
School Choice in Minnesota: A Call to Renewed Action

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I. Introduction

All Minnesota parents deserve the widest possible freedom in choosing where their children go to school. All mothers and fathers deserve the right to send their children to schools that respect their families' most revered values. To the greatest extent possible, all Minnesota boys and girls deserve to attend schools that align with their God-given talents and individual needs. All kids deserve the best education that smart and gutsy public policy can devise.

The school choice vision that follows does, in fact, apply to all families in our state, whatever their circum-

stances and wherever they may live. But to start, would you be so kind as to focus mainly on boys and girls who live in Minneapolis and St. Paul? More specifically, would you please concentrate on lower-income kids of color in our two largest cities?

Recall, if you can, all the reports you've heard and read over the years about how poorly these children are doing academically. Think back, for example, to news stories about how often they fail embarrassingly simple tests of "basic skills" in reading, writing, and mathematics, as well as studies showing how infrequently they graduate high school on time, if at all.

Now, if you would, recall the enthusiasm that accompanied the naming of each new superintendent of public schools in St. Paul and Minneapolis over the past few decades. Can't remember all their big plans when they were appointed? Then just recall their high hopes. Recall their confidence that sizable progress surely was possible if their ideas were embraced and, of course, fully funded. Recall similar hopes and expectations by mayors, school board members, editorialists, and other insiders during those serial honeymoons.

Now, to earn an A, your assignment is to meld these two sets of recollections. Reconcile, if you can, consistent classroom failure on the one hand with what has proved to be years of sincere but unfulfilled vows on the other.

Getting to the core, can you imagine anything getting measurably better anytime soon for kids in the Twin Cities as long as the rudiments of this story remain as frozen as February? Can you realistically envision better reviews as long as the only script changes are rewrites of what already has bombed?

Spending even more money? Might that be the answer? More multiculturalism? More feel-good curricula and self-esteem? More busing? More computers? More site-based management? More town-gown ties? More truant officers? More summer school? Would any of these things work? What about more standards as watered down by the Profile of Learning? Perpetually smaller classes and higher paid teachers? Can you see any of these succeeding well enough?

Given this history of disappointments, can you honestly envision poor and minority children doing adequately better in Minneapolis and St. Paul anytime soon?

Sorry to say, neither can I, even though all the superintendents, school board members, and other leaders I just used as props are good and devoted people. I question the motivation of none of them and disagree with critics who facilely do. As you will read in Section VII, in a discussion about the severe cultural and socioeconomic landscape that often pockmarks public schools, my respect for educators is ample.

This call to renewed action is grounded in growing empirical evidence about school choice. It's propelled by conviction that local boys and girls who are failing can, in fact, do demonstrably better, but only if they win real freedom in where they go to school—the kind of freedom and opportunity that our most fortunate children enjoy and profit from every day.

Does this mean that cities like Minneapolis and St. Paul, as well as other American communities, are wholly bereft of public schools that work well for disadvantaged students? Of course not. Organizations as diverse as the Heritage Foundation in Washington and the Center for School Change at the University of Minnesota cite successful public schools all the time.¹ But less frequently acknowledged is just how difficult it is to create or replicate great schools—and how the shortage of competition in elementary and secondary education is a cornerstone reason for this failure.

II. Aim and Outline

The aim of this paper is to articulate a vision, propose a policy, make a case, and rally support. It is to return Minnesota to a position of leadership in the school choice movement. We have been there several times in recent decades, only to fall behind each time, as if tumbling from a locomotive back toward the caboose. We must return to the head of that train, a here-and-now freedom train.

Having said this, I must add that opponents of vouchers can probably relax for a spell. This is not a brief on behalf of that method of school choice. Personally, I'm a great fan of vouchers—what might be conceived as K-12's counterpart to the universally applauded and thoroughly unthreatening GI Bill, which was the epitome of a voucher program. I deeply hope Minnesota children will have a chance to take advantage of them someday. I hope, for instance, that the stars align miraculously and a limited voucher bill aimed at low-income children in poorly performing schools, scheduled to be introduced in the 2002 legislature, beats the odds and becomes law.

Yet that is far from likely, as not only is the state's school establishment, as well as the DFL establishment, afire in opposition to vouchers for elementary and secondary students, but many religious conservatives in this state don't like them either, as they fear that vouchers would invite governmental intrusion in the lives of their schools and churches. I disagree with that assessment, or at least I'm less worried

by the threat than they are. But the fact is, variations on their view are held by enough players so that consequential progress on vouchers in Minnesota is unlikely anytime soon.

This essay, instead, is an argument for expanding educational choice by expanding Minnesota's tax credit law. This means widening its coverage to include tuition at nongovernment schools. It means eliminating household income ceilings so that all families might take advantage of this seminal program passed by the 1997 legislature, inspired and prodded by Governor Arne Carlson's leadership. It means adding a new provision that would allow individuals and organizations to claim tax credits for making donations to private scholarship programs as well as to public schools. At minimum and most immediately, it means rolling back the 25 percent slice that Governor Jesse Ventura and the 2001 legislature took out of the present tax-credit law. All these provisions—which, in combination, can be thought of as a "universal tax credit" for education—will be elaborated on in Section VIII.

Still, while the main aim of this paper is to push for bigger and more helpful tax credits, much of what follows focuses, by necessity, on vouchers. This is because most of the accumulating evidence about the benefits of school choice deals with vouchers, not tax credits. Likewise, most of what is written about educational freedom that is worth either repeating or refuting pertains specifically to vouchers. I would ask readers, therefore, whenever they read the word **vouchers** to think

tax credits. I suspect there aren't too many instances, if any, where this switch will not work.

Much of this call to action is the product of roundtables and other conversations with a wide range of school choice advocates. My thanks to all of them, as well as to those, friend and foe on the issue, who reviewed and improved various drafts. This paper is, at once, a collaborative effort and, as I trust will be clear, a personal one.

School choice for me is a matter of fundamental fairness. And while I'm respectful of legitimate questions raised by it, I'm also quick to burst blood vessels over specious and hypocritical obstacles routinely jammed in the way of children and their futures—obstacles that stymie the most vulnerable girls and boys in our state and nation. They deserve far better. As do their families. As does society.

The rest of this paper is organized like this:

Section III reviews how Minnesota children are doing in school, particularly in regard to dreadfully large and persistent academic gaps between white and minority youngsters.

Section IV reviews scholarly research on the effects of school choice, and private schools more generally, on scholastic performance, racial integration, civic engagement, and other areas. It also discusses whether school choice helps or hurts public schools. (The answer: it helps them.)

Section V reviews the results of a major national survey on vouchers, recently released.

Section VI argues, as many people increasingly do, that school choice has become America's principal civil rights issue. I also argue that educational freedom should be viewed as an expression of religious liberty.

Section VII is a candid conversation about the often understated power of culture and environment in holding back poor and troubled kids, and the very real obstacles that all schools, be they public or private, face in educating them.

Section VIII details the Minnesota school choice provisions that need to be adopted or improved.

Section IX presents what needs to be done to make such recommendations come to pass in Minnesota.

And Section X wraps up.

III. How Are Minnesota Kids Doing?

If the fantasyland myth is that all Minnesota children are above average, the everyday cliché about education in this state has them doing almost that well. And in truth, Minnesota boys and girls do perform comparatively well in school.

For example, an American Experiment study several years ago showed Minnesota to have the second-highest high school completion rate in the country, behind only Connecticut.² A more recent study has Minnesota with the fifth-highest high school completion rate. Still a very good showing, but those who might be disappointed by the drop can take comfort in the fact that only one state ranks higher, and

only by a fraction, when it comes to college-bound students' ACT scores.³ And education historian Diane Ravitch earlier this year reported that while 30 percent of American eighth graders scored "proficient" on a reading test administered by the National Assessment of Educational Progress in 1998, 37 percent of Minnesota eighth graders hit that mark; it's not an inconsequential difference. (Though it's also useful to know that Ravitch implied that having only a little more than a third of all kids reading proficiently is really nothing to get particularly chauvinistic about.)⁴

So Minnesota children overall do well relative to children elsewhere in the country. But how are youngsters from specific communities faring? More precisely, how are kids of color doing around the state,⁵ especially those in Minneapolis and St. Paul public schools? There, the news is not just worse, it's grim. Just as it's grim, to be fair, in all our nation's great cities, where disproportionately large numbers of minority children go to school and only sometimes learn nearly enough. Consider a few more comparisons.

