

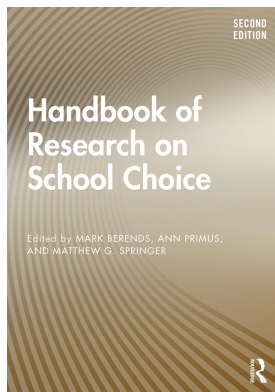
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### **The Political Perspective on School Choice**

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## 2

# THE POLITICAL PERSPECTIVE ON SCHOOL CHOICE

*Patrick J. Wolf*<sup>1</sup>

School choice is an umbrella term for any government program or policy that permits parents to select the school their child will attend. It is an alternative to student assignment to schools based on their address or the discretionary decisions of public school officials. School choice generally is divided into public or private forms. Public school choice includes intradistrict choice, such as magnet schools, interdistrict choice, and charter schooling. Private school choice includes government-financed school voucher programs, tax-credit-financed scholarship programs, Education Savings Accounts, and homeschooling.

School choice is a question of who decides. Should individual parents determine which school their child attends, or should attendance be based on the decisions of government officials, specifically the drawing of residential boundaries or “catchment” areas, and the rules for admission to a district-run public school outside of one’s area? It also is a question of who pays. Should public education funds only be spent on government-operated schools, or can a public education be provided by privately managed public charter schools or even private schools?

Political coalitions in the United States are organized around three distinct positions on those questions. Supporters of *universal school choice* contend that parents should select their child’s school under all or virtually all circumstances. The role of the government, they argue, is to provide financial assistance to parents so that a full set of schooling options—public and private—are available to them, regardless of their family circumstances. A second group supports *limited and controlled school choice*. They agree with universal school choice supporters that students should have government-financed educational options outside of their zoned public school but argue those options should be restricted to other public schools or to low-income families who cannot afford to self-finance private schooling. Supporters of *residential assignment to schools* argue that government resources should be spent on district-run public schools exclusively. They further insist that students should be prohibited from attending any public school except for the school for which they are zoned based on their addresses, unless the students qualify for a district-run school choice option such as a magnet school. The only school choice option outside the framework of district-run public schools that is supported by the residential assignment coalition is self-financed private schooling. The three policy coalitions, *universal school choice*, *limited/controlled choice*, and *strict residential assignment to public schools*, will frame the discussion throughout the remainder of the chapter. Note that they are not intended to be absolute. There is diversity and nuance within each category and gray areas in which they overlap. The policy coalitions merely provide necessary conceptual structure to our exploration of the political perspective on school choice.

Table 2.1 The Three Main Political Coalitions Regarding Student Assignment to Schools

Element	Universal School Choice	Limited/Controlled Choice	Residential Assignment
Philosophy	Paine–Mill– Friedman–West	Tocquevillian	Rousseauian–Deweyian
Ideology & think tank	Libertarian – CATO	Pragmatic progressive – Urban Institute & PPI	Establishment centrist – Center for Education Policy
Primary value	Liberty	Educational effectiveness	Equality
Primary concern	Individuals	Disadvantaged individuals	Institutions
Partisan leanings	Movement Republicans	Progressive Democrats	Traditional Democrats & establishment Republicans
Public approval	Growing	Stable or slight decline	Slight decline
Constituencies	Parents, business	People of color, urban, Millennials	Teachers unions & rural

The three coalitions are distinctive across at least seven dimensions or themes: philosophy, political ideology, primary value, primary concern, partisan leaning, trend of public opinion, and supportive constituencies (Table 2.1). The remaining sections explicate these distinctions regarding the political divides over parental choice of school and discuss recent developments such as the *Janus v. American Federation of State, County, and Municipal Employees (AFSCME)* Supreme Court ruling and its likely implications for the politics of school choice.

### The Philosophy of School Choice

The argument in favor of universal parental school choice is grounded in the principles of individual freedom and market efficiency. American revolutionary Thomas Paine (1791) wrote in *The Rights of Man* that parents should have the right to educate their children in whichever kind of school they desired, with the government footing the bill, a concept echoed by libertarian British philosopher John Stuart Mill (1962 [1858]) half a century later. Economist Milton Friedman (1955) formulated the first concrete policy proposal for school vouchers. Friedman argued that government should be the funder of K–12 education but need not be its provider. He claimed that a universal system of school choice, funded through government vouchers, would provide a fairer, more effective, and more efficient education to school children. Friedman argued that vouchers would reduce stratification in society and promote citizenship and social cohesion because they would decouple school assignment from neighborhoods, which stratify American society (Greene, 2006). British philosopher E.G. West (1964) claimed that a system of universal parental choice would be both more efficient and more progressive than the system of strict residential assignment in place at the time of his writing. Political scientists John E. Chubb and Terry M. Moe (1990) followed in the wake of these philosophers and economists with *Politics, Markets & America's Schools*, arguing that public school systems are unresponsive bureaucracies by virtue of their political nature. Parental school choice, through vouchers, would be a better system than residence for assigning students to schools, they claimed.

