SKETCHING A
NEW CONSERVATIVE
EDUCATION AGENDA

How Conservatives Can Reengage with Charter Schooling

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Key Points

- In their enthusiasm for universal vouchers and education savings accounts, conservatives have largely ceded charter school policy to progressives.
- The progressive approach to charter school authorization fails to achieve its stated goals and arbitrarily limits the promise of charter schooling.
- Conservatives should reengage on charter school policy, fighting against default closure and charter caps and for more diverse charter authorizers.

Due to the recent wave of momentum behind universal vouchers and education savings accounts, charter schools have become an afterthought for some conservative school choice advocates. For tens of millions of families, however, expansive educational freedom remains unobtainable in the foreseeable future.

Less than half of states fund a private school choice program, and most programs are limited to a specific population (e.g., low-income students or special-needs students). Only 10 states currently operate education savings accounts, and only Arizona provides universal access. In other words, for most American children, charter schools—which operate in 45 states—may long remain the only publicly funded recourse to traditional public schools. To that end, it would be a mistake to disengage from charter debates.

There is a progressive and a conservative vision for charter schooling. For progressives, charters are a tool to promote equity, a social goal that requires central planning so that "high-quality" options are available to traditionally underserved student populations. As Jason Zwara, the director of strategic partnerships at the National Association of Charter School Authorizers (NACSA)—an influential organization that, in my view, ascribes to the progressive orientation toward charters—succinctly quipped in an April 2022 Twitter post, "'School choice for school choice's sake' is completely misguided . . . social justice and equity are the GOAL not some political tactic."[1]

For conservatives, educational freedom is intrinsically good, so policy should seek to make charters accessible to all families that seek an alternative to their traditional public school. Bureaucrats should take a back seat to parents in determining where and when new charters are established and when, if necessary, they should close.

The two views of charter schools are morally and politically defensible, and indeed their differences are ones over which reasonable people can disagree. Unfortunately, when it comes to charter policy, conservatives have largely ceded the field to progressives. This report aims to critique the assumptions and outcomes of the progressive

approach and make the case for a more conservative charter school system.

Progressives' Approach to Charter Schools

The progressive NACSA is committed to developing high-quality schools, which generally refers to schools that produce high standardized test scores. Ostensibly, the best way to ensure the development of high-quality schools is to erect tall barriers to entry to screen out low-quality schools—and to favor operators with a track record of strong academic achievement.

One problem is that this approach does not work on its own terms. As Benjamin Scafidi and Eric Wearne of Kennesaw State University report, the policies favored by NACSA do not predict gains in math and reading test scores.[2] Most poignantly, in 2016, when NACSA last issued report cards, it judged that Nevada followed its recommendations to a tee.[3] But analysis using data from the early 2010s revealed that the Nevada charter sector had the slowest math and reading gains of the 30 states measured.[4]

Another problem is that a technocratic focus on test scores could punish schools that effectively serve students who enroll academically behind or whose personal circumstances might limit their academic growth. The Philadelphia Board of Education's decision to close charters operated by people of color and almost exclusively serving students of color despite spirited opposition from those school communities has recently drawn attention to technocratic charter closure policy.[5] Even in a fractured education reform movement, draconian top-down charter closure policies stand out as an issue over which conservative and progressive reformers can make common cause.

The temptation to treat charters as a scarce commodity and allocate them according to the objective of maximizing equity is similarly misguided. A recent study concludes that

> in most states, an increase in the percentage of students attending independent charter schools was associated with a significant increase in their host districts' total revenue per pupil, total spending per pupil, local revenue per pupil, and per-pupil spending on support services.[6]

Furthermore, competitive pressure might modestly improve district schools.[7] As Matthew Ladner points out, perhaps it's no coincidence that Arizona, with its "freewheeling" approach toward charter authorization and eager embrace of educational freedom, outpaces the nation in academic growth, including among low-income students.[8]

The progressive chartering approach also has unfortunate unintended consequences. In an earlier report, a coauthor and I observed that NACSA's high regulatory barriers to entry disproportionately prevent would-be charter entrepreneurs of color and independent operators from opening.[9] In a corollary study, we observed that the charter default closure laws (i.e., charters must close if they don't meet certain guarantees of performance, regardless of how enrolled families feel about the school) favored by NACSA disproportionately shutter schools serving students of color. Specifically, "In settings with default closure, 38.5% of majority Black schools close compared to 14.6% of non-majority Black schools. In settings without default closure, majority Black charter schools are slightly *less* likely to close than other charters (23.5% versus 26.2%)."[10] (Emphasis in original.)

Unsurprisingly, the progressive regulatory model also induces charter schools to adopt practices that seem likeliest to satisfy authorizers (i.e., promote high test scores) rather than families. In another report, coauthors and I observed that charter sectors employing the progressive model are less innovative than are market model settings.[11] Compelling evidence indicates that test scores in schools of choice poorly predict important later-in-life outcomes.[12] An exemplary school choice system then should feature parents shopping in an innovative marketplace replete with unique options in terms of what, where, and how the schools teach.

Choice advocates should seize on the momentum of recent choice victories to ensure that the charter sector reflects an earnest embrace of educational freedom. Indiana, for example, has adopted a new education savings account program and expanded its voucher and tax-credit scholarships

programs, but it uses the regulatory model of chartering.[13] The most important way to effect change in places like Indiana is to call attention to the dissonance. This dissonance is not born from philosophical or policy conviction, but rather a practice of defaulting to the progressive vision advanced by NACSA.

Recommendations for Reforms

Conservative state legislators should pursue three reforms to their state's charter sector. First, end default closure. Parents should be deferred to as discerning choosers who know more than regulators about what is best for their children. Charters should close when they are not financially sustainable, when parental demand wanes beyond the point of sustainability, or in rare cases of fiscal or legal impropriety.

Second, diversify charter authorizing. Authorizing is sometimes entrusted to an independent chartering board or state education agency and other times to local school districts, which have an incentive to preserve the public school monopoly. Having multiple authorizers is a start, but even in states that do so, there may be little philosophical difference among the authorizers about the purpose of education (e.g., the belief that all children should go to college). States would do well to introduce authorizers who eschew this belief in favor of a more pragmatic view that workforce development and virtuous citizenship don't necessarily entail college enrollment. Local chambers of commerce and industry trade groups stand out as particularly well-suited to occupy this role.

Third, in accordance with the overwhelming evidence that school choice benefits those who use it and those who do not, remove regulatory barriers to access.[14] The obvious and urgent example is caps on the number of charter schools. In New York City alone, about 50,000 kids are on charter waiting lists, but the state caps the number of charter schools in the city at 290 and includes in that count 20 "zombie charters" no longer in operation.[15]

Other barriers receive less attention but can be equally problematic. Massachusetts uses financial regulations to cap charter growth by limiting the amount of school tuition charters can charge the district where the student resides at 9 percent of net school spending or 18 percent in districts in the bottom decile of student performance.[16] Texas, meanwhile, forbids virtual schools from serving grades K–2 and students who were not previously enrolled in a public school.[17] Such unmistakable concessions to the public school monopoly privilege the interests of teachers unions over the welfare of students.

Conclusion

Charter schools represent the legacy wing rather than the future of school choice. But for millions of students, charters are and may long remain the only publicly funded alternative to government-run schools. Advocates would do well to ensure that charters are serving as many students as desire access and with the least interference possible from bureaucrats who purport to know what is best for other people's children.

About the Author

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Notes

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