



**School
Choice**
and the future of
**American
Democracy**

Scott Franklin Abernathy

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For Sara

In memory of Arthur, Rita, and Russell

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Scott Abernathy
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1 | Faith in the Markets

Americans have lost faith in institutions that are the foundations of our democracy. . . . Our principal problems are not the product of great economic shifts or other vast unforeseen forces. They are the creation of government, of government that puts special interests ahead of the people, of government that refuses to change.

—Christine Todd Whitman, *Governor of New Jersey, Inaugural Address, 1994*¹

The market environment that works so well at identifying winners and losers in business finally will be allowed to work its magic within the public school system.

—Duane Warehime, *New Jersey chapter of United We Stand, in support of Governor Whitman's school voucher proposal*²

IT WAS THE FIRST DAY at one of my prospective research sites: a small public school in an inner city in New Jersey. I was there to talk to the principal, to explain that I wanted to follow her around as she interacted with parents and community members, to find out what she sees when she thinks about her parent community, how she is responsive to them, and to explore how any of this might be changing under the state's four-year-old school choice program. The visit began—as would all subsequent visits to this and other schools—in the main office. Sitting on a bench, among the ebb and flow of adolescents, I noticed, placed on the back wall over a photocopier, the front page of a local newspaper. Its headline read, in four-inch letters, “Here Comes School Choice!” I wondered if the principal had put it up. I knew that the district superintendent had embraced school choice, and I was not interested in the degree to which the poster might signal her public support for school choice. I was more interested in who else she might be talking to, and why.

Later, while sitting in her office, I asked the principal about the poster. “I had a parent that wanted to transfer her child to a charter,” she explained to me. She meant from this public school to a charter school, a

publicly funded school accountable mostly to its charter, its founding document, exempting it from many of the regulatory and collective bargaining constraints she faced in her work every day. The parent and student would be leaving this school, taking thousands of dollars in state aid and local tax dollars to the new charter school. “She came in here to sign the form,” the principal continued. “While I had her here, I told her about some of our programs. She left here completely confused. If you don’t adapt and change, if you don’t market, well . . . you get what you get.”

The great hope of the school choice movement is the possibility that the introduction of market forces will make for more efficient and responsive public educational institutions. Public school monopolists—under competition from charter schools and, perhaps, private schools—will pay more attention to their customers and produce higher quality educational services if they are to survive. This potential for bureaucratic transformation is based on changing the relationship between parents and their public schools. Parents become customers. Public schools become firms that compete in a more private marketplace for those customers.

It is this possibility of bureaucratic transformation that shields school choice from serious challenges on the basis of fairness. We need not worry so much about winners and losers in the new educational marketplace if that marketplace improves the quality of education for all students, even those who do not, or cannot, participate in a school choice program. What is often lost in the school choice debate, however, is that parents are much more than customers. They are also citizens who exert control over education, not by their power in the marketplace, but through their votes on school budgets and through their larger participation in shaping educational policy, from the bake sales to the school board meetings.

In this book I explore what happens to public schools confronting policies designed to transform their citizens into customers. I focus on only a small part of the school choice debate—how school choice reforms affect control over and involvement with the public schools by customers and citizens—but argue that this narrow focus may offer lessons both for school choice reforms and larger questions in the study of private markets and democratic communities. I complicate the crucial assumption that public schools will necessarily improve when confronted with market-based reforms and raise the possibility of more disconnected and isolated public schools under choice, especially if those policies facilitate exit to the private sector rather than providing choices within it.

I begin, therefore, with a question and a puzzle: How will school choice reforms affect the relationship between parents and their schools? What is the connection between the pursuit of individual liberty and the pursuit of

democratic equality in education? Choice advocates argue that we need more individual choices in education and less democratic involvement if we are to have academically excellent schools. Opponents fear that facilitating choices will weaken the public commitment to education and benefit a small number of students at the expense of many more. It is possible that either, both, or neither of these arguments is correct or has something to add to our understanding.

Markets and Politics in Education

School choice policies are predicated on the assumption that America's public schools have a politics problem and that they are in need of a market solution. This recent wave of privatization is theoretically rooted in Milton Friedman's suggestion that parents be given vouchers to send their children to the school of their choice, in order to force the educational monopoly to change by allowing parents to vote with their feet.³ Though Friedman focused on voucher programs, the idea of a market solution to the politics problem has since been extended to a wide range of school choice alternatives, including magnet schools, charter schools, and intradistrict and interdistrict choice programs.