The philosophical undergirding of limited/controlled parental school choice is decidedly Tocquevillian. In his seminal work, *Democracy in America*, Alexis de Tocqueville (2002 [1835]) greatly admired two elements of American political culture: its reliance on local voluntary communities and its emphasis on equality, which made the southern practice of chattel slavery stand out as such an aberration to the Frenchman. Modern supporters of extending parental school choice to disadvantaged families, with government oversight—such as John Coons and Stephen Sugarman (1978) and

Harry Brighouse (2000)—emphasize foundational Tocquevillian themes of community organizations providing a full equality of educational opportunity unachievable when the location of a family's residence is their child's educational fate.

Supporters of administrative control of K–12 school assignments, generally through residency, ground their position in the philosophies of Jean-Jacque Rousseau and John Dewey. Rousseau's (1968 [1762]) concept of the “general will” insisted that citizens are liberated by participating in political decision-making and by obeying the dictates of the collective. Similarly, the model of centralized government control of school assignments maintains that everyone should follow the residential assignment rule, resulting in all K–12 students receiving a similar, standardized education with the other children of their local political community. Rousseau's specific views on the education of children complemented his general philosophy of government and society. In *Emile*, Rousseau (1979 [1762]) argued that children should initiate and guide their own education, an approach reflected in the contemporary practices of child-centric learning and even “unschooling.” American philosopher John Dewey (1900, 1916) drew upon themes from Rousseau's general philosophy in arguing that the central role of public K–12 education in a democracy is political socialization and instruction should be student-centered. Dewey (1934) further argued that his principles of political and educational progressivism should be taught in schools as an American secular religion.

The concept of subsidiarity is central to philosophical disagreements about school choice. Subsidiarity requires that authority should reside at the most appropriate level of any social hierarchy (Hittinger, 2008). Groups in society are best positioned to contribute to the common good if they possess the authority that is proper to them. What authority is proper to parents in the realm of K–12 education? On that question, the three policy coalitions surrounding school choice profoundly differ.

The coalition supporting universal school choice views parents as properly possessing the authority to select their child's school, whether it be operated publicly, privately, or even in their home (West, 1964; Friedman & Freidman, 1979; Gilles, 1996). As Hittinger (2008) writes, consistent with subsidiarity, the ability of parents to access private schools is not only good for the families themselves but also good for society, as “private schools are useful not only because they efficiently allocate educational resources, but also because they check the untrammled state power over education” (p. 103). Supporters of limited/controlled school choice view parental authority over education as less of a right than a conditional devolution of authority from the state to the family (Hittinger, 2008). Parents are permitted to choose their child's school according to limits established by the state, so long as those schooling choices serve public goals (Cookson, 1994). Supporters of strict administrative control of school assignment reject both of these positions. They claim that the state is the proper entity for deciding where a child should be educated. The authority to choose a child's school should neither devolve to parents nor naturally reside with them (Gutmann, 1987).

The philosophers who inform all three branches of contemporary thinking about school choice viewed themselves, more or less, as “progressives.” When discussing the education of children, the progressive label seems to be especially attractive. Who would want to advocate for the regressive education of children? The residential assignment camp, however, emphasized the progressivism of their educational project more concretely than the other camps (Kliebard, 1995). Still, from the progressive label claimed at least somewhat by all three groups, meaningful distinctions arise regarding other political dimensions.

### **Ideology and Think Tanks**

The political ideology that typifies the universal school choice coalition is libertarianism. Libertarians argue that markets tend to be a force for good in society, and the main reason some developed countries produce disappointing K–12 educational results is that their schooling systems are not

allowed to operate based on market principles (Salisbury & Tooley, 2005). The universal school choice branch sees education as a merit good, not a public good, and parents as its consumers (DeAngelis, 2018). Many consumers freely choosing from among distinctive schooling options will pressure schools to perform effectively, efficiently, and responsively, as free markets do in other sectors of the economy. The favorite American think tank of supporters of universal parental school choice is the CATO Institute in Washington, D.C.

