, achievement gaps have long been associated with social trends well beyond the classroom.

And so, the literature confirms that the positive affects of school-choice availability across the nation have increasingly produced positive options for students in struggling localities despite the political battles being waged in Illinois and Pennsylvania. But that is simply, school-choice at large. You may have noticed that this section has utilized material in favor of a number of school-choice options without reference to the essential differences, and that has been purposeful. Milwaukee's school-choice is not the same as New York's charter option and both differ drastically with Florida's tax credit scholarship program. This review does not intend to conflate these all, but merely to display that success that choice offers traditional public schools if policy-makers would recognize that the point of all the diversity is to strengthen the existing public school options. So it would be an important task to spend a little bit of time exploring what type of programs prove effective among the choices in school-choice policy.

Theme B: Research based solutions

Mathematica Policy Research Group's 2012 study suggests that charters that focus on comprehensive behavior policies for students and those that stress teacher coaching are most successful. This pairs nicely with a criticism from the literature, which is that charter programs often suffer from teacher turnover. Discussion on that more later

in this section, but programs that stress a particular educational approach, programs that offer performance-based teacher pay, programs that offer consistent formative assessment for students, and programs that seek to control for school- or classroom-size do not seem to have noticeable effects on student achievement (Mathematica Policy Research Group & Center on Reinventing Public Education, 2012, p. xxxi).

These findings pair nicely with a critical view of school-choice a year before from the National Education Policy Center (NEPC 2011) that states, “evidence presented on student achievement suggests that only popular urban charter schools, and not charter schools across the board, are more effective than traditional public schools at raising student achievement,” which implies that those popular schools with the successful practices mentioned above would really make an impact on student achievement (Miron, 2010, p. 2-3). It bears reminding that this was true as early as the NEPC’s 2011 study, but research later in the decade affirmed that ineffective school-choice programs often fold, leaving the successful programs better, more efficient, and better poised to serve a more diverse student body the longer they remain open, but that is a distraction for now. What’s of the most constructive value from NEPC’s 2011 review is that “states that ‘grew’ their reforms quickly and states with the largest numbers of charter schools were most likely to be found in the poorly performing group of states” (Miron, 2010, p. 4), which suggests that thoughtful growth toward programs that establish schools that focus on comprehensive behavior policies and/or create exhaustive programs of support for their teachers establish themselves for success.

Practically, the two key attributes of a successful charter program correspond with the criticisms of school-choice in the literature. That is, while charter schools do educate

a poorer and a more racially diverse student body than their traditional public school counterparts, the TPS actually take on educating students who require a larger financial commitment than those students who end up in a school-choice program. Therefore, according to the NEPC, “as long as traditional public schools are delivering more programs, serving wider ranges of grades, and enrolling a higher proportion of students with special needs, they will require relatively higher levels of financial support” (Miron, 2010, p. 8). This stands to reason and is also why an alternative method of funding these programs is such a crucial need in the literature. With SEAs pushed to the brink of funding, it makes sense for the Department of Education to develop systems whereby they might encourage educators in under-funded localities to focus on building schools that might take the student-load off of the TPS so those schools might focus on ELL and special education students. This would free the school-choice programs to better serve the other students in a school providing well-conceived behavior management and more structured teacher support.

Theme C: The moral hazard of chasing statistics

The measure of success of school-choice policy tends to rely upon statistical analysis, so it is important to understand the nature of those measures as well as the limitations of those measures. Exploring a series of studies released around the charter school movement reveals just how much policy-makers can learn about the efficacy of this particular school-choice movement. A particularly informative string of research started with Stanford’s 2009 CREDO study on charter schools continuing through a 2015 update on the efficacy of the programs included in their study. In this you see statistical

analysis of the efficacy of charter school policy in particular when controlling for selection bias among participating schools. For instance, in the 2009 review the authors seek to establish that

“Across minority student subgroups, it bears reminding that even though students are learning more in charter schools than in their local TPS alternatives, in both settings the prevailing achievement gap is perpetuated by smaller increments of learning for disadvantaged students compared to their white and non-poverty peers” (CREDO, 2009, p. 94).

