



INTERCULTURAL DEVELOPMENT RESEARCH ASSOCIATION
MARIA "CUCA" ROBLEDO MONTECEL, PH.D., PRESIDENT & CEO
5815 CALLAGHAN ROAD, SUITE 101
SAN ANTONIO, TEXAS 78228
210.444.1710 • FAX 210.444.1714
CONTACT@IDRA.ORG • WWW.IDRA.ORG

Texas Needs to Keep Its Eye on the Ball – Keep the Public in Public Schools

**School Choice Interim Charge, Testimony of IDRA – Presented by David Hinojosa, J.D.,
and Aurelio Montemayor, M.Ed., before the Texas Senate Education Committee,
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Thank you for allowing the Intercultural Development Research Association (IDRA) the opportunity to provide written testimony of its research and analysis on school choice. Our testimony focuses on issues impacting the Texas Senate's study of school choice options, including vouchers, education savings accounts, tax credits, and the underpinnings of building strong public school options for Texas students.

Founded in 1973, IDRA is an independent, non-profit organization that is dedicated to assuring equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. Throughout its history, IDRA has conducted extensive research and analysis on a range of Texas and national educational issues impacting public school children, including school choice options.

Based on its review of the research, IDRA recommends that the Texas Legislature:

1. Improve its support for building strong public schools by providing greater equitable educational opportunities for all students across the state;
2. Avoid other so-called "choice" options, such as vouchers, education savings accounts, and tax credits, which research shows: (1) fail to deliver on the promise of better learning opportunities and student performance; (2) siphon limited resources from local community schools; (3) open up the potential for violating students' civil rights; (4) hinder transparency and accountability; and (5) tend to lead to more schools being racially segregated; and
3. Explore other public school options that "Keep the Public in Public Schools," such as magnet or charter schools, operated by traditional public schools that increase racial and socioeconomic integration.

The Research on "Choice"

Providing public school students the very best, well-rounded equitable educational opportunities is at the core of our Texas public school system. Texas must strive to meet all students' educational, social and psychological needs. While it may be tempting to explore options other than locally-controlled public schools rather than investing our public schools, the research strongly suggests that the additional expense and cost of diverting precious resources is hardly

worth it. As shown below, at best, the results are mixed, but that is in schools where there are several accountability and civil rights protections built into the statute. The other “choice” options, including those that are not targeted for children living in poverty and that have no accountability, operate more as a private school subsidy for the very wealthy.

Research on Education Savings Accounts (ESAs)

Education savings accounts are the latest “choice” proposal shopped around in the states. Only a handful of states have adopted ESAs into law since their introduction in Arizona in 2011 (Education Commission of the States, 2016). Not surprisingly, the research on ESAs is still new. One review published by the National Education Policy Center of the Friedman’s Foundation report, “The Way of the Future: Education Savings Accounts for Every American Family,” found that the report’s assertion that injecting competitive market pressures into public school would improve the overall system baseless (Gulosino & Leibert, 2012). Using peer-reviewed evidence, the authors invalidated the report and found that school choice options *create and exacerbate social, economic and racial inequities*.

One analysis of pre-applications of Nevada’s ESA, judged to have the fewest safeguards from causing harm to public schools, showed a significantly higher rate of applicants from more affluent neighborhoods and areas (Educate Nevada Now, 2016). Highlights of the analysis show:

- Applications from households with income above \$100,000 outnumbered applications from households with income below \$25,000 by five times (28 v. 146); and
- There were 35 applications received for every 1,000 school-aged children in households with incomes above \$100,000 compared to only 3 applications for every 1,000 school-aged children from households with incomes below \$25,000.

This analysis is consistent with studies of vouchers and tax credits showing that these programs typically do not serve the lowest poverty groups compared to other groups (Jabbar, et al., 2015). Although vouchers, tax credits and ESAs can be debated on several fronts, researchers from a 2007 study of vouchers by RAND and a 2015 study by the National Bureau of Economic Research have suggested key design safeguards for those states still wishing to proceed with one of those “choice” options:

- Target vouchers to at-risk students.
- Require open admissions from participating private schools.
- Provide incentives for private schools to admit special needs students.
- Require participating private schools to set tuition at exactly the voucher value.
- Ensure all parents receive clear and timely information about voucher options.