A modern, pragmatic form of progressivism is the ideology most shared by supporters of limited/controlled school choice. They argue that both the universal, lightly regulated model of parental school choice advocated by libertarians and the system of residential assignment advocated by defenders of the education establishment benefit advantaged families at the expense of those less fortunate (Coons, Keegan & Fair, 2000). The pragmatic progressivism of supporters of school choice limited to disadvantaged students leads them to worry about factors such as the transportation of children to and from school and the reliability and completeness of school information. They argue that these elements are essential for disadvantaged families to benefit from school choice (Urban Institute, 2017). They support government regulations on choice, such as requiring schools of choice to administer state accountability tests and accept applicants by lottery if oversubscribed, even if such regulations have the practical effect of limiting private school participation in choice programs (Sude, DeAngelis & Wolf, 2018). The favorite U.S. policy think tanks of supporters of limited/controlled school choice are the Urban Institute and the Progressive Policy Institute, both in Washington, D.C.

A centrist ideology dominates the advocates for government-directed residential assignment of students to public schools. That ideology is conservative in opposing the disruption and unpredictability that comes from parental school choice. These supporters argue that residential assignment to public schools worked well for previous generations of Americans. The supporters further assert that residential assignment allows school districts to plan, by predicting approximately how many students will enroll in schools and therefore how many teachers and classrooms will be required. The quality of local public schools is priced into housing costs in districts with residential assignment (Barrow, 2002; Nechyba, 2003; Wolf, 2005), so the decoupling of residence from school assignment called for by supporters of school choice would represent a broken contract of sorts, especially for middle-class families in suburban areas. Defenders of residential assignment also claim that school choice offers false hope to disadvantaged families because choice does not improve outcomes (Smith & Meier, 1995). Supporters of residential assignment think that education is a public good that should be provided through a government monopoly (Levin, 1987). The favorite U.S. think tank for supporters of residential assignment is the Center for Education Policy in Washington, D.C.

### Primary Value

The libertarian-minded supporters of universal school choice prioritize individual freedom or liberty over other values (Gilles, 1996). Sometimes the position is absolutist. Liberty is good in and of itself. Universal school choice promotes liberty. Therefore, universal school choice is good in and of itself—that is, an end in itself rather than a means to an end. Other times it is consequentialist. Milton and Rose Friedman (1979) famously said, “a society that puts equality . . . ahead of freedom will end up with neither equality nor freedom . . . [A] society that puts freedom first will, as a happy byproduct, end up with both greater freedom and greater equality” (p. 139).

Supporters of limited/controlled school choice view educational effectiveness as their main value. They argue for school choice programs targeted to disadvantaged students because they promise to close achievement gaps and thus produce a better future for needy children (Howell & Peterson, 2006). These supporters justify government regulation of schools of choice by arguing that schools should be shut down by the state or at least prohibited from enrolling additional students if they

do not deliver clear test score benefits for students. That method of regulating school choice with an emphasis on educational effectiveness has been broadly labeled the “portfolio management” approach (Lake & Hill, 2009; Bulkley, Henig, & Levin, 2010; see also Chapter 22, this volume). Parental school choices should be banned or undone if they do not result in higher levels of student achievement.

Defenders of residential assignment to public schools cite equality as their primary value. Students attend the same community school, together, regardless of the wealth or educational background of their parents. Of course, parents can choose to opt out of the system entirely and send their children to private schools, but, if they do so, they have to pay for the privilege. Everyone in a community should have equal access to a government-financed and government-provided public K–12 education, according to this view. School funding should be equitable across school districts, only differing based on the neediness of district-level student populations. The educational standards and learning levels should be as equal as possible across school districts (Baker & Welner, 2010). A public education should be a standard experience regardless of student background or ability (Burris, 2014). Individual school choices yield different results. They produce winners and losers, an inequality of result that members of the residential assignment coalition oppose.

### **Primary Concern**

As follows from their emphasis on liberty and grounding in libertarianism as an ideology, supporters of universal parental school choice are primarily concerned with the well-being of individuals. Does allowing all parents to select their child’s school increase parent satisfaction and feelings of empowerment? If so, then the policy is desirable, in their view. Do individual students tend to benefit from universal school choice, in terms of academic achievement, levels of educational attainment, safety, or student satisfaction? If so, then universal school choice is justified as an educational reform. The concerns that universal school choice might benefit advantaged groups more than disadvantaged groups, or might disrupt the operation of local institutions, are less salient to supporters of universal school choice than is the simple question, does school choice benefit individuals as individuals?

Supporters of limited/controlled school choice policies primarily are concerned with their effects on disadvantaged individuals. The advocates of this position are most interested in school choice research that examines whether the effects of choice are stronger or weaker on children of color, lower-income students, and students with disabilities compared to White, higher-income, and general education students. If advantaged students are more likely to participate in and benefit from choice than disadvantaged students, then the members of the limited/controlled choice coalition often oppose choice (Harris, 2018).