- In Minneapolis, only 56 percent of Asian students who started ninth grade in 1995 graduated four years later. The proportion fell further to 41 percent for Hispanics, 33 percent for blacks, and to 17 percent for American Indians. The figure for white students was a much better but still unhappy 65 percent. The parallel numbers in

St. Paul were 65 percent for Asians, 46 percent for blacks, 34 percent for Hispanics, and 67 percent for whites.⁶

- Across the country, testing under the auspices of the National Assessment for Educational Progress (NAEP) consistently shows African American students trailing white students in math, reading, and other subjects, not by months, but by years. In 1994, for instance, the average black high school senior had math skills "precisely on a par with those of the typical white in the middle of ninth grade." In that same year, "blacks aged seventeen could read as well on the average as the typical white child who was a month past her *thirteenth* birthday."⁷ Not only has little changed for the better since 1994, often the gap has widened slightly.⁸
- More than half of all minority third graders in the Twin Cities scored at the lowest level on the reading portion of the Minnesota Comprehensive Assessment in 1999. Statewide, for all third graders, only 18 percent did that poorly.⁹
- Only 42 percent of all minority eighth graders in the Twin Cities passed the state's Basic Skills Test in reading in 2001, while just 33 percent passed the Basic Skills Test in math. Statewide, for all eighth graders, 72 percent passed the math exam and 79 percent passed the reading exam.¹⁰ It needs to be noted here that Minnesota's Basic Skills Tests in math, reading, and

writing are *basic* to the point of being elementary.

- One last example. Half of all African American students in St. Paul public schools scored in the lowest performance category in the national MAT7 exams in 2001. The comparable figures were 44 percent for Asian Americans and 41 percent for American Indians and Latinos. For white students in St. Paul, it was 17 percent. The “lowest performance category” on the MAT7 indicates that students are at least a year or more behind grade level. A reporter for the *St. Paul Pioneer Press* summed up this way: “Fifteen years of district test data show few signs that the gap between white and black students has closed. Strategies and blue-ribbon commissions have come and gone along with superintendents, school boards and students. Yet achievement patterns remain frustratingly consistent.”¹¹

To which one might add that we have been working earnestly, as a community and as a country, much longer than fifteen years to improve public education and reduce performance gulfs among groups. School “reform” has been a near-constant preoccupation since at least the late 1950s, when the Soviet Union launched *Sputnik* into orbit and the United States set sail on catching up.

To argue, as many repeatedly do by rote, that America and its fifty states and thousands of cities and towns

haven’t seriously tried to improve public schools and help needy children over these decades—that we’ve been flinty rather than generous—is nonsense. We continue to try platters of things. We increasingly bless huge budgets. And we continue to fall short.

Fact: Since 1950, per-pupil costs for public education at the elementary and secondary level in the United States have quadrupled. (Yes, inflation is taken into account.) “This dramatic increase in costs,” Joseph P. Viteritti recently wrote, “has not been accompanied by any notable improvement in pupil performance.”¹²

In Minnesota, between the 1989–90 school year and the 2000–01 school year, total spending per student rose from \$5,395 to \$8,383. According to the Minnesota Business Partnership, after adjusting for inflation and increased enrollment, this represents an 18.1 percent increase.¹³

The intent here, to repeat, is not to indict public schools. As I have always tried to make clear, I am keenly alert to how hard urban education is. Frankly, I know of no one in the school choice movement across the country who is as quick as I am to recognize the cultural and socioeconomic roadblocks that make it difficult for public school educators (and their students) to succeed.

But to rephrase the question I posed earlier, especially after the testing and other data we’ve just reviewed, what makes anyone think that anything in Minneapolis and St. Paul public schools will get adequately better as long as we keep doing, more or less, what we’ve been doing?

IV. What Does Research Say about School Choice?

As early as five years ago, one could write that an “increasingly persuasive body of research and practice has emerged over the last several years that suggests that policies designed to help students attend private and religious schools would indeed serve them well. This is particularly true for many low-income and minority children.”¹⁴

Without detour, that body of research has grown larger and more certain ever since.

Writing last summer, political scientist Jay P. Greene summed up the current state of research on school choice and academic performance (as measured by standardized tests) this way:

There have been seven random-assignment and three nonrandom assignment studies of school choice programs in the last few years. The authors of all 10 studies find at least some benefits from the programs and recommend their continuation, if not expansion. No study found a significant harm to student achievement from the school choice programs. The probability that all 10 studies would be wrong is astronomically low.¹⁵

“Random-assignment” studies are investigations in which students are randomly assigned to “treatment” and “control” groups as in medical studies. This exacting method is considered the gold standard of social science research and was made possible thanks to the fact that many more low-income children than could be accommodated applied to privately funded voucher

programs in various parts of the country. This provided researchers with a rare opportunity—seven rare opportunities—to compare public and private school students who differed only in their good fortune (or lack thereof) in winning or losing an admissions lottery. In each instance, in cities like New York, Washington, and Dayton, Ohio, familial and other socioeconomic differences could be controlled nearly perfectly.

Greene’s summation is a model of scholarly understatement and caution. Many of the specific findings he reports on, however, are vividly encouraging. For example:

- A study issued by the Harvard Program on Education Policy and Governance found that after two years in the aforementioned private voucher programs in New York, Washington, and Dayton, African American recipients “performed significantly better on standardized tests than did the African American members of the control group that applied for a scholarship but were not given one by lottery.” The benefit of being part of the program was about 4 percentile points in New York, about 7 percentile points in Dayton, and about 9 percentile points in Washington.¹⁶ Joining researchers from Harvard in this study were scholars from Georgetown University and the University of Wisconsin.
- A study by Greene himself found that African American boys and girls in a similar program in Charlotte,

North Carolina, outperformed counterparts who had not won a voucher by 6 percentile points after only one year.¹⁷

- In a study of the publicly funded voucher program in Milwaukee, Greene, along with Paul Peterson of Harvard, discovered that students who won a voucher to a private school scored 6 percentile points higher in reading and 11 percentile points higher in math than students of virtually identical background who did not win a voucher.¹⁸
- And in New York again, a study by Raymond Domanico, under the auspices of New York University's Program on Education and Civil Society, recently found that "taking race and family income into account, students attending the Catholic schools reach higher levels of achievement than their public school peers—a gap that is much more pronounced at grade eight than at grade four—and that Catholic schools are more successful in breaking links between race or family income and student achievement." This investigation was not of a school choice program per se. But its findings are consistent with what is now a long stream of research that shows that inner-city minority children tend to do measurably better in Catholic than in public schools.¹⁹

How impressive are some of these results? African American students have been described by the research

organization RAND as making "remarkable" progress in a widely publicized study of smaller classes in Tennessee. According to the Harvard-Wisconsin-Georgetown team, "The effects of vouchers after two years, as observed here, are over twice as large" as in the Tennessee study.²⁰

This last finding bears repeating. If there is a promised land in the world of school reform, it's smaller classes. Along with "adequate funding," it's the main gauge by which "seriousness" about public education and commitment to "our children's future" are judged. Never mind that a long line of research on class size is only occasionally encouraging when it comes to the academic superiority of smaller ones.²¹ Smaller classes are universally more appealing than larger ones, as few teachers or politicians have ever demurred otherwise, and no known parent has ever complained, "My kid's class is too small." Yet, as we see here, there is reason to believe that school choice may prove a better deal for many students than realization of the Holy Grail itself.

The academic performance of voucher students is not, however, the only pertinent measure of educational freedom. What effects, for instance, might school choice have on students who remain in public schools? And what about important things like tolerance and racial integration? Once again, the emerging evidence is reassuring.

- Economist Caroline Minter Hoxby of Harvard has found a clear tie between the number of educational choices in a metropolitan area and

the academic performance of public school students. The greater the former, the better the latter. In Milwaukee, for example, “the schools that faced the most potential competition from vouchers had the best productivity response. In fact, the schools that were most treated to competition had dramatic productivity improvements.”²²

- In another Milwaukee study, Howard Fuller and George Mitchell of Marquette University looked at racial integration data for 1998–99. They found that 58 percent of elementary students in that city’s public schools attended institutions with more than 90 percent or fewer than 10 percent minority students. In contrast, only 38 percent of elementary students in a large sample of Milwaukee Catholic schools were in similarly skewed institutions.²³ Nationally, it has been known for a while that private schools—for all the talk about their alleged elitism and worse—tend to be **more** heterogeneous than public schools. In one study, while 55 percent of U.S. public school students were found to attend almost all white or almost all minority classrooms, the corresponding figure in private schools across the country was only 41 percent.²⁴
- Finally, in another representative study, a team led by Patrick Wolf of the Brookings Institution asked college students questions about their willingness to allow members

of their least-liked groups to participate in various political activities. Controlling statistically for differences in students’ backgrounds, it was found that the more time students spent in private schools before attending college, the more tolerant they were.²⁵

In reviewing research on school choice and related topics, I’ve relied heavily on Jay Greene’s very good essay in the summer 2001 *Public Interest*, as it’s up to date, comprehensive, and fair. It’s also a convenient source both for those who applaud his views and for those who are skeptical and seek to challenge them. This is how he concludes on the state of research in the field:

Of course, considerably more research needs to be done . . . before the conventional wisdom among the media and among academic and policy elites might be changed. . . . But if the evidence we have so far is any indication, future studies will only confirm what we are already beginning to suspect: school choice works. Eventually, the weight of this evidence will make it hard to ignore or disparage.