Otherwise, private schools can expect to “cream” students that they feel are best suited for their school and the most at-risk students will be left out. Without such protections, as well as civil rights protections and key accountability components, the ESAs will simply operate as a tax subsidy for private schools for the wealthiest Texas families.

Research on other “Choice” Models: Charters and Vouchers

Although ESAs tend to engage a different process than vouchers and other choice models, they tend to operate in the same manner (Welner, 2016). Rigorous research on vouchers and other “choice” models like charter schools shows that the effect of vouchers on student achievement and other outcomes is highly suspect at best. Below are some of the strongest studies in the field:

- A 2007 literature review of voucher and choice studies by the reputable RAND Corporation concluded that there was *no definitive evidence* that vouchers improved student performance.
- A 2009 study by Rouse & Barrow on school vouchers and student achievement found relatively small achievement gains for students offered vouchers, most which were not statistically different from zero. They further concluded that little evidence exists regarding the potential for public schools to respond to increased competition.
- A 2011 meta-analysis study of more than 30 studies (including the oft-cited 2011 Friedman Foundation Report) by the Center on Education Policy found that “the empirical evidence on vouchers is inconclusive and further found that any gains in student achievement are modest if they exist at all” (amicus brief, Schwartz, v. Lopez, 2016).
- A 2015 review by the National Bureau of Economic Research reached a similar conclusion.
- 2010 study by Witte, et al., of the Milwaukee voucher program found no difference in student performance
- A 2010 study published by the U.S. Department of Education found higher graduation rates for participants compared to non-participants but could not find any conclusive evidence affecting student achievement.
- A 2014 study by the National Bureau of Economic Research of the Florida Tax Credit Scholarship Program concluded that, on average, FTC students neither gained nor lost ground in achievement in math and reading compared to students nationally. Data for non-FTC Floridian students were incapable because those public school students were not administered the national norm-referenced test.
- A 2016 study by the Education Research Alliance for New Orleans found a statistically significant *negative* effect on student achievement in the first two years of Louisiana’s statewide expansion of the voucher program.
- A 2016 review by Dr. Clive Belfield (Teachers College, Columbia University) of the Milwaukee voucher program by the University of Arkansas questioned the methodology of the study and concluded that there is little consideration of how voucher programs might actually influence criminality.
- A 2015 research brief by the Texas Center for Education Policy surveyed voucher studies finding that the most-disadvantaged students do not access vouchers (Jabbar, 2015).
- A 2016 review by Lubienski & Brewer of the “Gold Standard Studies” heralded by the Friedman Foundation found that these voucher studies have mixed results that show no “discernable or consistent impact on student learning.”

Charter Schools

“The large body of research in this area – well over 80 independent and generally accepted studies – has yielded the consistent finding that, after controlling for student demographics, charter schools show test-score results at levels that are not meaningfully better or worse than district schools” (Mathis, 2016). Yet, charter schools in Texas continue to grow. Perhaps most concerning fact is that, because charter schools do not have a local tax base, the state must provide all funding for maintenance and operations for charter schools. The state’s investment and experiment with charters looks bleak when examining ratings by school district/charter operator:

- One out of every 12 charter operators (8.2 percent) failed to achieve the “met standard” or the lower “alternative standard,” compared to fewer than one out of every 25 school districts (3.8 percent).
- The true numbers may be even worse, as 10 charters (5.1 percent) were not rated compared to only two school districts (0.2 percent).

Segregative Effect of Choice Models

Although school choice advocates often allude to the expanded options available through charter schools and vouchers, the research shows that both charter schools and vouchers tend to *increase* racial segregation. The risk of racial segregation is especially potent where choice laws do not have adequate protections built into the law (Mickelson & Southworth, 2008). This should be very concerning for policymakers because *decreased* racial segregation has been found to benefit both minority students and White students academically, socially and emotionally (Seigel-Hawley, 2012).