Which is to say that even though charter school performance is clearly outpacing traditional public schools around them, the growth is not enough to counter achievement gaps between student groups, because the real growth these programs have achieved isn't substantial enough to overturn the existing gap. This can often become weaponized in the debate if policy-makers fail to recognize that school-choice, charter schools included among that policy subset, offers an opportunity to improve American's educational system, not perfect it. This view is expanded upon in Theme C, but it should be clear now that achievement gaps are not entirely the fault of failures in education policy, yet opponents of school-choice often ignore this reality in order to argue against school choice.

A second problem that occurs when evaluating the statistics about school-choice is measuring the precise degree of success when compared to TPS. While I strive to provide a few examples, this practice runs counter to the reality that TPS are failing some subset of students and instead of designing a system of care that might most effectively limit those failures, the policy-debate devolves into a debate over measurements. The three

statistical measures that help you understand the literature are: the first measure is (1) statistical measures that seek to control for student achievement for those within the school-choice school and those who remain in the TPS; and the second measure is (2) that school-choice options often utilize alternative schools to transfer students who need extra support; and, the third method is (3) methods policy-makers use to measure selection bias among school-choice programs.

(1) Stanford's CREDO utilizes a Virtual Control Record (VCR) that created "a 'virtual twin' for each charter student who is represented in the data. In theory, this virtual twin would differ from the charter student only in that the charter student attended a charter school (CREDO, 2009, p. 8). This strategy has been criticized for its ability to produce proximity between the charter schools studied by CREDO and the TPS students. For instance, CREDO compared the charter school attendees' test scores to students from TPS the year before those students left the public schools. In order to maximize comparison points, CREDO generated a number of VCR's by identifying any student who performed within 0.1 standard deviation of their charter student. The finding has been that VCR is "no significant bias appeared" (Bjorklund-Young, et. al., 2022, p. 30)" and even that CREDO's findings were replicable and even that CREDO's use of VCR's "only makes CREDO's estimates smaller than they otherwise should be" (Bjorklund-Young, et. al., 2022, p. 31).

(2) Alternative schools are utilized by school-choice programs as well as TPS across the nation to improve graduation rates. In 2017, ProPublica investigative journalists Heather Vogell and Hannah Fresques asserted that "charter schools

have been responsible in part for a steep rise in the alternative school population,” (Vogell and Fresques, 2017) as a means to cast aspersions on the school-choice model despite the reality that school-choice programs in Florida are more successful in educating a more diverse body of students successfully and that alternative education programs “are an important part of the K-12 education system” (Kannam and Weiss, 2019, p. 2) according to the American Youth Policy Forum in their June 2019 report. While this seems problematic, it ignores the reality that educators are often in need of a place to educate students who detract from the learning of their classmates. This is not a defense of this course of action so much as it is a clear explanation that both TPS and school-choice programs utilize alternative education and that policy-makers should be aware of the practice to limit any deleterious affects on the schools and students.

- (3) Selection bias is a problem for school-choice programs. The idea is that an easy accusation against these programs is that they simply siphon off the high-performing TPS students (a practice the literature refers to as “cream-skimming”) and all of their success is attributable to that action. The issue with this is that the opposite could be true just. Kaitlin P. Anderson and Patrick J. Wolf (2017) summarize the risks toward bias well when they say:

Because non-experimental school choice evaluations may suffer from positive selection bias, negative selection bias, both, or neither, researchers need to understand how non-experimental methods perform when random assignment is not feasible, and under what conditions the experimental results can be replicated.

These objections are valid and helpful, but they are all-too-often utilized to undermine the parental-choice and political momentum of a policy that has great potential to help the traditional public schools that most need it.

What becomes clear when observing the literature on statistical proof of the efficacy of school-choice is that it has devolved into a game of statistical tail-chasing. That is, policy-makers have decided for or against school-choice before approaching the statistics and without consulting the wishes of the electorate they're serving. If it is politically convenient to "support" public schools as they stand, policy-makers will cherry-pick the data and argue a point that does not really exist in the literature.