Greene is right: conventional wisdom among elites regarding school choice has been unenthusiastic and wrong—though it’s also clear that things are changing in lofty circles across the country. We’ll look at that question in a few moments when we consider school choice as a civil rights issue. But first, we need a sense of what rank-and-file citizens, especially low-income and minority men and women, think about choice.

V. Public Opinion

The most comprehensive and important survey of national attitudes on school choice is Terry Moe's voluminous *Schools, Vouchers, and the American Public*, released in 2001. Based on telephone interviews conducted in 1995 with 4,700 respondents, it is invaluable not only for its hard data, but also for its detailed, nuanced, and politically astute analysis. A "first-class political scientist" (as described by James Q. Wilson), Moe teaches at Stanford and holds an appointment at the Hoover Institution. And while he is a longtime proponent of vouchers, the book gives every indication that his responsibilities as a disinterested scholar take precedence over his personal support of choice, as witness his commissioning a polling firm identified with Democratic politicians and candidates to conduct the thousands of interviews.

Keeping in mind that the survey inquires about vouchers and not tax credits, and that it (as opposed to the book itself) is a half-dozen years old, here is a much-abbreviated review of Moe's central findings:²⁶

- Americans like public schools. This fact, Moe writes, "is a simple point that couldn't be more profound in its importance for politics." For the voucher movement to succeed, it "must attract support from a public that is actually quite sympathetic to the existing system."
- At the same time, most people think that private schools are better than public schools.
- While Americans afford public schools "fairly high marks overall," they are not especially satisfied when it comes to "specific aspects of policy and performance." For instance, they think that public schools provide "low-income and minority kids with lesser-quality educations." Americans also think that voluntary prayers should be allowed in class; that parents should have more say in what schools do; that schools should be smaller; and that market-like incentives would make schools more productive.
- More specifically, people who are especially dissatisfied with public schools tend to be low-income; African American; individuals from low-performing districts; people who do not exercise "residential choice"; and parents who have "lower-quality experiences with their children's schools."
- In deciding whether to send their children to private schools, parents put "primary emphasis on school performance." This includes inner-city moms and dads. The next most important factor is a "concern about social inequity." This attitude is "especially strong for low-income parents, who are most likely to suffer from the system's unequal outcomes."
- Americans "overwhelmingly" believe that if we are to have vouchers, religious schools should be included. While voucher opponents argue "vehemently" that this should not be so, they are "totally out of step with the public on this issue."

- At the same time, while most voucher leaders are “strongly opposed” to regulating private schools, the American public is “strongly in favor” of it. For example, if we were to have vouchers, “massive majorities” would want governmental rules covering admissions, curriculum, and other private school matters.
- If voucher leaders want to maximize public support, Moe concludes, they need to pursue policies that appeal to “centrist constituencies.” Among other things, this means advocating programs “targeted at disadvantaged children (at least in the short run), and [putting] explicit emphasis on equity and diversity—as the modern wing of the movement has been doing.”

What lessons can be drawn from these findings, as well as several others in Moe’s analysis? Let me suggest four.

First, given Americans’ fundamental affection for public schools, the huge losses suffered by voucher initiatives in states like California and Michigan over the past decade have not been surprising at all. When people actually had to pull levers—after being frightened by voucher foes with predictions of educational and civic horror if choice came to pass—their devotion to what Moe calls “public school ideology,” and what former Minnesota governor Albert H. Quie describes as the “religion of public schools,” prevailed easily.

Second, this makes it all the more obvious that school choice advocates must not come across as bashing public

schools or the educators who work in them. James Q. Wilson, in a review of Moe’s book, puts it this way: “You cannot favor vouchers in a way that makes it appear that you want to undo the public-school system.”

Such an admonition, however, is much easier urged than adhered to, as it’s hard **not** to be seen as harshly critical of public education when one is arguing that many young people are being hurt by current policies. It’s impossible, in fact, not to have opponents turn even the most tactful words on behalf of choice into attacks and slurs against public schools. That, after all, is precisely what teacher union officials and other defenders of current arrangements are paid to do.

Speaking for myself, I can assure that my words and intentions are less accusatory than they are sometimes perceived, as I am exclusively and gratefully the product of public schools. Problem is, many children are not being served nearly as well as I was.

Third, the most disappointing finding in Moe’s survey is that if we were to have vouchers, “massive majorities” of Americans would want the government to oversee, to a degree currently not the case, how private schools operate, including what they teach and who they hire as teachers. I would like to think that this impulse—what respondents presumably saw as the “accountable” thing to say—would never get very far legislatively or be allowed to stand by an astute governor. Because if it did, there would be no reason to have vouchers or any other kind of private school choice to begin with,

and the movement on behalf of educational freedom would simply disband on its own.

Religious and other private schools work better for many (not all) students precisely because they are *different*. To homogenize them, to reduce them to public school look-alikes writ only smaller and often impoverished, would defeat their very purpose as places of distinctive learning. Private schools, moreover, are classically accountable: if they don't perform, parents don't write checks. It's as simple and as direct as that. Most practically, it's hard to imagine more than a few private schools willing to accept voucher students if it meant corrupting their very mission and spirit. To regulate or oversee them more than minimally would be to render any choice plan moot and not worth the effort.

Similarly, lower-income parents who homeschool their children are eligible for Minnesota's education tax credit, as well they should be. The idea of subjecting them to state intrusion over and above current rules is out of the question both politically and in principle.

Fourth and last, in addition to African Americans being least satisfied with public schools, polls for years have consistently shown them to like vouchers more than whites do. For example, David A. Bositis of the Washington-based Joint Center for Political and Economic Studies has written that 57 percent of blacks, in a 2000 survey, supported vouchers, but "only" 49 percent of whites did. The

proportion was fully 75 percent among blacks under thirty-five, though (once again) "only" 48 percent among blacks over fifty. This cleavage is important, Bositis writes, because older people are much more likely to vote, and since most African Americans are "reluctant to vote for Republicans," Democrats who oppose vouchers "may not risk losing many black votes as a result."

Bositis ties this disparity between older and younger African Americans to the former's memories of white southerners pulling their children out of public schools in order to avoid desegregation. Many older African Americans, and other black leaders, "believe that school vouchers would represent a transfer of public money to subsidize those white parents who prefer that their children attend all-white schools." Bositis also argues that if white conservatives are pushing for vouchers, many black leaders are going to be suspicious, since they believe that people on the right have traditionally "cared so little about the lives of black Americans."²⁷ (Howard Fuller of the Black Alliance for Educational Options has said: "If you support something that so-called conservative people support, you're duped. If you support something in this country that so-called liberal people support, you're brilliant. I consider myself to be brilliantly duped.")²⁸

As understandable, even expected, as such distrust is, it is essential to recall that private schools tend to be more integrated than public schools (see Section IV). A finding by Moe is

likewise key: Americans who are most apt to support school choice are the very same people who are most eager to have schools reflect our country's variety. "It is the people," he writes, "who **support** racial diversity who turn out to be especially favorable toward vouchers, not the reverse, as critics would contend."²⁹

What bearing does all this have on what increasingly is being called the most important civil rights issue of the era? Everything.

VI. School Choice and Civil Rights

It is difficult to imagine any change in public policy that would prove as potent and lasting in lifting poor people and many people of color into better lives as expanding their often constrained educational opportunities. It is hard to envision a more productive reform than helping children of strapped background transfer out of schools that few people reading this essay would willingly send their own children to.

This last claim, admittedly, is less convincing in Minnesota than in other places insofar as our weakest schools are not as bad as the worst schools elsewhere in the country. Pitches about helping poor children "escape" bad schools are also less persuasive here because we have one of the best **public** school choice programs in the country. Open enrollment got started under Governor Rudy Perpich, and families in this state have more options than most, for which great thanks are warranted.