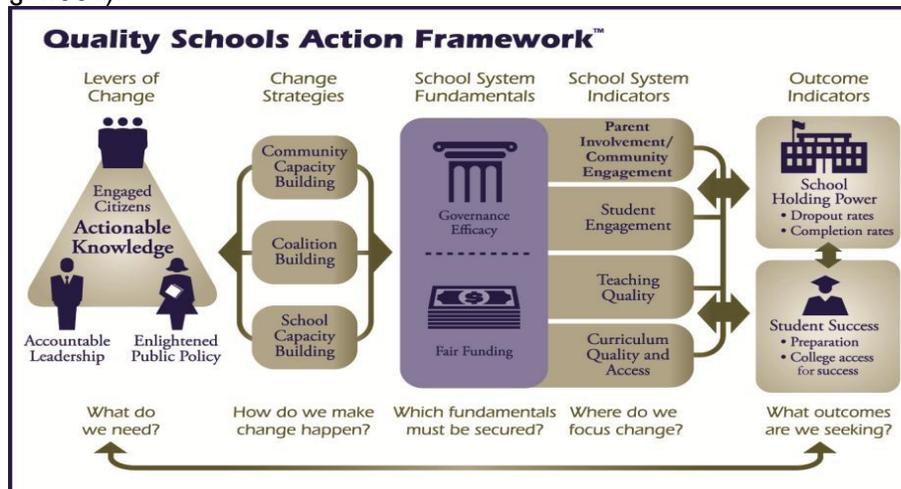
The National Education Policy Center (Welner, March 2016) noted studies that found:

- Intensely segregated minority charter schools (that enroll 90 percent to 100 percent of students from under-represented minority backgrounds) or twice as many as the share of intensely segregated Black students in traditional public schools.
- Some charter schools enrolled populations where 99 percent of the students were from under-represented minority backgrounds.
- In a detailed case study of Indianapolis charter schools, researchers found “higher degrees of racial isolation and less diversity.”

School choice policies have also been found to segregate students by English proficiency status, poverty and disability (Welner, March 2016).

Keeping the Public in Public Education: A Proposal to Increase Choice

Below is the Quality Schools Action Framework™ developed by IDRA (Robledo Montecel & Goodman, 2010) that may assist the Legislature in drafting future laws that could help the state achieve its public education mission of ensuring that “all Texas children have access to a quality education that enables them to achieve their potential and fully participate now and in the future in the social, economic, and educational opportunities of our state and nation” (Tex. Educ. Code § 4.001).



One example of this approach for the Senate to consider is legislation that would support the creation of diverse school district charter schools, or magnet schools, that integrate students along racial and economic lines in a college-going environment. These schools would capture the original intent of charter schools in 1998 which was to encourage local school districts to experiment with innovative ways of reaching students and to help “reinvigorate the twin promises of American public education: to promote social mobility for working-class children and social cohesion among America’s increasingly diverse populations” (New York Times, 2014).

Texas could be a national leader in supporting these innovative schools, and it could not come at a better time with race relations suffering across the nation and schools experiencing severe racial segregation (Dallas Morning News, 2013). Furthermore, the academic performance of students would not be compromised as integrated schools have been found to benefit both minority students and White students academically, socially and emotionally (Seigel-Hawley, 2012). And these schools could be created without running afoul of the Constitution (*Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, Kennedy, J., concurring; OCR Guidance, 2011).

The design of these schools would need to ensure that there are no gatekeeping exams and that each of the elements in the framework shown above is applied. Of course, this also would mean that the Legislature would need to ensure that the proposed schools, as well as all other public schools, are supported with equitable and adequate funding. This type of true public charter school would help silence the critics of certain choice models that may be reinforcing racial and economic segregation, stripping control from local communities, “creaming” students, and inhibiting transparency of funding and accountability.

IDRA thanks this committee for the opportunity to testify and stands ready as a resource. If you have any questions, please contact IDRA’s National Director of Policy, David Hinojosa, at david.hinojosa@idra.org or 210-444-1710, ext. 1739.

The Intercultural Development Research Association is an independent, non-profit organization led by María Robledo Montecel, Ph.D. Our mission is to achieve equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. IDRA strengthens and transforms public education by providing dynamic training; useful research, evaluation, and frameworks for action; timely policy analyses; and innovative materials and programs.