John Chubb and Terry Moe provide the most complete theoretical justification for bringing market solutions to the provision of education. In *Politics, Markets, and America's Schools*, the authors place the blame for America's educational failures squarely at the feet of direct democratic control and its attendant institutions: local school boards, superintendents, and state departments of education.⁴ The effects on school quality imposed by these institutions are significant. Democracy leads to bureaucratization, which, in turn, leads to lower quality schools. Given the constraints placed on public schools by systems of direct democratic control, private schools emerge as organizationally and, therefore, pedagogically superior. Though unintended, this consequence is institutionally determined. Any educational reforms short of institutional overhaul, therefore, will not succeed.

Introducing marketlike choices to public education, Chubb and Moe argue, will replace educational bureaucracies with consumer-oriented firms who are more responsive to customer interests and less responsive to the administrative hierarchy. The first critical assumption of their institutionalist perspective is that markets will have the same desirable effects on the public bureaucracy. Even if one assumes that the marketplace creates better private schools, it requires a much stronger set of assumptions to

assert that the market will similarly work its magic on a preexisting public bureaucracy without producing other, perhaps unintended, consequences.

The second, and more fundamental, assumption in Chubb and Moe's critique—that one can actually take politics out of the schools—fails to recognize that actors in the policy space operate as participants in both politics and markets. Though we may wish to treat politics and markets separately, we need to rethink the effects of market forces on educational politics in a way that incorporates and accounts for the effects of both on each other.⁵ In fact, most of the modern institutions of social welfare provision are neither purely economic nor purely political and cannot be correctly understood that way.⁶

In his book *A Preface to Economic Democracy*, Robert Dahl re-asks the classical political question “Is equality inimical to liberty?”⁷ Dahl begins by tracing the Founders' concern with the possibility that equality might damage the expression of liberty in a democratic society. James Madison, Alexander Hamilton, and John Jay, according to Dahl, argued that equality can damage liberty, a point echoed in Chubb and Moe's critique that the institutions of direct democratic control necessarily have deleterious effects on educational quality. Focusing only on the expression of liberty by individuals forms the basis for framing school choice as a conflict between liberty and servitude. Giving choices to parents will free them from the stranglehold of the bureaucratic monopoly.

Dahl's analysis, however, flips the classical question upside down, by arguing that we also need to look the other way and ask if the expression of individual liberty can damage political equality. He concludes that liberty can damage equality, and that this concern is hardly new. The challenge of harnessing the two competing forces of self-interest and public spirit was also of central importance to the framers of the Constitution, who realized that the tension was inherent to the continual enterprise of free government.⁸

This connection between equality and liberty has not been lost on scholars of education policy. Researchers have argued that the tension between individual and community interests is useful in explaining a wide range of debates in educational policy, including desegregation, school funding, bilingual education, and school choice.⁹ One of the theoretical critiques of Chubb and Moe's argument, raised by Jeffrey R. Henig in his critique of their market-oriented approach, centered on a concern that the free-market rhetoric might obscure the “required trade-off between choice and other values, such as stability, equity, and community.”¹⁰

If Chubb and Moe follow in classical concern for liberty (educational opportunity) in the presence of institutions designed to protect democratic

equality (the institutions of school governance), I take up the concern of Dahl and his followers about the dangers of facilitating individual liberty on the expression of democratic equality. Thinking about school choice policies in this way introduces two other tensions, both closely related: between politics and markets and between citizens and consumers. Understanding the likely effects of choice policies on the larger political context requires a careful consideration of what we mean by citizen and consumer, public and private, and, most important, what it means for the public schools to operate under quasi-public, quasi-private institutional arrangements. Exploring these tensions might give us a deeper understanding of market-based policy reforms, their effects on larger political contexts, and what needs to be done to mitigate the negative consequences of their implementation while attempting to preserve the benefits.

Though there may be efficiency gains to be made from supporting self-interested behavior in education, there may also be significant democratic costs to attaining these potential bureaucratic efficiencies, particularly if these policies—through the provision of vouchers for private schools—privilege the private sector. The source of these costs lies in changes brought about in the expression of political voice through the introduction of market forces as described by Albert Hirschman in *Exit, Voice, and Loyalty*. Hirschman analyzes the conditions under which exit (whereby customers choose other firms) and voice (whereby customers make their grievances known while staying with the firm) interact with and prevail over each other.¹¹ Exit, to Hirschman, lies within the clean and direct realm of economics. Voice operates in the messier world of politics. The key point is that the market mechanism of exit and the political mechanism of voice need not be mutually exclusive, but typically interact, potentially damaging each other in the process.