Charter schools also began here, thanks to Governor Carlson and state legislators like Senator Ember Reichgott Junge. But it remains very much the case that large numbers of Minnesota kids—by no means only poor and minority ones—are effectively denied viable opportunities to attend schools that might serve them much better.

Is school choice the only component of good education? Of course not. But as we have seen over decades, virtually everything short of serious choice has been tried—including increasing school budgets substantially—and little has worked for those in starkest academic need.

All this being the case, it's not surprising that growing numbers of people are coming to view school choice as an issue of fundamental fairness—in particular, as a way of affording poor children realistic stabs at the kind of education that more-fortunate boys and girls enjoy as a near birthright. In other words, school choice is increasingly appreciated as a compelling continuation of the civil rights movement. This spirit can be read in the following statements, all of which, not incidentally, were made by champions of the political left and middle.

The **New Republic** editorialized this way during the 2000 presidential race:

Democrats used to say that you can't make anti-poverty policy without listening to the poor. Fair enough. Last year, a poll conducted by the Joint Center for Political and Economic Studies found that 72 percent of African Americans in low-income households supported vouchers. . . .

Last year, 1.25 million low-income children applied for the 40,000 vouchers offered by the private Children's Scholarship Fund. All these people may be misguided. Vouchers' widespread use should be based on systematic, unimpeachable evidence, not assumptions. . . . But surely America's dispossessed, their children systematically robbed of a decent education, at least deserve to find out.³⁰

Like the *New Republic's*, the *Washington Post's* support of vouchers is qualified. But it had this to say in an editorial, again shortly before the 2000 elections:

Detroit officials say they're reforming their schools, and let's hope they succeed. But inner-city school reform has been going on for just about as long as inner-city school failure. Most voucher opponents wouldn't, and don't tolerate such conditions for their children. . . . They choose private schools or settle in better school districts—where public schools often are doing a pretty good job. Then they argue that enterprising students left behind shouldn't be allowed similarly to escape, because it would be unfair to the rest. Not surprisingly, many poor parents don't take kindly to that logic. . . . To many children losing out in the current system, some state-by-state experimentation might offer relief.³¹

Andrew Young is a former mayor of Atlanta and close colleague to Martin Luther King Jr. Speaking to the NAACP in Tallahassee in 1999, he talked about a voucher program in Florida that enables children in bad

public schools to transfer to better private ones:

I've supported vouchers for people in low-income, failing schools, and I think that's what the Florida program does. If you're in an unachieving school, an under-achieving school, then you have a right to seek a voucher to go to a school where you can be guaranteed some level of achievement.³²

Perhaps the most celebrated school choice endorsement during the 2000 campaign was a column in the *Wall Street Journal* by Robert B. Reich, who served as secretary of labor in the Clinton administration. Saying that "evidence mounts that vouchers do work for kids who use them," he called for "progressive vouchers":

Ideally, a child from America's poorest 20 percent of families would receive a voucher worth between \$10,000 and \$12,000. Children from families in the next quintile would receive vouchers between \$8,000 and \$10,000. The vouchers could be used at any school that meets certain minimum standards, regardless of whether the school is now dubbed "public," "charter" or "private."³³

As with the other three excerpts, Reich recommends some provisions that most voucher partisans do not. For example, I know of few if any people in the movement who favor grants as large as he does (though Reich himself acknowledges that one shouldn't hold one's breath waiting for his plan to be adopted). But the much more important point is that all four authors

believe that current policies are grossly unfair to many poor and minority people and that, at the very least, voucher experiments are incumbent.

Something also needs to be said about religious rights.

Not all private schools of choice, of course, are religious or parochial schools. But one of the main attractions of school choice is that it would allow more people to take advantage of many of the most effective and affirming institutions in our country: religious schools that currently exist, as well as those that would be created if vouchers or tax credits became available. President Bush and many others correctly want to take larger advantage of our nation's "faith-based organizations." The clearest and most promising route for doing this is pursuing school choice, as religious schools are the perfect definition of nurturing institutions.

Many school choice supporters tend to play down questions of religious freedom, preferring to focus on safer questions of academic performance, accountability, competition, the power of markets, and the like. And while religion is not, nor should it be, the driving force behind the movement, I would contend that the denial of school choice is, in fact, an infringement of religious expression.

I have no worry whatsoever that the wall separating church and state would risk tumbling down if school choice programs, hundreds and thousands of them across the country, were to break free from the fears that enchain their emergence. Such fears, as understand-

able as they may sometimes be, are based on misreadings of our nation's religiously saturated history, a shrunk-en view of the Constitution's Free-Exercise Clause, and a gross underestimation of the tolerance and benevolence of the American people.

For reassurance, think of American colleges and universities, the best higher education system in the world. Can you name even a handful of private colleges or universities whose roots are *not* religious? Does the fact that students can use public money to attend Notre Dame, or Southern Methodist, or Yeshiva pose a threat of any kind? To anyone?

The aforementioned Joseph Viteritti is a political scientist at New York University. His 1999 book, *Choosing Equality*, is an exquisitely progressive appeal on behalf of the *justice* of school choice, particularly as it might help poor children. Of the role of religion, he writes of critics who are so "vehement" in their opposition to choice that they "mount their assault on the principle of separation, as if religion were inherently inimical to a free society."

Also recall here what Terry Moe discovered about popular attitudes and religious schools: if voucher programs come to pass, religious schools must be included. Consider likewise that if recent decisions are any indication, the U.S. Supreme Court may well give broad validation to school choice in the next year as it takes up the Cleveland voucher program. The critics that Viteritti alludes to—"social theorists" who claim to be advocates for the poor, but who "disregard" their pleas when it

comes to school choice—would seem to stand on ground that is shakier and lonelier all the time.

VII. *The Often Downplayed Role of Culture*

Starting well before the opening of Center of the American Experiment in 1990, I have written more about the harmful effects of family breakdown and other cultural declines than about any other subject. I have argued, for example, that it's impossible to imagine elementary and secondary education (or much of anything else) getting sufficiently better as long as one-third of all babies in our country are born out of wedlock, as long as about two-thirds of all African American babies are "non-marital births," as long as the United States has the highest divorce rate in the Western world, and so on.

Do I still believe this? Emphatically, as I don't know of a single measure of child well-being that isn't depressed by the absence of a parent, usually fathers.³⁴ Which is to acknowledge that it would be disingenuous at best if I now mumbled "never mind." If I were to claim that all the crippling impediments to learning that I've railed against for years aren't big deals after all. If I asserted, at bottom, that all that's needed to wipe them away are swipes of school choice.

Contending any of this would be absurd, of course. It also would slander huge numbers of educators in public schools who, when they fail with children, often do so for reasons beyond their control. Similarly, glossing over

the fact that many children come from homes where English isn't spoken just isn't cricket.

No school should be allowed to wiggle off any hook of performance or accountability. Still, fairness requires that jagged, on-the-ground realities—as played out in thousands of public schools every morning and afternoon—need to be acknowledged, not gainsaid as they frequently are.

What specific kinds of cultural trapdoors, beyond family disintegration, am I talking about? Here are three, each one more politically flammable than the one before.

First, I remember reading a story in the *New York Times* in the early 1980s and thinking that unless and until Americans rectified the cultural difference that the article talked about, nothing done in the name of school reform would begin to work nearly well enough. Almost twenty years later, nothing has changed my mind.

The story reported on the work of Harold W. Stevenson, a University of Michigan psychologist who had been comparing American and Asian attitudes about education. Stevenson and his team found that Americans generally don't understand the connection between hard work and learning as well as Asians do. Whereas American mothers, for example, tend to attribute the academic success (or failure) of their children to innate ability (or lack thereof), Asian mothers are more apt to attribute how well their children do to how hard they work.³⁵

Think about how this dissimilarity might play out with two youngsters,

one in America and one, say, in China, who are having problems in math. Whereas the Chinese child likely would be urged, in few uncertain terms, to try harder, the American kid more likely would be allowed to throw up his hands and give up, conceding that he just wasn't very good with numbers.

Second, in an excellent study based on surveys and interviews with more than 20,000 students in nine diverse public high schools in Wisconsin and California, sociologist Laurence Steinberg of Temple University and his colleagues found, with remarkable consistency, that students of Asian background do better than white students, who do better than Hispanic students, who do better than black students.