The primary concern of defenders of residential assignment to public schools is the well-being of local institutions. They tend to argue against parental school choice by saying that it hurts the public schools by draining money, children, and political support away from that vital local educational institution (Henig, 1994; Abrams, 2016). Healthy local institutions benefit parents, children, and society, according to the arguments of supporters of residential assignment, but the health of the system is foremost in their concerns and the health of individuals is secondary.

### **Partisan Leanings**

Supporters of universal parental school choice tend to be drawn from the small-government wing of the Republican Party. They trust the operation of free markets more than they trust the activities and institutions of centralized governments. They view extensive government regulations of private organizations and individuals as restrictive of individual liberty. Although libertarians often divide their votes between Republican and Democratic political candidates, supporting some of the policy



positions of both major parties, the libertarian-influenced supporters of universal parental school choice tend to be more squarely in the Republican camp, especially if school choice is a vital issue to them. Gary Johnson, former Republican governor of New Mexico and Libertarian candidate for president in 2016, has supported universal parental school choice throughout his political career.

Supporters of limited/controlled school choice tend to be drawn primarily from the progressive wing of the Democratic Party. They see controlled school choice, supported by quality controls and informational supports for parents, as a better way for the government to deliver education to disadvantaged students than either universal school choice or residential assignment (Coons et al., 2000). Organizations such as Democrats for Education Reform and 50Can demonstrate the resonance of limited/controlled school choice within progressive Democratic circles, as does New Jersey Senator Corey Booker's initial support for limited school choice until he became interested in seeking the Democratic Party nomination for president in 2020. The fact that Booker, who has supported expanding both charter schooling and means-tested private school choice in the past (*Wall Street Journal*, 2017), felt compelled to alter his positions on those hot-button issues (McKenna, 2018) shows how school choice has become a wedge issue in Democratic politics.

While the issue of limited/controlled school choice tends to divide factions of the Democratic Party, defense of residential assignment draws strong backing from establishment members of both major political parties (Shuls & Wolf, 2015). Establishment Republicans tend to be drawn from suburban and rural areas where residentially assigned traditional public schools are popular and employ a substantial proportion of their constituents. They also tend to resist the disruption of social institutions that could come with major expansions of parental school choice. Establishment Democrats tend to come from urban and suburban areas. Like their establishment Republican counterparts, they draw substantial support from constituents who benefit from the tradition of residential assignment to schools, especially public school teachers, and prefer not to upset the status quo. There is a bipartisanship to two aspects of the school choice issue. Support for no school choice has a bipartisan element and support for any school choice, similarly, draws from both political parties. Democrats who support school choice tend to draw the line with programs limited to disadvantaged families, while Republicans who support choice are more likely to favor universal eligibility.

### Public Approval of the Three Positions on School Choice

Public approval of school choice has multiple dimensions. The organizations that conduct public opinion polls on school choice, the wording of the questions, and both levels and trends in the responses are key considerations. These issues are discussed throughout this section, drawing upon recent polling on the topic.

There has been an explosion of public opinion polling on school choice recently. Three organizations have periodically conducted multiple polls on the question of public support for various types of school choice over the past 20 years. EdChoice, a leader of the universal school choice policy coalition, employs Braun Research to conduct its annual school choice poll. *Education Next*, generally viewed as supportive of limited/controlled choice, uses Knowledge Networks as its poll administrator. *Phi Delta Kappan*, viewed as supportive of the residential assignment policy coalition on school choice, uses Langer Research Associates as its pollster. GenForward recently entered the school choice polling arena with a focus on the opinions of Millennials, using the National Opinion Research Center.

The EdChoice, *Education Next*, and *Phi Delta Kappan* polls report different levels of, but similar trends in, support for school choice (Figures 2.1 and 2.2). The levels of support in a given year differ across the polls because, as mentioned, school choice polling responses are sensitive to question wording, and each polling firm phrases its school choice questions differently (Moe, 2002). The 2017 EdChoice poll demonstrates this sensitivity (DiPerna, Shaw, & Catt, 2017). A random