The biggest examples of this open the introduction: Josh Shapiro and the Illinois State Legislature. Josh Shapiro's promise of school-choice reform in Pennsylvania becomes his line-item veto when he actually secures that promise to display his fealty to the party who elected him; while the Illinois legislature considers it a policy-win to strike from existence a moderately successful school-choice program that is a fraction of one percent of their total education spending for the next fiscal year. The way out of this is to recognize the limitations of statistics and instead utilize policy-making to work in the direction of providing parents what they want, fulfilling that promise in a method genuine to the political wishes of the state at the moment, and not forcing a decision between the success of traditional public schools and the practical experimentation of the school-choice movement.

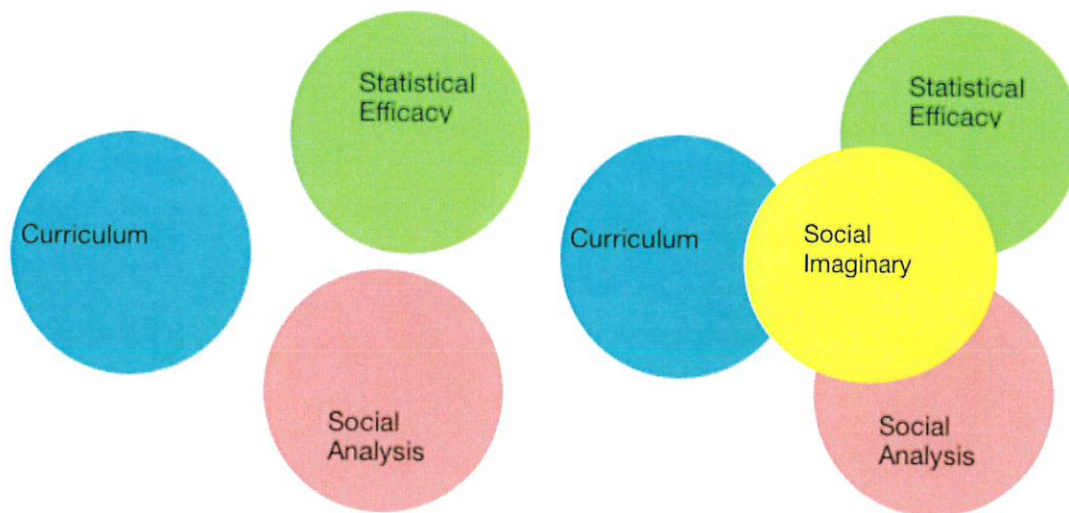
Theme D: Gaps in the literature

And so the gap in the literature exists where the statistical analysis of the efficacy of school-choice programs ends and the frank admission that education policy alone will

not solve achievement gaps. Defining this gap is vital, but before we do it is necessary to trace it clearly.

Statistical analysis defines what school-choice programs are more efficacious than others. Curriculum alternatives like state standards, the common core, and cultural standards like ED Hirsch's Core Knowledge may motivate individuals to provide schools, but don't seem to be effective at improving educational outcomes. While some school-choice policies might encourage programs like these for particular students to attend, the statistical analysis does not seem to suggest this is a differentiator. Adding to this is a clear literature, dating back to the original passage of the ESEA, that asserts achievement gaps among American children are not necessarily fixable through education policy alone. These social policies are already included in federal education spending with the likes of the Department of Agriculture's free and reduced lunch program as well as the Health and Human Service Department's Head Start program. But these three areas – statistical analysis, curriculum, and social analysis – of the literature fail to bring everything together (see Figure 6). That is, they are disparate and disjointed. So a fourth category that would help bring everything into focus is what I proffer as the social imaginary (see Figure 6). This literature includes the likes of Nikolas Rose, Helen Gunter, Michael Apple, and Federik deBoer. Helen Gunter, who expands on the work of Hannah Arendt's history and political philosophy, establishes a clear criticism of how we have discovered education policy devolving into an argument over numbers and provides a way out.