Exit is straightforward. One expresses displeasure with the firm by voting with one's feet. The consequences to managers within the firm are clear: Customers are leaving. Changes need to be made. Voice, however, is less direct and more costly. As voice involves problems of collective action and is a more individually burdensome task,¹² the facilitation of exit presents a danger to the expression of voice. It does so primarily through the departure of the most vocal customers, those whose voices could have most effectively constrained the behavior of the abandoned firm. The same customers on whom firms rely for effective voice are also the first to exercise the exit option.

The role of the most vocal customers in the use of voice as a means of bureaucratic control is crucial. These marginal consumers possess the requisite skills, information, and attitudes to have their needs met,¹³ and their

exercise of exit could result in a concentration of politically active and effective individuals within choice options and away from assigned public schools. The exit of these marginal consumers, Hirschman warns, “paralyzes voice by depriving it of its principal agents.”¹⁴

When voice turns to exit, what is left in its wake? The problematic possibility is quiescence:¹⁵ the most troubled public schools become less constrained and more poorly supported by a parent community that has lost its most active voices to choice options. This possibility, I argue, is the distributional consequence of exit. More speculative is the possibility that the decision to exit from the public schools is accompanied by a change in political participation among the active choosers, who become more private in the application of their newly empowered civic skills and abilities. Albert Hirschman suggested that those who exit might become more privately focused, particularly to the extent that each “customer-member who exits from a public good behaves *as though* he were exiting from a private one.”¹⁶

The replacement of larger political duties and obligations with those of the private sector is the dispositional consequence of exit. This kind of transformation—if restricted to the private sector—has the potential to negatively impact a wide range of institutions involved in democratic control, including turnout in school elections, support for public school budgets, and all of the forms of participation that keep parents connected to their schools and allow the school principals to nurture and use their communities as a resource. Taken together, the distributional and dispositional consequences of exit point to a privatization of voice, whereby the most active and involved members of public institutions exit to the private sector, changing the dynamics of institutional control in their wake and restricting their own understandings of political obligations in the process.

The authors of a study of public school choice in New Jersey and New York noted that the possible drain to individual public schools brought about by siphoning off active and involved parents is “one of the most fundamental criticisms leveled against choice”¹⁷ and “maybe the most critical issue for choice.”¹⁸ In spite of the potential consequences of this activist skimming, the authors note that “there is remarkably little evidence in the literature about this issue.”¹⁹ I hope to fill in this important gap in our understanding of choice and the public schools.

Hirschman’s concern for the loss of voice is central to the related ideas of civic capacity and civic mobilization developed by Clarence Stone and his colleagues in *Building Civic Capacity*. In an endeavor such as education reform that requires a sustained collective commitment to work, the coming together of various sectors of the community (civic mobilization) depends upon a larger capable commitment to the collective enterprise

(civic capacity).²⁰ For Stone and colleagues, exit is a dangerous and viable alternative to civic mobilization. Whereas they focus on the drain brought about by suburbanization, I argue that school choice policies may—if not thoughtfully implemented—have the potential to drain the “effective leadership core around which a political movement for reform might be built.”²¹

Like Chubb and Moe, Stone and colleagues’ work focuses on the persistent failure of urban school reform, though they come at it from a very different perspective. They ask why urban school reform has failed so spectacularly in spite of much attention and energy. While Chubb and Moe assert that democracy is to blame, Stone and colleagues argue that getting politics out of education is neither possible nor desirable: “America spent most of the twentieth century trying to take politics out of the schools. That was a mistake. . . . Successful educational reform ultimately requires a broad and sustainable coalition of support, and the route goes directly through, and not around politics.”²²

Politics is as central as markets are to successful application of educational reform in this country. It is as much a problem of civic capacity as it is of bureaucratic responsiveness. We want school personnel to be attentive to, and perhaps even scared by, their parent communities, but these school leaders must also have the political and economic resources with which they can achieve their visions of excellence in education. This is why we should care about democratic communities in education. Education is, at least partially, a public good, supported by people engaging in collective action, and it acts as a bastion against the inequalities caused by funding schools on the basis of the value of property values or the tuition payments that they can afford.