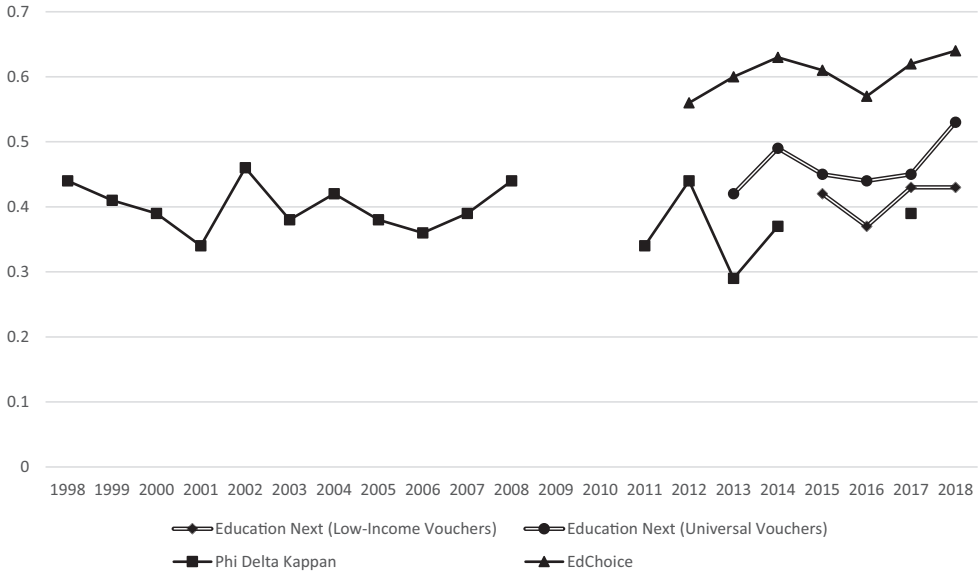


Figure 2.1 Support for Private School Vouchers 1998–2018.

Sources: Rose & Gallup, 2004, 2005, 2006, 2007; Bushaw et al., 2008, 2012; Bushaw & Lopez, 2011; Henderson & Peterson, 2013; Henderson, Peterson, & West, 2014, 2015; Bushaw & Calderon, 2014; DiPerna, 2014, 2015; Peterson et al., 2016; DiPerna & Catt, 2016; DiPerna et al., 2017; *Phi Delta Kappan*, 2017; West et al., 2017; Cheng et al., 2018; DiPerna & Shaw, 2018.

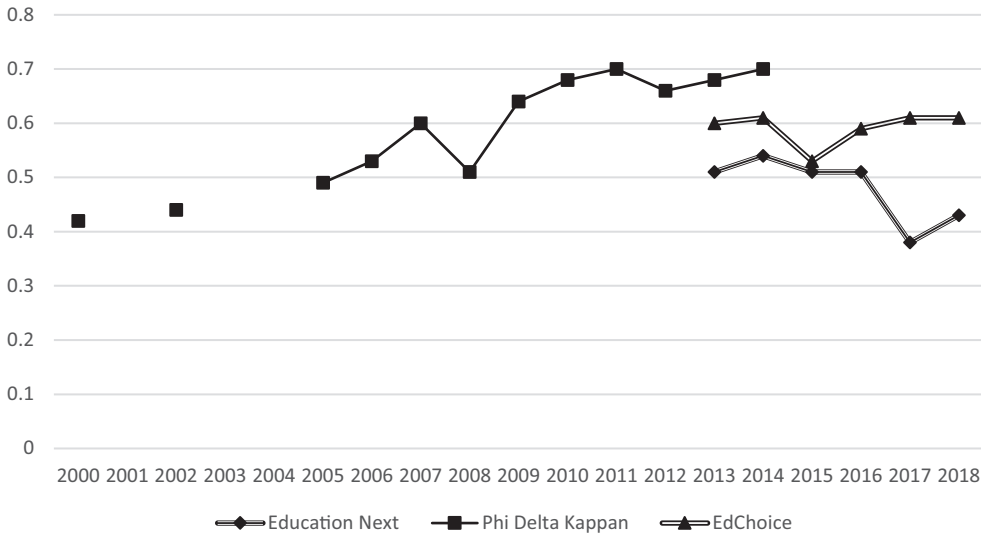


Figure 2.2 Support for Charter Schools 2000–2018.

Sources: Rose & Gallup, 2004, 2005, 2006, 2007; Bushaw et al., 2008; Bushaw & Lopez, 2011; *Targeted News Service*, 2013; Henderson & Peterson, 2013; Henderson, Peterson, & West, 2014, 2015; Bushaw & Calderon, 2014; DiPerna, 2014, 2015; Peterson et al., 2016; DiPerna & Catt, 2016; DiPerna et al., 2017; *Phi Delta Kappan*, 2017; West et al., 2017; Cheng et al., 2018; DiPerna & Shaw, 2018.



half of the sample was asked: “Based on what you know, or have heard from others, in general, do you favor or oppose charter schools?” Exactly half of the respondents said they either “strongly” or “somewhat” favor charter schools, as they understand them. EdChoice pollsters asked the other random half of the sample: “Charter schools are public schools that have more control over their own budget, staff, and curriculum, and are exempt from many existing public school regulations. In general, do you favor or oppose public charter schools?” Support for charter schools totaled 61 percent in response to this alternatively worded question, which makes clear that charter schools are public schools and explains how they operate differently from traditional public schools.