Figure 6



Meanwhile, Frederik deBoer and Michael Apple help establish criticisms of the system’s major weaknesses. Both seem to have given up on the traditional public school system, yet when coupled with the likes of Rose and Gunter and joining what we learn from these works with the growing federalist trend of public education being delegated to the states, some light might be seen at the end of the tunnel. That light’s source is simple to discern, but complex to work out politically.

Helen Gunter’s research suggests that when education policy is only guided by the numbers, all sense tends to be lost. The education system, its administrators and teachers, and the policy-makers who help arrange it all lose a voice in determining what works or what does not unless there are statistics to prove it beyond a reasonable doubt. She captures this when commenting on the ludicrous reality of relying entirely on numbers to pave the way of policy. She asserts that “spreadsheets are overflowing with numbers but actually no one really actually knows” (Gunter, 2018, p. 132) anything of value. Of course Gunter is writing within the British system, but the concept holds true across the pond. Particular public schools are failing the students they seek to help, those schools struggle because a funding mechanism has persisted across generations that

leaves them short on funds necessary for success, and there are clear mechanisms that might release the pressure within those failing schools called school-choice policies. The things preventing that solution are ingenuity and politics and that is what this literature is meant to lead toward.

Gunter's suggestion is that privatization would be a mistake in Britain. The literature agrees here, but not in the way Gunter suggests. For instance, folks who are against school-choice in America insist that the numbers should prove the impossible before investment in school-choice options. As an example, detractors of school-choice demand that these policies reverse trends like achievement gaps that the social analysis literature suggests is impossible to solve without social policy alongside education policy before we commit ourselves to investing in targeted school-choice programs for the parents and students who actually need the help now.

We are, indeed, in an unproductive cycle that Gunter describes by saying that the policymaker can only "know about the 'business' of that [system] if the numbers 'add up' in order to determine which activity is worthwhile, and this can only be through self-regarding forms of leaders, leading, and leadership" (Gunter, 2018, p. 113). While Gunter is describing school efficacy here, the same can be said of the argument in favor of school-choice. The opening illustrations of Illinois and Pennsylvania prove this as true. If the parents need an option beyond their TPS; when students are desperate for an option beyond their TPS; at the moment we know which particular forms of school-choice maximize success while still maintaining the TPS but our state legislatures will not stand up to deliver that then we've witnessed a moment where leadership has failed.

The particular kind of system Gunter argues in favor of is best defined by one of her sources in her 2018 *The Politics of Public Education*, which is Nikolas Rose's 1991 article "Governing by Numbers" wherein he concludes "a focus on numbers is instructive, for it helps us turn our eyes from the grand texts of philosophy to the mundane practices of pedagogy..." (Rose, 1991, p. 232). By this, Rose means that numbers cannot dictate reality, but must help guide us. It is the suggestion of this literature review that by abiding by the numbers too strictly and forgetting education's purpose or even education's limitations our policy-makers have failed to serve the people they claim to serve.

We already know where some of those failures exist. Namely, in poverty-stricken areas of urban centers and rural areas, but these are not necessarily the only failures. Michael Apple suggests that we have room to improve democratic teaching practices. Apple asserts that we, too often, strip education of its power by limiting it to job-training. While this is not a particularly left-wing idea, Michael Apple's critical pedagogy would play well in heavily left-wing state governments if they'd prefer to pursue school-choice that helps establish that vision.

Another member of the American far-left is Frederik deBoer, a socialist. Including his views in the literature on the social imaginary helps display the diversity of opinions available to states even on the far left of the political spectrum. Including deBoer in the literature also provides the strongest voice against a particular kind of school-choice: charter schools. But deBoer's strongest case is this: so much of educational "success" is taking credit for student success in a system confused as to its purpose. But that Apple's purpose and deBoer's purpose seem so distant that establishing

these as potential alternatives is helpful to begin the search for various purposes across the states and their unique political divides.