But where some scholars, in explaining such disparities, are apt to cite family structure and income—and where other observers are quick to allege racism, skimpy funding, and such—Steinberg concluded that the most important factor is the kinds of cliques and crowds that members of each ethnic group tend to belong to. Asian American kids, he writes, are much more likely to have friends who celebrate and reinforce academic values, whereas black teenagers, at the other extreme, are more likely to have peers who actively disparage and discourage academic success.³⁶

Third, Steinberg's interpretation is all too consistent with that of John McWhorter, a linguist at the University of California, Berkeley, in his superb book *Losing the Race: Self-Sabotage in Black America*. "As the common cold is caused by the rhinovirus," McWhorter

writes, black students, including those in the middle class, do poorly in school "decade after decade not because of racism, funding, class, parental education, et cetera, but because of a virus of anti-intellectualism that infects the black community."

McWhorter, who is African American, says that this antiacademic strain is "inherited from whites having denied education to blacks for centuries." Yet regardless of its origins, he argues, it has come to be concentrated and accelerated by a "separatist" impulse in much of black America that rejects "the white"—casting schools and books as "suspicious and alien, not to be embraced by the 'authentically' black person."³⁷

What's the point of citing research and examples like these in an argument for school choice?

Good education is a challenge to deliver under the best of circumstances. It's that much harder under rocky ones. But fair or readily explained or not, there is something about religious and private schools that helps even the most at-risk children do better than they likely would in public schools. Is the reason less bureaucracy? More parental involvement? Closer community? Fewer course offerings? Smaller buildings? Less infatuation with "new" ideas? Healthier peer pressures? Stronger faith in the ability of all children to learn? The warmth of God's love? Fear of God's wrath if homework is sloughed off?

Whatever the combination may be, the vital and increasingly documented fact is that private schools, in the

main, work better for kids who need extra help. This, once again, is not to deny the existence of remarkable public schools. It's not to deny the existence of inferior private schools. Nor is it to suggest that since disadvantaged kids tend to do "better" in private schools, they routinely do *well enough* in them, because they don't.

It is to declare that school choice can make a good and consequential difference in the lives of children, and, thus, we are morally obliged to pursue it.

VIII. What Kind of School Choice for Minnesota?

For a call to renewed action that neither proposes nor anticipates vouchers in Minnesota anytime soon, this paper has spent a lot of time talking about them. This is the case, as noted, because the most important school choice programs and experiments in the country employ vouchers, and because most of the research and other things written about educational freedom focus on this particular means of achieving it.

But as described in Section II, vouchers are not on Minnesota's horizon insofar as key players on both the left and the right don't like them, albeit usually for fundamentally different reasons.

Liberals generally oppose them because they believe vouchers would undercut public education financially and in other ways. DFL politicians, more specifically, oppose vouchers because they fear that the teacher union, Education Minnesota, might undercut *them*.

Conservative opposition to vouchers is more likely to be grounded in fear that they would afford government an opening to intrude in their religious schools. Their fear of undercutting has to do with the secular slicing into the sacred.

It was exactly this left-right, one-two punch that knocked out a low-income voucher plan within seconds after it was introduced by Governor Arne Carlson during the 1996 legislative session. In response, he chose, in 1997, to push for education tax credits and expanded tax deductions, rather than vouchers, since credits and deductions were seen as far less threatening by some conservatives. It took a special session of the legislature, but Carlson's remodeled tack worked, and he signed into law the nation's first statewide tax credit for selected educational expenses—though DFLers wouldn't budge when it came to having the credit cover tuition.³⁸

Given this history, next steps are clear. Minnesota must significantly enrich educational opportunity by enlarging its education tax credit in several specific ways.

Most important is broadening the credit to cover at least a portion of tuition at private schools.

The package also includes getting rid of household income limits on the tax-credit law passed in 1997. Or absent a complete elimination of income limits, sizably raising them so that many more families, not just lower-income ones, can avail themselves of the program. The law also should be changed to make all children in a family eligible for the

credit, not just a maximum of two, as is now the case.

The list further includes making it possible for individuals and organizations to claim tax credits by contributing to private school scholarship programs *and* to public school activities. Arizona, Pennsylvania, and Florida have already passed variations of such a program.

And as an immediate task, the agenda includes restoring the 25 percent cut in the tax credit that was passed in the final fevered hours of the 2001 legislature. Let me expand on each of these four proposed expansions, which together construct what might be called a universal tax credit for education.

Expanding the Education Tax Credit

Tuition. The 1997 education tax credit was indeed a big deal, properly celebrated by supporters. It's unquestionably good and helpful that more than 50,000 Minnesota families are claiming the credit every year; the average amount claimed is almost \$400. Lots of kids are benefiting because the credit is enabling their parents to purchase things like tutoring, books, and computer equipment.

Yet while the 1997 breakthrough was a vital start, school choice on this scale can never amount to more than educational snack food when children really need full-course meals. They need the kind of tax credit—the kind of academic and social nourishment—that is possible only if tuition expenses are covered and only if potential awards are larger than what they cur-

rently are. Think hot lunches rather than cold brown bags.

How big should such a credit be? Effective in 2002—unless the legislature and governor fix what they diminished—parents will have to spend \$1,333 in order to qualify for a maximum credit of \$1,000 per child (maximum of two children per family). Until the 2001 legislative session, lower-income parents had to spend “only” \$1,000 on eligible expenses in order to get a \$1,000 credit in return. (Minnesota families with household incomes of \$33,500 can qualify for a maximum credit. Families with household incomes between \$33,500 and \$37,000 are eligible for smaller, phased out credits.) In contrast, vouchers for about 4,000 participating low-income students in Cleveland can go as high as \$2,250, and they can surpass \$5,500 for the almost 10,000 participating low-income children in Milwaukee.³⁹

While education tax credits should be as generous as possible, it's not necessary for them to rise to Cleveland's level, and certainly not to Milwaukee's, in order for them to make a tangible difference. One of the problems in talking about school choice is that most people assume that private school tuitions are higher—often much higher—than they actually are. They assume that high-profile and expensive places like Breck, Blake, and St. Paul Academy are the prototype, when the real norm is the 500-plus other private schools in Minnesota at which tuition is lower—often much lower. (And where admission requirements are usually nonexistent.)

For example, annual tuition in Catholic elementary schools in Minnesota two years ago, for *nonparish-ioners*, averaged a shade over \$2,000.⁴⁰ Tuition rates, of course, are usually higher in the Twin Cities metropolitan area, but not of a different league. Rates at private high schools in Minnesota (not just Catholic ones) average about \$6,200 annually.⁴¹

Given these numbers, it's fair and frugal to imagine a maximum "refundable"⁴² tax credit of \$1,500 for elementary students and \$3,000 for high school students, each indexed annually to the cost of living. Such awards—geared to approximately 50 percent of average tuition rates—would be of pivotal help to parents as they navigate and scratch their way to coming up with the difference between what they receive in credits and what they owe for tuition.

Credits of this size, not incidentally, also would help homeschooling and other parents take advantage of growing opportunities in "cybereducation": Internet- and computer-based programs that sever the "ancient link between educating kids and having them sit all day in physical schools."⁴³

All families. Children ought not to have to come from rich families in order to get a good education. But neither should boys and girls have to be members of the most economically stressed families in order to benefit from policies that enrich freedom—educational freedom, in this instance. Recognizing these points is ethically right. Acting on them would be popular in the most democratic sense of the term.

Ethically right because most middle-class families are not luxuriating in disposable income, be it for tuition or anything else. Popular because rank-and-file Minnesotans made it clear in 1997 that they liked Governor Carlson's intention to empower *all* parents. They presumably have not backtracked since then, newly keen on slighting their own children.

In a survey conducted in the spring of 1997 during the height of legislative wrangling, 800 registered voters in Minnesota were asked this question:

Under Governor Carlson's proposal, if parents send their children to public schools, the tax credit or deduction can be used for tutoring, summer school, home education, or computer equipment at home. If parents send their children to private school, they can use the tax credit or deduction for tuition. Would you favor or oppose a plan like this one?⁴⁴

Sixty-five percent of respondents said they favored the plan (44 percent of them "strongly"). Only 29 percent said they opposed it.

This was only one of four professional surveys that year to ask about Governor Carlson's school choice plan. Save for one unfairly worded question, the percentage of respondents expressing support either for his proposal or for an equivalent plan ranged from 58 percent to 72 percent.⁴⁵

Answers to the very next question in the spring survey cited here were similarly telling, as they showed that whatever stock voters put in school choice as a means of helping children

in academic trouble (and another question suggested they did, in fact, put hefty store in such use), respondents were even more enthusiastic about the way in which Carlson's plan would help all families in the state. Respondents were asked:

What is the best reason to support the plan—because it helps failing kids, or because it empowers parents to make more choices for their children's education?