The EdChoice poll (DiPerna, Shaw & Catt, 2017) conducted a similar experiment regarding the wording of its private school choice question, first asking: “Based on what you know, or have heard from others, in general, do you favor or oppose school vouchers?” Only 37 percent of respondents said they supported school vouchers, possibly because the term “vouchers” has been castigated by opponents of private school choice. The other random half of the sample was asked the more descriptive question:

A school voucher system allows parents the option of sending their child to the school of their choice, whether that school is public or private, including both religious and non-religious schools. If this policy were adopted, tax dollars currently allocated to a school district would be allocated to parents in the form of a school voucher to pay partial or full tuition for the child’s school. In general, do you favor or oppose a school voucher system?

By explaining how school vouchers work in practice, even retaining the pejorative term “voucher” in its question, this alternative wording in the 2017 EdChoice poll produced a higher level of public support for vouchers—62 percent. The responses to the alternatively worded questions from the EdChoice poll appear in Figures 2.1 and 2.2 because they provide more information to respondents.

*Education Next* has distinguished between universal and targeted vouchers in its polling since 2015 (Henderson, Peterson & West, 2015; Peterson, Henderson, West, & Burrows, 2016; West, Henderson, Peterson & Borrows, 2017; Cheng, Henderson, Peterson, & West, 2018). Its question about universal vouchers is:

A proposal has been made that would give all families with children in public schools a wider choice, by allowing them to enroll their children in private schools instead, with government helping to pay the tuition. Would you support or oppose this proposal?

Its question about targeted vouchers is:

A proposal has been made that would give low-income families with children in public schools a wider choice, by allowing them to enroll their children in private schools instead, with government helping to pay the tuition. Would you support or oppose this proposal?

*Education Next* has found that public support for universal vouchers has been consistently higher than support for targeted vouchers. The public favored universal over targeted vouchers by three percentage points in 2015, seven points in 2016, two points in 2017, and 10 points in 2018 (Figure 2.1).

The *Phi Delta Kappan* poll (e.g., Bushaw & Calderon, 2014; *Phi Delta Kappan*, 2017) asks: “Do you favor or oppose allowing students and parents to choose a private school to attend at public expense?” The “at public expense” element, which was added in 2001, removed in 2002, and added back in 2003 and beyond, brings a negative connotation to the end of the question (Moe, 2002). The *PDK* poll consistently yields the lowest levels of support for school vouchers among the three polls.

Support for private school choice in the U.S. has surged, dipped, and surged again since 2013 (Figure 2.1). Because both the EdChoice and PDK voucher questions do not specify that the vouchers would be means-tested or otherwise limited, they are akin to the universal school choice question asked in the *Education Next* poll. The EdChoice poll found that 60 percent of the U.S. public supported school vouchers in 2013, increasing to 63 percent in 2014, then dropping to 57 percent in 2016, recovering to 62 percent in 2017, and reaching an all-time high of 64 percent in 2018. The *Education Next* poll similarly found that support for a universal voucher program has increased from 42 percent in 2013 to 53 percent in 2018. The PDK poll has only asked its school voucher question in three of the past six years. It reported an increase in support for private school vouchers “at public expense” from just 29 percent in 2013 to 39 percent in 2017. The American public is becoming more supportive of private school choice so long as it is offered to everyone.

Popular support for limited/controlled versions of school choice appears to be either stable or declining of late, depending on the poll. The *Education Next* poll found that support for means-tested voucher programs remained stable from 2015 to 2018, at 42–43 percent, with the exception of a dip to 37 percent in 2016, when school choice was a contentious issue in the presidential campaign. The PDK poll stopped asking its charter school question after 2014, when support for public charter schools reached 70 percent among respondents (Figure 2.2). Charter support reached its zenith in the *Education Next* poll in 2014, at 54 percent, declining to a low of 38 percent in 2017 followed by a slight rebound to 43 percent in 2018. The charter school support results from the EdChoice poll have been more stable, at 59–61 percent from 2013 to 2018, with the exception of a temporary dip to 53 percent in 2015.

A recent GenForward survey of Millennials reported especially strong levels of support among the youngest generation of American voters for charter schools as a school choice option. Broken out by ethnicity, support for charters ranged from a low of 54 percent among Asian American respondents to a high of 67 percent among Black respondents (GenForward, 2018). That same survey signaled especially strong levels of support among young adults for means-tested school voucher programs. Broken out by ethnicity, support for targeted vouchers ranged from a low of 67 percent among White respondents to a high of 87 percent among Black respondents (GenForward, 2018). Millennial support for universal vouchers was somewhat lower, ranging from 49 percent for Asian Americans to 69 percent for Blacks.