Michael Apple's work centers the work of critical educators as "building counterhegemonic curricula and critical pedagogical practices" (Apple, 2015), and he believes that this cannot be "valued solely for its effect on the economy" without undervaluing the people doing that work as well as the outcomes for students themselves (Apple, 2015). While there are copious and strenuous objections to this type of work across the political spectrum, the important reality is that Apple's work cannot be enacted in the American system without an alternative to the traditional public schools provided by school-choice. We are stuck in a winner-takes-all moment where ingenuity and political maneuvering have planted the system into a sludge unwilling to budge. There should then, be a renewed effort to seek a pressure valve where ingenious educators might create spaces for students and parents who agree with their ends to provide an alternative.

Then there is deBoer's frustration with the system. DeBoer's thesis in his 2020 book, *The Cult of Smart*, centers around the reality that language centering on 'student achievement' assumes that all students are equally equipped to achieve the same end-goals when they're not. This means that when we measure school success what we're really doing is measuring students' natural abilities and condemning poorly performing schools negatively for teaching students who aren't equipped to achieve at the ends we expect of them. When they fail to live up to these unrealistic standards, we demand it a loss and judge those students as being lost. Coincidentally, a lot of policy talk condemns the hard-working teachers spending entire careers making real differences among these

students even if they never achieve at the level the policy-makers would deem worthy. This kind of policy-talk that condemns teachers really bother deBoer.

If we can't admit that students have varying natural abilities then "we use academic performance as shorthand for a person's overall human value" (deBoer, 2020, p. 4) and dismiss those who fall short because they cannot serve the economic needs of society. This, deBoer claims, is a bankrupt approach to policy. In this way, deBoer is synthesizing the social analysis and the statistical analysis by explaining that "there will always be instability. . . loss . . . inequality . . . and neglect" (deBoer, 2020, p. 237) among humans we need to educate, and that education policy must understand that. If policy-makers fail to see this then it is both harmful and nonsensical.

I utilize Apple as a critical scholar and deBoer as a socialist to prove that this literature review is not the calculus of a capitalist free-market providing choice. Their ideas are worthy of the attention within the realm of the social imaginary, especially since many states have the political momentum of the left and might utilize these ideas within their own states.

This literature review aims to take advantage of the federalism of the United States to seek a space in which individual states possess the freedom granted them by the tenth amendment to solve problems for their own populace. The trick is to find how different states with vastly different educational theories might all apply for federal support of their programs in ways that do not detract from state and local funds for traditional public schools.

This kind of radical re-thinking of America's education system would not be possible without each state first unifying behind a clear vision of what educating those

students in the failing margins might actually look like. To do that, they would first need to understand their options. That is what this literature review seeks to provide.

Conclusion

The literature suggests that policy-making should seek humility and care when utilizing numbers for anything. Yes, statistical analysis is helpful in matters of economics and growth; however, the complexity of the literature in education is much more complex than an economic paper. While statistical analysis pretends that particular levers need to be pulled to produce the perfect educational outcome, curriculum reform pretends that *what* is taught can change the *who* we teach it to. In these ways, the social analysis literature is closest to the truth when they assert that no amount of lever-pulling on the education policy side will ever overcome the issues struggling students see. Social policy is necessary to alleviate achievement gaps.

Without seriously re-thinking the public education model, these three categories of literature will forever be doomed to fail the students who most need support. To pretend that this will occur in our national politics would be silly, but the literature has attempted to do just this. Without utilizing these big thinkers to unify the first three areas of literature – statistical analysis, curriculum, and social analysis – we are doomed to slide into a partisan debate that is a proxy for power instead of a partisan debate that seeks to solve a system for those citizens who are most in need.

As a review of what we know: Policy-makers know what tends to work to produce higher quality school-choice options; policy-makers know what measurements to be wary of when tracing a policy's efficacy; policy-makers need to be honest and recognize the limited utility of the reforms they're espousing; because when policy-

makers are honest about the degree to which any education policy is going to substantially change student achievement they will come to realize that either the system is working the way it was intended, more or less, or embrace a different kind of change. Honest evaluation at that stage should look like an exploration of the purpose and scope of the education system in a particular place. Since the education system is so local, any exploration on these lines should focus on the political realities within the state and local governments. To do this effectively, policy-makers should be aware of the research that supports their ends, once they've decided upon them. It should also be aware of the political opposition between the two places where education needs the most help: the liberal city and the conservative country-side.