Fully 61 percent said the best reason for supporting the plan was that it would empower parents.⁴⁶

School choice is most often viewed as a conservative issue because of its free-market origins. It should be understood no less as a crystalline liberal issue. But perhaps school choice in Minnesota is best conceived as a *populist* issue, in that most people in this state, to the broad extent that they see its benefits as worthy, believe that average, everyday families are entitled to them—despite the determination of various powers and interests to dictate otherwise.

Average mothers and fathers in Minnesota also presumably believe that all children deserve to be covered by tax credits; not just two per family as is currently the case.

Tax credits for contributions to scholarship organizations. Arizona in 1997 created a \$500 tax credit for donations made by individuals to non-profit organizations that, in turn, give scholarships to boys and girls who attend private elementary and secondary schools. The dollar-for-dollar

credit has since been increased to a maximum of \$625 for married couples. According to a recent study by the Cato Institute, from 1998 through 2000 the program helped generate more than \$32 million, enabling more than thirty scholarship organizations to grant almost 19,000 scholarships. More than 80 percent of all scholarship recipients were chosen on the basis of financial need.⁴⁷

Using "moderate assumptions," the study estimates that by 2015, the Arizona credit will be raising \$58 million a year, and funding between 35,000 and 61,000 students annually. The authors conclude that the projected cost of the credit will be "significantly less" than the savings that will derive from students transferring from public to private schools. "Available data suggest," they write, "that the scholarship tax credit will be a net winner for Arizona taxpayers, expanding school choice to thousands of families while saving taxpayers millions."

Similar but smaller tax credit programs, limited to corporate (not individual) contributions, have just started in Pennsylvania and Florida. Businesses in Pennsylvania, according to a recent report, responded by donating a "large percentage" of the program's \$20 million limit on the very first day.⁴⁸

Laws like these are worth emulating because they would lead to additional and larger contributions to privately funded projects such as the Minneapolis-based KidsFirst Scholarship Fund, founded by Ron and Laurie Eibensteiner. KidsFirst already is helping upwards of a thousand children annually attend

private schools in the metropolitan area. That number would grow markedly—as would the number of scholarship funds themselves.

A very big and attractive point: Another reason these programs are worth copying or adapting is that they also give tax credits for personal or corporate contributions aimed at helping **public** schools or the kids who attend them. More than \$40 million, in fact, has been directed in this way to Arizona public schools for extracurricular activities (which is actually more money than has gone to private school students in that state).⁴⁹ These initiatives are politically and intrinsically smart ways of accentuating the fact that the highest priority ought to be serving children wherever they go to school. And that all schools—as long as they are good—serve public purposes.

In Minnesota specifically, tax credits of this sort could take a lot of financial heat off public school parents who are increasingly being hit with new bills for extracurricular activities, transportation, and other expenses. It's a perfect way for everyone to win.

Restoring the cut. In a memorandum written during the 2001 legislative session about the education tax credit, the Department of Revenue argued correctly that there are “pages of definitions of what is or isn't an acceptable expenditure.”⁵⁰ So what did the Ventura administration, and ultimately DFLers in the legislature, do in response? They made the program even more confusing by forcing recipients to divine not only what expenses (in the “pages of definitions”) are legally cov-

ered, but also to factor in a 25 percent cut. This was not progress by any measure, as it bespoke hostility to educational freedom as an idea and obliviousness to the families who have the most to gain from it. The reduction cries to be rescinded in 2002.

Much better was the legislature's decision (over the opposition of the administration) to add a provision to the 2001 tax bill that allows families to “assign” their educational tax refund to a financial institution or nonprofit organization. This makes it possible for institutions like banks and charities to lend parents the equivalent of their anticipated credit so that they can pay for covered educational expenses up front. This enables lower-income families to sidestep what is often a crippling cash-flow problem, making the credit, not incidentally, work more like a voucher.

Four Questions with Answers

Let me close this section about the kind of choice Minnesota should seek with four quick questions and answers.

Would school choice hurt handicapped kids?

Critics often claim that disabled boys and girls would be left behind, disenfranchised by a private-school choice program. This condemnation assumes several things, none of which is true.

It assumes that handicapped children don't currently attend private schools. They do.

It assumes that all public schools, in supposed contrast to all private

schools, are equipped to help all handicapped boys and girls, regardless of the severity and type of their disability. They are not.

It assumes that a commitment to helping all youngsters is not soldered into the very ministry of religious and many other private schools. It is.

And critics are fond of claiming that private schools would be loath to enroll handicapped children through a school choice program because the dollars it takes to educate them would be vastly greater than what any regular tax credit or voucher would provide. This answer is easy: just assure that the law calls for increasing the value of such credits by an adequate amount, just as government currently increases payments to public schools that enroll “expensive,” special-needs children.

This, in fact, is exactly the situation in Cleveland, where students with special needs are entitled not just to ordinary \$2,250 vouchers, but also to stipends that take into account the “instruction, related services, and transportation costs of educating such students.” Likewise, in Florida, special-needs students who “demonstrate failure to improve at their public school” are eligible for private-school vouchers ranging between \$6,000 and \$20,000, depending on the severity of their disability. As for Milwaukee, it’s estimated that the voucher program there “attracts disabled students at a rate similar to their percentage in the Milwaukee Public Schools, or approximately 12 to 15 percent.” What’s particularly impressive about those numbers—and the professionalism and

benevolence of the private schools involved—is that Wisconsin’s Parental Choice law makes no financial provisions for special-needs boys and girls. Nongovernment schools in Milwaukee that serve more “expensive” students do not cash bigger vouchers.⁵¹

What is Greater Minnesota’s stake in all of this?

Critics as well as neutral observers often note how public schools, usually high schools, are the most important and beloved institution in many small towns around the state, and they question what school choice could possibly offer such communities.

Very little, is the answer, if no one wanted to take advantage of it. But if some families did want to take advantage of a choice program, their children presumably would benefit in valued ways. Plus, freedom itself would be celebrated.

Yet opponents also contend that choice can’t work in most of Greater Minnesota because there are too many miles separating too few private schools. This begs the next question.

If we had real school choice, where would all the necessary private schools and new seats come from?

Critics argue that if any state created a substantial school choice program, student demand would overwhelm private school supply. This might be the case at the start (though it’s useful to think about what a full-scale rush out of public schools would say about parental satisfaction with those schools). Over time, however, if tax

credits were large enough, it's safe to predict that enterprising people would meet the new demand by increasing the supply of private schools as well as the number of openings in existing schools.

How can an enthusiast be so confident? Because that's the way incentives and free markets work. Think of Thomas Edison and the lightbulb. Before he invented it, it's fair to say, the demand for plugs and sockets had no juice. Once bulbs alit, people demanded plugs and sockets, and an invisible hand turned on the switch. The dynamic would be the same if an adequately funded school choice program were charged up.

What would an “adequately funded school choice program” cost?

I don't know what the recommendations in this paper would add up to. Just keep in mind, though, as witness the Arizona study, it almost always costs less to educate children in private schools than in public schools.

Also keep in mind that in talking about things like tax credits, it's not as if citizens shouldn't have anything to say about how their own tax dollars are used to educate their own children. An education tax credit or voucher should not be viewed as a beneficent or profligate gift from a self-denying government. It's the people's money, first of all.

IX. Next Steps

What would it take, legally, politically, and organizationally, to realize this vision for school choice in Minnesota? Since four is proving to be such

a felicitous number, let's stick with it. Among other requirements—including making certain that Minnesota's school choice coalition continues to work strategically and cooperatively together—it's important to make progress in the following four areas.

The Supreme Court of the United States. It would be easy to fall into the trap of believing that unless the United States Supreme Court issues a favorable ruling in the Cleveland voucher case, hopes for expanded choice in Minnesota would be automatically deleted. That would not necessarily be the case at all, as vouchers and tax credits are not identical devices, and the Supreme Court, in the 1983 *Mueller v. Allen* case, already has blessed Minnesota's educational tax *deduction* program.

A favorable ruling in the Cleveland case, on the other hand, would supercharge school choice movements here and around the country, and is much to be wished for.

There is much more reason for optimism than doubt that the Supreme Court will endorse the Cleveland voucher program, if not in every detail, then in fundamental gist. As the *Wall Street Journal* editorialized after Chief Justice Rehnquist and his colleagues agreed to take the case, the court's last six decisions in the area “have brought us right to the precipice of vouchers without taking the plunge.”