Pollsters rarely ask the American public if they support the practice of residential assignment to traditional public schools. The best proxy for public support for strict residential assignment to traditional public schools is opposition to public charter schools and all forms of school vouchers. Since the lowest level of opposition to a specific type of school choice currently is to universal school vouchers, support for residential assignment as the sole mechanism for determining where a child goes to school stands at 31 percent in recent EdChoice (DiPerna, Shaw & Catt, 2017) and *Education Next* (Cheng et al., 2018) polls, and 52 percent in the latest PDK poll (*Phi Delta Kappan*, 2017).

## Sources of Support

The two most significant political groups supporting universal parental school choice are parents of school-age children and business people. Public opinion polling consistently shows that support for unrestricted school choice is significantly higher among adults with children between the ages of 5 and 17 than among adults without school-age children (e.g., Bositis, 2008; Cheng et al., 2018). Parents with children in school obviously prefer the ability to choose their child’s school—traditional public, public charter, or private. Business leaders who advocate for universal school choice tend to justify their support in terms of their belief in the effectiveness of market pressures on improving educational outcomes and the need for businesses to have access to a better-educated supply of workers (Campanella, 2015).

The main political groups supporting limited/controlled choice represent people of color, urban residents, and Millennials. Blacks have favored school choice policies at higher rates than other racial and ethnic groups throughout the history of polling on the subject (Bositis, 2008; *Phi Delta Kappan*, 2017; Cheng et al., 2018; GenForward, 2018). Until recently, their support was especially high for the limited/controlled school choice policies of means-tested school vouchers and public charter schools. Urban dwellers and their political organizations have tended to back those limited/controlled choice policies as well, in part because they are targeted to or most common in cities. Recently, the National Organization for the Advancement of Colored People surprised many observers by announcing support for a national moratorium on the opening of new public charter schools (Camera, 2017). A year later the NAACP quietly walked that back, having heard protests about the moratorium from several Black advocacy groups and operators of charters (Hawkins, 2018). Finally, while a majority of Millennials polled support universal school vouchers, a supermajority support means-tested voucher programs (GenForward, 2018).

The main political groups supporting residential assignment of students to traditional public schools are teacher unions and representatives of rural communities. Although Al Shanker, former president of the American Federation of Teachers, originally supported the idea of charter schools as a means to provide public school teachers with more autonomy and the opportunity to innovate, the union he controlled quickly backed away from that support after charter schools were launched in Minnesota and California in the early 1990s. The larger teacher union, the National Education Association (NEA), has always opposed all forms of parental school choice, including independent public charter schools (Moe, 2011). The National School Boards Association and most state associations of public school superintendents support residential assignment to traditional public schools over vouchers or charter schools. Public school superintendents tend to be the largest single employer in many rural areas and therefore curry significant influence with the state legislators who represent their regions.

There is a single, fundamental reason why the political groups mentioned above tend to fall within one of the three general schools of thought regarding school choice: self-interest. Parents have an interest in having more say over where their child goes to school. Businesses have an interest in the greater availability of more productive employees, and many of them believe that universal parental school choice will be effective in producing better workers. People of color have an interest in school choice programs being targeted to their families, especially if they live in urban areas, so that more advantaged White students do not capture the limited number of quality seats available in schools of choice. Millennials support means-tested school voucher programs and public charter schools because they value the basic idea of choice in service providers and could foresee themselves as low-income parents one day seeking educational options for their children. Teacher unions exist to protect their members from job losses and improve their working conditions. School choice draws students away from traditional public schools and the unionized teachers that staff them, threatening a reduction in the membership ranks and political power of the unions. Representatives of rural areas are especially sensitive to school choice disrupting their communities because so much social life revolves around traditional public schools, and the loss of just a few students from a rural public school can render it financially unsustainable. Publicly, the representatives of these political groups all defend their support for one of the three positions on school choice as driven by their concern for the welfare of children. Nevertheless, an alternative explanation for their position on school choice is that it advances the self-interest of their members.

### **The Impact of the *Janus* Ruling**

On June 27, 2018, the U.S. Supreme Court issued its consequential judgment in *Janus v. American Federation of State, County, and Municipal Employees (AFSCME), Council 31*. In a 5–4 decision, a majority of the court ruled that the collection of “agency fees” by labor unions violated the free

speech rights of their members (*Janus v. AFSCME*, 2018). Unions in 22 states previously had been allowed to collect fees from non-union employees to support collective bargaining activity from which all employees in the field benefited regardless of union membership. Agency fees had been permitted under the *Abood v. Detroit Board of Education* (1977) Supreme Court ruling based on the judgment that collective bargaining was not a “political” activity. In *Janus*, the court majority ruled that all activities of unions are essentially political and, therefore, agency fees force non-union members to support political speech with which they might disagree, in violation of the First Amendment.