Making the Public Schools Better with Choice

Studies of school choice often examine the connection between parental choice and higher quality education as if there were a direct, causal relationship between choice and educational attainment. There is good reason for framing school choice in these straightforward terms. It is the policy question of ultimate concern for choice policy researchers. If we undertake this large experiment in facilitating competition in education, will we get better-educated students? The implicit assumption, however, is that there is a direct, at least potentially knowable, connection between the learning that takes place at the end of the line and the implementation of school choice policies.

It is a simple and powerful story. It is also a very important one. Given the low quality of educational services available in many districts, any evidence that school choice improves the education of those in the core urban areas would be most welcome. The connection between school choice and better student performance in this perspective is direct, a line of reasoning that makes the most sense when one thinks about choice from the point of view of students who enroll in choice programs, as no institutional change has to take place other than the choice program itself.

Of course there are still many other assumptions that one has to make to obtain benefits for the choice students. There must be a sufficient supply of better and affordable alternatives as well as adequate information about the quality of educational services in the choice options. Based on empirical research so far, there is no conclusive evidence that the introduction of school choice produces better educated students, as opposed to more satisfied parents, on which there is general agreement.²³ There have been some studies that found benefits for a subset of children participating in privately run voucher programs;²⁴ however, the two largest publicly funded voucher programs, in Cleveland and Milwaukee, have not shown any meaningful achievement gains for the participants.²⁵ School choice policies are quite new, and there remain very few programs that incorporate private schools. Researchers are still collecting data, so a lack of a research consensus is not surprising. It does not necessarily imply that choice schools will not eventually do a better job educating their students, only that the claim has not yet been adequately supported.

The deeper problem with focusing on the direct connection between school choice and student achievement is that—from the point of view of the students who remain behind in the public schools—it doesn't exist. For choice to improve the educational attainment of students in the public schools, the benefits of choice must work their way through a series of institutional changes. Public schools must become more responsive and competitive. The schools must change what they do, how they do it, and perhaps who does it. And any new practices or personnel that schools use to deliver these improved educational services must have some effect on what the students actually learn.

It is a long causal chain from parental choice to improving student performance in the existing public schools, from introducing school choice to improving the educational production at the end of the line. It consists mostly of entirely plausible, but poorly understood, relationships. However, the promise of better public schools with choice exerts a powerful effect on the educational reform debate nonetheless. At a minimum, there are three conditions that must be met in order for school choice to produce

a meaningful change in student learning and achievement for those students who remain in the public schools. These connections result from thinking about school choice, not as an automatic trigger of better education, but as the introduction of market-based incentives to a preexisting public system of educational production.

There are many steps that might produce better public schools from choice, and it may make sense to think about these complex relationships in terms of three connections: the client connection, the organizational connection, and the classroom connection. The client connection requires that private school administrators be more responsive to their customers than are public school monopolists because of the power of consumers in the competitive environment of the marketplace.²⁶ Recall that Chubb and Moe faulted the lack of responsiveness on the part of public bureaucracies for leading to poorer educational services. The client connection is the first step in remediating the problems of direct democratic control on educational service delivery. Public school bureaucrats—under the threat of exit—get scared. The loss or potential loss of customers causes public school bureaucrats to pay more attention to their customers and less attention to procedures and superiors. Giving parents choices about where they send their children, and freeing them from the monopoly of the public schools, will force all schools to fundamentally change how they operate. They will become more consumer oriented, or they will go out of business. Those institutions that have inhibited educational innovation, including local school boards and state departments of education, will lose influence. Parents, as newly empowered consumers, will gain influence.

The second connection is an organizational one. It posits that the beneficial effects of increased bureaucratic responsiveness and customer attentiveness will translate into something different in what happens within individual schools. The organizational connection asserts that the structural changes produced by giving parents more choices will result in some meaningful change in what happens in the classroom or alternative classroom setting, in the educational services that are delivered, the personnel who deliver them, or the learning environment in which this all takes place. The third step, the classroom connection, asserts that these differences in educational services must have a meaningful effect on what students learn. In other words, what happens in the classroom or alternative learning space actually matters to student learning.

All three of these links are entirely plausible; however, none has been established with anything close to certainty. School choice has not been treated as a series of policy connections, so these questions have not, generally, been asked. The problem with multiple linkages of causality in the