Two broad criteria, the newspaper argued, have emerged over the course of those half-dozen decisions. First, “that religious schools be only one of the options.” And second, that there

be “true private choice.” By which the editorial meant that “when public moneys do end up going to a religious institution,” they flow through the choice of the recipient, not the government. Concluded the *Journal*, “What the Court really has to decide now is whether it was serious about criteria it has previously set down.”⁵²

A reasoned and reasonable prediction is that the high court has been most serious and will remain so. And that subsequent to its ruling, energy for choice across the country will be high octane.

The governor of Minnesota. Especially if DFLers continue to hold a majority of seats in the Minnesota Senate, it is very difficult to imagine a situation in which landmark school choice legislation can emerge from the legislature—unless the governor at the time invests mightily in the issue and wills its passage, as Arne Carlson did in 1997.

Every Minnesota governor from Wendell Anderson in the early 1970s to Arne Carlson through the late 1990s either started off supporting, or came to support, one type of school choice or another. Jesse Ventura, on the other hand, has never warmed up to the issue despite his strong appreciation of accountability, competition, and freedom—and despite his growing frustration with Education Minnesota and much of the rest of the state’s educational establishment.

This paper is not the forum for narrowly political or partisan conversations. It is the right and requisite place, though, to underscore an elemental fact of political life: without a governor

who is passionately engaged, through either conversion or election, families in this state will not win much more educational freedom than they currently have, which is a Minnesota “nice” amount, but far less than what families elsewhere will increasingly benefit and learn from.

Mixing it up. The reference is not to people fighting and jousting with each other, but quite the opposite. It has to do with acknowledging the fact that in order to expand school choice in this state, it would be decidedly helpful to first expand the range of individuals and groups working for choice.

To be blunt, the school choice movement in Minnesota is probably the whitest in the nation. In Milwaukee and Cleveland, inner-city men and women of color joined with white business leaders, politicians, and others to create the best choice programs in the country. In the Twin Cities, by contrast, it’s possible to attend a half-dozen school choice meetings without ever seeing a nonwhite face. This is conducive neither to the movement’s political punch nor to its moral clout.

Why has the drive on behalf of choice in this state been so monochromatic? Certainly, as David Bositis and Howard Fuller alluded to in talking about school choice nationally, a movement led in large part by conservatives is not necessarily constituted to cause large numbers of African Americans to congregate.

Just as this is not the right venue for a partisan conversation, neither is it an appropriate place for a discussion that

needs to be held more in trust than in print. Still, it can be added, with promise, that the coalition of legislators that worked (albeit unsuccessfully) to save the full value of the tax credit during the 2001 session was a more diverse group than had worked for choice in the past. And there are signs that members of Minnesota's growing immigrant communities are increasingly interested in choice. This is heartening and essential.

Assignability. The 2001 legislature, much to its credit, made it possible for parents to "assign" their future rebates to a bank or nonprofit organization, enabling more of them to pay for eligible educational expenses up front. This was first-rate news. But assignability will prove a real, not just a potential, step forward only if enough banks and nonprofit institutions agree to step forward themselves. Recruiting them is a high-priority next step, as is informing eligible families about the service.

An optimistic tag fits here about the realpolitik of the situation.

Undoubtedly, many who have been reading this not-so-brief brief have been wondering if any of these plans are feasible given the uncompromising opposition of seemingly all-powerful forces, especially the teacher union, Education Minnesota. Such wariness has basis. But it's also realistic to point out that the union and the rest of Minnesota's educational establishment are invincible only in reputation, and even then not always.

For example, on the question of school choice and freedom broadly defined, the "cartel" has lost repeatedly

over the past two decades. It lost on open enrollments. On postsecondary options. On charter schools. And it lost on tax credits. More recently, and as was seen during the 2001 legislative session, Education Minnesota and its allies did no better than middling in getting Governor Ventura to budge on his tight funding proposal for elementary and secondary schools. School choice victory may not be assured, but precedents make it more than plausible.

X. Conclusion

Is school choice really the radical idea that critics are lightning-quick to strike down? Of course not. As historian Diane Ravitch recently argued, "As valuable as the public schools are, it is important to recognize that there have been many other educational traditions in the United States."⁵³

In the early years of the nineteenth century, before the common school movement began, children were educated in a variety of settings. "Schooling," Ravitch wrote, "was supplied at home, or by freelance teachers, or by church schools, or by private academies, or by district schools managed by locally elected boards, or by charity schools for the poor." In the first quarter of the nineteenth century, for instance, New York divided education dollars among church schools in New York City and underwrote private academies across the state. In 1856 the Texas legislature said that all schools in the state were entitled to a pro rata share of public funds.

This is important history to recall, not because anyone today is proposing

that government subsidize private schools themselves (as opposed to affording families freedom and choice via tax credits or vouchers), but because it highlights, as Ravitch puts it, the “decidedly pluralistic” tradition of American education.

What came to choke that tradition? In many ways it was the common school movement itself, which in short order came to be corrupted by nativist and anti-Catholic hatreds. In other words, a benign movement that was conceived to “spread public schooling to every hamlet, county, district, and city in the land” wound up for many years being anything but universal in terms of those it served with dignity and respect.

Hard as it may be for critics of choice to acknowledge, and as jarring as it might sound, the status quo is similarly blameworthy. In no way as blatantly or as maliciously, to be sure, but culpable, nonetheless.

A too-orthodox belief in “public school ideology” starts from the premise that government schools are sufficient for just about everyone. But as studies of academic failure mount up, other studies also accrue, especially those showing that low-income and minority kids tend to do measurably better in schools that are not run by government. Blocking such children from attending schools that might work much better for them is but an updated adulteration of the very idea of equal educational opportunity for all.

It’s also useful to point out, as Ravitch does, that the United States is in a minority when it comes to school

choice. Of the thirty major industrial nations that are part of the Organization for Economic Cooperation and Development, “only seven do not permit any government funding of K-12 private schools.” Again, I know of no one in the choice movement who favors direct government aid for private school tuition. What we urge, rather, is nothing insulting whatsoever to either the Constitution or civility; it’s nothing more menacing than a GI Bill for kids.

When it comes to school choice, who are the real fans of pluralism internationally? The United States, where liberals in particular envision themselves as its world champion? Or countries like Australia, Denmark, France, the Netherlands, and Great Britain, democratic and open nations all, where government makes it possible for children to attend a wide variety of private schools if that is what their parents freely wish? Countries where it’s understood that “public” schools are not the only means by which “public” obligations to children are discharged.

What parents “freely wish.” Pleasing parents shouldn’t be the only consideration in educational policy, but it certainly should be an esteemed one, since rarely does anyone care as much about any child as his or her mother and father.

From this it follows that if parents are especially satisfied with an educational policy, their views should be attended to, seriously and respectfully, by those who make policy.

How “satisfied” are parents with school choice programs in places like

Milwaukee, Cleveland, and other cities? Very, is the answer. As Jay Greene, the political scientist who has reviewed and conducted school choice evaluations across the country, writes: "Here the evidence in support of school choice is unambiguously and overwhelmingly positive." And he adds that if "this were almost any other policy realm or consumer issue, we might consider the strong positive effect of school choice on parental satisfaction sufficient evidence that the program benefits its participants."⁵⁴

As with everything else concerning children in Minnesota and the rest of our nation, loving parents deserve the last word.

Notes

1. See, for example, the Heritage Foundation's *No Excuses: Seven Principals of Low-Income Schools Who Set the Standard for High Achievement*, by Samuel Casey Carter (Washington, D.C., 1999), and the Center for School Change's "Smaller, Safer, Saner, Successful Schools," by Joe Nathan and Karen Febey (Minneapolis, 2001).
2. Peter J. Nelson and Jena S. Morris, "A Minnesota Index of Leading Cultural Indicators: 1999," *American Experiment Quarterly*, Spring 1999, p. 66.
3. *Congressional Quarterly's Fact Finder 2000*, as reported in "The Bottom Half" by the Minnesota Business Partnership, Minneapolis. Undated.
4. Diane Ravitch, "A Century of Failed School Reforms: The Case of Minnesota's Profile of Learning," *American Experiment Quarterly*, Spring 2001, p. 15. It's also sobering to recall the results of a 2001 report on the percentage of graduates of Minnesota public high schools who need remedial courses when they arrive at public higher educational institutions in the state. "Nearly one in three students from the class of 1999 who went to a Minnesota public college or university took a remedial class because they weren't prepared for the rigors of college work." Paul Tosto and John Welsh, "Remedial Graduates Widespread: Problem Spans the Gamut of High Schools," *St. Paul Pioneer Press*, April 21, 2001, p. 1A. For the full report, see "Getting Prepared: A 2001 Report on Recent High School Graduates Who Took Developmental/Remedial Courses," Minnesota State Colleges and Universities and the University of Minnesota, April 19, 2001.
5. A recent report by the Minnesota Minority Education Partnership not only detailed the large and continuing gap between the academic performance of white and minority children in the state, but also pointed out, counterintuitively, that more than half of all minority children in Minnesota now go to school outside Minneapolis and St. Paul. Paul Tosto, "Minority Enrollment Up Outstate," *St. Paul Pioneer Press*, October 5, p. B1.
6. "A Failing Grade for School Completion: We Must Increase School Completion in Minneapolis and St. Paul," Citizens League, Minneapolis, August 2001.
7. Abigail Thernstrom and Stephan Thernstrom, *America in Black and White: One Nation Indivisible* (New York: Simon and Schuster, 1997), p. 357; emphasis in the original.
8. Martha Groves, "Student Scores Stalled in '90's in 2 Key Areas," *Los Angeles Times*, August 25, 2000.
9. "The Bottom Half."
10. Telephone conversation with Doug Grey of the Department of Children, Families & Learning, November 1, 2001.