How might the *Janus* decision affect the future strength of the three policy coalitions surrounding school choice? In all likelihood, the ruling will relatively strengthen the universal parental choice and limited/controlled choice coalitions by weakening the strict residential assignment coalition, of which the teacher unions are vital members. Various states have switched from permitting to prohibiting agency fees over the past dozen years. In a study of the effect that switch had on subsequent NEA teacher union membership in Michigan and Wisconsin, Marianno and Strunk (2018) found that a five-year membership loss of 52–79 percent could be attributed to Wisconsin’s outlawing of agency fees in 2011. They determined that the Michigan affiliate of the NEA lost 21 percent of its members due to that state’s banning of agency fees. Dues revenue per teacher dropped, proportionally to the membership decline, in both states. Marianno and Strunk (2018) concluded that, “in states that adopted right-to-work laws (that ban agency fees), teachers unions not only lost power in numbers, but they also lost muscle in terms of dollar resources” (p. 22). Liptak (2018) reported that teacher union officials themselves predict a membership loss of 10–30 percent in the wake of *Janus*. Antonucci (2018) confirmed in October, 2018, that, in the few months since the *Janus* decision, the number of full members in the NEA nationally had declined by just over half of a percent but the number of teachers paying agency fees to the union had dropped by 3 percent.

In spite of the *Janus* setback, teacher unions are likely to remain a powerful force in American politics supporting residential assignment of students to traditional public schools and opposing most forms of parental school choice. The initial response to *Janus* by several state and local affiliates of teacher unions has been to strike for higher salaries and better working conditions (Marianno & Strunk, 2018). The teacher unions might be slightly smaller and poorer in the immediate wake of *Janus*, but they also have been more politically active than usual. Research on interest groups by Moe (1980) suggests that they might lessen membership losses post-*Janus* by focusing more on providing selective benefits, such as insurance discounts and instructional supports, as a condition of membership and focusing less on collective benefits, which all teachers receive regardless of union membership.

## Implications

The trifurcated nature of the school choice political coalitions has consequences for choice policy in the U.S. First, school choice policies are unlikely to be enacted nationally. Our federal governing institutions in D.C. are majoritarian. With three policy coalitions, roughly equal in size, any attempt to establish a national private school choice program would be highly conflictual and therefore doomed to failure. The only policy remotely resembling a national school choice initiative to emerge from Washington has been a change in tax law to allow parents to use college savings to pay for private school tuition *if state law permits it*.

Even the D.C. Opportunity Scholarship Program (OSP), an initiative targeted to low-income students in the nation’s capital, has failed to attract a consistent supportive coalition. Republican presidents and Members of Congress from the universal school choice political faction have consistently supported the OSP, but they have failed to secure support from more than a few Democratic members of the limited/controlled choice faction. The result has been disruptions in program

funding and changes in the regulatory requirements of the program that ebb and flow based on the partisan makeup of Congress and the presidency.

The trifurcated aspect of school choice politics has even stronger implications for politics and policymaking in the states. The 2016 elections suggest that regionalism, race, and partisanship might be interacting in new ways. Supportive governors have been vital to the enactment and expansion of school choice throughout the U.S. (e.g., Witte & Wolf, 2017; Sude, 2018). Midwestern Republican Governors Bruce Rauner of Illinois and Scott Walker of Wisconsin, both highly supportive of school choice, lost their 2016 re-election campaigns to Democratic challengers who were outspoken in their opposition to choice. In Florida and Georgia, however, White Republican candidates for governor who supported the nearly universal school choice programs in those states narrowly prevailed over Black Democratic candidates who opposed school choice. Exit polls indicate that Governor-elect Ron DeSantis of Florida received the votes of 18 percent of Black women, a disproportionately high portion for a White Republican running against a Black Democrat. Some analysts have suggested that opposition to school choice is preventing otherwise impressive Democratic candidates from winning statewide races in the south and southwestern regions of the country, where school choice is both popular and spreading (Mattox, 2018; Schilling, 2018; *Wall Street Journal*, 2018).

Early school voucher initiatives relied upon a “strange bedfellows” political coalition between universal school choice supporters and Black or Latinx limited/controlled choice advocates to enact programs in Milwaukee, Cleveland, Florida, and Arizona (Viterriti, Walberg, & Wolf, 2005; Shuls & Wolf, 2015). As the size of the universal school choice subgroup grows in many states to a clear majority, we should expect to see passage of more programs based on universal designs. Thus, the policy map of the U.S. will more closely reflect these three divisions, which are not distributed evenly across the country, with roughly equal portions of universal school choice states, limited/controlled choice states, and residential assignment states. The federalism that underscores the U.S. government system, with special resonance in education policy, should permit school choice policies to reflect more closely the preferences of each state’s voters going forward (Peterson, 1995).

### Note

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