



Justice Isn't Colorblind in New Orleans

The Feds target a school-choice program that is helping minority kids and reducing segregation.

By Scott Beyer

October 31, 2013

Across the country, the school-choice movement's future may depend on the outcome of a Justice Department lawsuit charging that the Louisiana Scholarship Program—which provides vouchers for poor children to leave failing public schools—increases racial segregation. The suit, which could inspire future litigation against state education reforms, has drawn sharp criticism from Governor Bobby Jindal, the program's founder, and even prompted a letter to the Justice Department from House Speaker John Boehner.

Louisiana's school-reform movement sprang up in 2005 after Hurricane Katrina devastated New Orleans. The storm destroyed many of the city's school buildings and forced most of its students to attend school in other cities. In getting the schools up and running again, then-governor Kathleen Blanco decided to make the city a testing ground for choice. In 2007, she appointed reformer Paul Pastorek as state education superintendent. Pastorek invited Paul Vallas, who had turned around school systems in Chicago and Philadelphia, to oversee the Big Easy's Recovery School District. The RSD absorbed failing schools, started up dozens of charters, and established an open-selection process so that students could apply to any school, regardless of where they lived.

In 2008, Jindal launched a program to distribute 2,000 vouchers to New Orleans families living below the poverty line whose children were either just entering kindergarten or stuck in a failing school. Parents chose overwhelmingly to use the vouchers for charter schools. In 2012, Jindal expanded the program statewide, renaming it the Louisiana Scholarship Program. By the end of this school year, 13,000 vouchers will have been distributed across Louisiana.

It's too early to tell if the program has been successful, but the school-choice experiment seems to be working in New Orleans. Eighty-four percent of the city's students are currently being educated in charter schools, and a Tulane University report released this summer showed considerable education gains. The percentage of city students scoring at or above basic levels for state testing rose 15 percent between 2009 and 2013, compared with a 5 percent increase statewide. The gains were even more pronounced for the Recovery School District, where testing

success skyrocketed from 37 percent to 57 percent. Meanwhile, per-pupil spending in New Orleans has fallen since 2007, even as it has steadily increased statewide.

The Justice Department is ignoring these encouraging results and charging ahead with its claim of “irrefutable evidence” that vouchers effectively segregate schools. The DOJ considers this especially problematic in Louisiana, where desegregation orders were imposed on many parishes by a 1975 court order. That ruling was meant to address the state-subsidized flight by white children to private schools; today, poor African-Americans make up 91 percent of voucher recipients. The DOJ claims that vouchers have increased segregation in 34 schools, but a memorandum filed in support of the suit only cited two cases. One was a predominately white school in St. Martin Parish that lost six black students. The other was a majority African-American school in Tangipahoa Parish that lost five white students. Cato education-policy analyst Jason Bedrick determined that this amounted to less than a 1 percent drop in either school’s population of racial “minorities.”

Researchers have found that school-choice programs actually improve integration, both nationally and in Louisiana. Writing in *Education Next*, scholars Anna J. Egalite and Jonathan N. Mills found that the Louisiana Scholarship Program has improved integration in both sending schools (the public schools that students leave) and receiving schools (the private schools they choose to attend). In particular, 83 percent of student transfers away from existing schools have increased diversity in those schools. This means that Louisiana’s poor minorities are overwhelmingly using vouchers to leave public schools where most students already look like them—an outcome sought by desegregationists.

If the Louisiana Scholarship Program reduces segregation, what could possibly be motivating President Obama’s Justice Department to pursue the case against it? Could it be to kill a popular and successful reform because teachers’ unions don’t like it?

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