



## **Ponnuru: Obama's misguided school-choice war**

**By: Ramesh Ponnuru – September 11, 2013**

One of President Barack Obama's conceits is that he is a pragmatist who seeks policies that work rather than pursuing a partisan agenda. On school choice, he doesn't live up to the advertisement. His administration has been relentless in its ideological hostility to the idea, and seized on every possible pretext to express that hostility.

The White House considers any government funding for private or parochial education, even indirect funding, to be a betrayal of the public schools. The D.C. Opportunity Scholarship Program -- which provides federally funded vouchers for poor kids in Washington to attend private schools -- seems to have had some positive results, including higher high-school graduation rates for participants. Yet the Obama administration, not generally known for its tightfistedness, has repeatedly tried to end funding for it.

This position was terribly misguided, but it was at least open and transparent. Twice this year, the White House has gone after local school-choice programs -- which involve no federal funding -- in a more underhanded way.

In April, the Justice Department announced that private schools that participate in a choice program in Milwaukee will be subject to new regulations under the Americans with Disabilities Act. They will be treated as though they were government contractors. Never mind that the schools have contracts with parents, not with the government that aids the parents. Never mind, either, that in the program's 22 years of operation no complaint about the treatment of a disabled student has ever been filed. A five-year study of the program found that being disabled had no bearing on a student's likelihood of getting into a participating school.

The decision will nonetheless raise costs for the private schools. It will also make them think twice about participating, both because they want to avoid those costs and because they don't want to compromise their independence.

### **Louisiana Lawsuit**

The administration's latest strike against school choice is a lawsuit against a program in Louisiana, created by Republican Governor Bobby Jindal. The Justice Department is using a 1975 desegregation

order to argue that Louisiana should get approval from a federal court before giving scholarships to students in some school districts. Otherwise, the department claims, the scholarships could make Louisiana schools less racially integrated.

The program is open to poor families with kids in public schools that have gotten a C, D or F from the state government. In Louisiana, most of those families are black, not members of the White Citizens' Council. The Jindal administration says 90 percent of the recipients are black. The state's department of education reports that so far these students are doing better on math and literacy tests than they were in public schools.

The Justice Department cites two public schools to illustrate its concerns. Five white students used scholarships to leave one, "reinforcing the racial identity of the school as a black school." In another, the exit of six black students made a "white school" whiter.

This is racial bean-counting at its worst. Jason Bedrick, who studies education policy at the libertarian Cato Institute, calculates that the first school went from 29.6 percent to 28.9 percent white. The second went from 30.1 percent to 29.2 percent black. These are trivial changes.

The Justice Department is also measuring school segregation in a perverse way. It treats a school as integrated when it matches the racial composition of the school district. Yet the districts are themselves segregated -- and tying school attendance to residency makes that segregation worse. Neighborhoods with good public schools have higher property values, which makes it harder for poor black families to move into them. Americans who have enough money exercise school choice when they buy their homes.

### **Promoting Integration**

Greg Forster, a researcher who favors school choice, addresses the measurement problem by comparing schools' racial makeup to that of their metropolitan areas. He points out that seven studies have found that school choice promotes racial integration -- measured correctly -- while one found it has no impact. No study has found that it promotes segregation.

It seems likely that school choice reduces segregation in large part by breaking the link between residency and schooling. That effect would, however, be at best invisible to the counters at the Justice Department. They might even see it as a step backward, given the way they count.

Forster also found that of the 12 best studies on school choice and educational outcomes, 11 found positive effects and one found no effect. The racial integration of schools, while a good thing, is not as important as getting students to learn more. A policy that showed educational promise but also had the side effect of decreasing integration would be worth pursuing -- and so far we have little reason to think that school choice involves any such tradeoff.

If the Obama administration isn't willing to embrace school choice itself, it should at least quit trying to squash it in the states and cities that are.