11. Paul Tosto, "St. Paul Meeting to Zero In on Black Kids' Achievement," *St. Paul Pioneer Press*, May 7, 2001, p. 1A.
12. Joseph P. Viteritti, *Choosing Equality: School Choice, the Constitution, and Civil Society* (Washington, D.C.: Brookings Institution, 1999), p. 32.
13. Minnesota Business Partnership, "mn @2010," January 2001.
14. Mitchell B. Pearlstein, "Critics of School Choice Bear the Burden of Proof Now," *St. Paul Pioneer Press*, December 6, 1996.
15. Jay P. Greene, "The Surprising Consensus on School Choice," *Public Interest*, Summer 2001.
16. Ibid., p. 22. Also see Jay Mathews, "Scores Improve for D.C. Pupils with Vouchers," *Washington Post*, August 28, 2000, p. A1.
17. Greene, "Surprising Consensus," p. 24.
18. Ibid.
19. "News and Analysis from the Fordham Foundation," electronic newsletter, June 21, 2001. For a seminal discussion of how and why minority children routinely tend to do better in Catholic schools, see James S. Coleman and Thomas Hoffer, *Public and Private High Schools: The Impact of Communities* (New York: Basic Books, 1987).
20. George A. Clowes, "Vouchers Lift Black Student Scores," *School Reform News*, November 2000, p. 6. It needs to be noted that while African American students in the voucher programs in New York, Washington, Dayton, and Charlotte did better than their counterparts who remained in public schools, the same cannot be said for members of other ethnic groups, for whom no gains were found. While this disparity cannot be gainsaid, neither can the fact that school choice does seem to work so well for black children. "Given the frustration with previous efforts to increase African American student achievement," Greene has been quoted as saying, "it is time that we consider new approaches for addressing persistent problems." Ibid.
21. See, for example, Eric A. Hanushek, "The Impact of Differential Expenditures on School Performance," *Educational Researcher*, May 1989.
22. "Choice Evidence," *Wall Street Journal*, June 7, 2001.
23. Greene, "Surprising Consensus," p. 34.
24. Ibid., p. 32.
25. Ibid., p. 31.
26. Terry M. Moe, *Schools, Vouchers, and the American Public* (Washington, D.C.: Brookings Institution, 2001). Most of the conclusions that follow in the main text can be found in Moe's final chapter, "Public Opinion, Politics, and the Future."
27. David A. Bositis, "School Vouchers along the Color Line," *New York Times*, August 15, 2001. Bositis is a senior political analyst at the Joint Center for Political and Economic Studies, "a group that researches issues involving black Americans."
28. "A Voice for Choice," as quoted by Fritz S. Steiger in an electronic and faxed newsletter of CEO America, August 28, 2000.
29. Moe, *Schools, Vouchers*, p. 351; emphasis in the original.
30. "Easy Choice," *New Republic*, September 11, 2000, p. 11.
31. "Voucher Wars," *Washington Post*, November 1, 2000.
32. "School Vouchers Are Gathering Bipartisan Supporters," *Friedman Report*, Issue 9, 2000, p. 1.

33. Robert B. Reich, "The Case for 'Progressive' Vouchers," *Wall Street Journal*, September 6, 2000.
34. The literature is voluminous on the ways in which fatherlessness tends to hurt children in every conceivable way. Just one particularly good source is David Popenoe's *Life without Father: Compelling New Evidence That Fatherhood and Marriage Are Indispensable for the Good of Children and Society* (New York: Free Press, 1996).
35. See, for example, Harold W. Stevenson and James W. Stigler, *The Learning Gap: Why Our Schools Are Failing and What We Can Learn from Japanese and Chinese Education* (New York: Summit Books, 1992). Many of Stevenson's American study participants were from Minnesota.
36. Laurence Steinberg, with B. Bradford Brown and Sanford M. Dornbusch, *Beyond the Classroom: Why School Reform Has Failed and What Parents Need to Do* (New York: Simon & Schuster, 1996).
37. John H. McWhorter, *Losing the Race: Self-Sabotage in Black America* (New York: Free Press, 2000). Also see Elijah Anderson, *Code of the Street: Decency, Violence, and the Moral Life of the Inner City* (New York: Norton, 1999), and John Oghu and Signithia Fordham, "Black Students' School Success: Coping with the Burden of 'Acting White,'" *Urban Review*, Vol. 18, No. 3.
38. For a discussion of Governor Carlson's strategy, as well a very brief review of school choice policy making in Minnesota, see Mitchell B. Pearlstein, "Nothing Plain about These Plains: Minnesota's Motley Story of School Reform," *American Experiment Quarterly*, Spring 2000, pp. 65-95.
39. See www.SchoolChoiceInfo.org.
40. Telephone conversation with Peter Noll of the Minnesota Catholic Conference, October 3, 2001.
41. Telephone conversation with James B. Field of the Minnesota Independent School Forum, October 3, 2001.
42. "Refundable" in this instance means that parents are entitled to a dollar-for-dollar tax rebate for all eligible education expenses, up to the maximum allowed, even if their tax bill is lower. For example, if a family owes \$1,500 in state taxes, but they have \$2,000 in allowable expenses, they would receive \$500 back from St. Paul.
43. E-mail correspondence with Chester E. Finn Jr., November 4, 2001.
44. This telephone survey was commissioned by Minnesotans for School Choice and conducted by the Tarrance Group of Alexandria, Virginia, between May 30 and June 1, 1997. It included 800 registered Minnesota voters and had a margin of error of plus or minus 3.5 percent. Other professional surveys on school choice in 1997 were commissioned by the Choice-in-Education League of Minnesota Foundation and the Minneapolis-based *Star Tribune*; a third was commissioned jointly by the *St. Paul Pioneer Press*, Minnesota Public Radio, and KARE-11 television. For these results, see "School Choice in Minnesota: Sudden Possibilities and Overcharged Expectations" by Mitchell B. Pearlstein, *American Experiment Quarterly*, Spring 1998, pp. 35-37.
45. Pearlstein, "Nothing Plain about These Plains," p. 79.
46. Neither this question nor the previous one in the survey talked about how only low-income parents would be eligible for the tax credit. Rather, it was clear that the questions pertained to both tax credits and tax **deductions**, the latter of which pertained to all parents, regardless of income. Hence, it's fair to conclude that the 61 percent of respondents who said that the "best reason" to support Carlson's plan was that it "empowered parents to

make more choices for their children's education" were likely thinking of parents of all economic circumstances, not just low-income ones.

47. Carrie Lips and Jennifer Jacoby, "The Arizona Scholarship Tax Credit: Giving Parents Choices, Saving Taxpayers Money," Cato Institute, September 17, 2001.

48. Scott Bohnenkamp, "A Voice for Choice," Children First America, August 17, 2001.

49. See www.SchoolChoiceInfo.org.

50. Department of Revenue, Office of the Commissioner, "Streamlining the Refundable Income Tax Credits." Undated.

51. Daniel McGroarty, "The Little-Known Case of America's Largest School Choice Program," *Rethinking Special Education for a New Century* (Washington, D.C.: Progressive Policy Institute and the Thomas B. Fordham Foundation, 2001), pp. 289–307.

52. "Cleveland Rocks," *Wall Street Journal*, September 26, 2001.

53. Diane Ravitch, "The Right Thing: Why Liberals Should Be Pro-Choice," *New Republic*, October 8, pp. 31–38.

54. Greene, "Surprising Consensus," pp. 20–21. ■