Limiting the size and scope of these programs would help limit the necessary financial investment which might allow policy-makers to discover methods by which this system might be funded in ways that appreciate

- Current funding models
 - 90/10 State/local to federal funding is an important thing to understand. Any funding mechanism that pulls from the state and local funding will be met with aggressive political rhetoric because it will be understood as detracting from already struggling local school systems.
 - In addition, any additional funding from the federal level will be seen as federal over-reach.
- Finding ways for individual states to consider what their educational outcomes are for various levels of students would be huge

- Encouraging SEAs to evaluate their own Education Departments and how those policies limit creativity in high-poverty areas is vital
- Encouraging local school systems to imagine creative solutions that might help students
- Identifying opportunities for states to experiment with radical policies like lowering the dropout age, providing universal childcare as part of their state's education system, providing tax credit scholarships for students to attend religious schools, or even creating a more cohesive job-training program for non-academic students at earlier ages would create
 - States cannot just wave their wand and make these changes, but must gather the political will to evaluate how their current policies hold back lower-achieving students
- To accomplish this, the research should focus on
 - What support might exist for this increased funding,
 - Whether federal funding is the best option to proceed in this way,
 - What the purpose of TPS is in each particular state,
 - What the alternative schools would seek to provide,
 - What states might need to accomplish to allow for this type of exploration, and
 - Where these programs should be concentrated in the state.

It should be clear that education policy alone will not fix our woes. Perhaps that stems from a failure to clarify exactly what the purpose of education should be. Is it too much to ask all students to stay in school until they're 18 in all localities across this nation?

Would it be viable to encourage programs with multiple graduation points before their twelfth grade year? Are universal childcare and job training programs a better use of educational money in high-poverty areas if we cut the formal education time in the life of a student? How do we identify localities where this should take place over those that don't necessarily need these types of interventions? What are the very real limitations of this sort of experimentation according to state constitutions across the union?

These are questions that should center education policy over the coming years. These questions should be asked in each state of the union in order that some momentum is gained to move toward a system that recognizes differences and refuses to label academic failures as less human and therefore deserving of their failure, because that is exactly what our current K-12 system does.

The strength of this literature review is that it seeks to provide a unifying vision of the literature in such a way that it sees value in each of the literatures discussed. It does not seek to silence frank evaluations of school-choice, but embrace what those criticisms might have to offer the larger discussion. Most importantly, this review provides an understanding of how the disparate literatures might coordinate their findings in a productive manner.

While keeping a wide scope is necessary when discussing these different areas of the literature, it also severely limited my ability to evaluate the efficacy of each literature type. That is to say, statistical analysis of particular school-choice programs was not necessarily possible since the goal was to display how it is easy to get carried away with statistical analysis when researchers fail to understand school-choice statistical analysis is not and cannot be the same as economic analysis of choices because of the human

element. Ideally, any statistical analysis review in the future would start with a frank admission that whatever finding results from that analysis is limited by the social element (as is clear in the social analysis) and by a system that assumes academic achievement is equally attainable by all students in a given system (as is clear in the social imaginary). Not all researchers will agree with the findings in the social imaginary, but it is vital to understand they don't need to agree with the findings, but they do need to recognize the limitations of each area of literature in an effort to build out a vision that unites findings in all three. This in itself is a herculean task, especially in the political climate we find ourselves; however, it is worth the political capital necessary to work out since we can clearly identify the local education systems that our current model is failing en masse. It is my suggestion that what's missing from the social imaginary is simply this: a wider spectrum of visions that might fit individual states and their political climate. For instance, the political differences between New York State and Wyoming are numerous. Some are obvious like the political parties in control and the population while others are not so obvious and need work. Therefore, policy-makers might focus on drawing out analyses of all four categories for each state in order to evaluate what solutions and what philosophy would best fit a given SEAs and the localities they aim to serve.

Whatever and however this progresses, it would be most important to start with the social imaginary, that is, establish the state's priorities in education before they seek to build a program that seeks to solve educational achievement within their state.

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