Feds must let states offer education choice

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The U.S. Justice Department has an image problem. It's in the uncomfortable position of defending why it's trying to trap low-income, black children in failing Louisiana schools.

That's exactly what the department's lawsuit would do, if it prevails. School choice advocates around the country, including former Florida Gov. Jeb Bush, who heads the Foundation for Excellence in Education, are standing up to support Louisiana's school voucher program from this uncalled-for attack.

The Justice Department interfered because it's concerned the voucher program is getting in the way of federal desegregation orders that still hover over districts around the state. What's ironic is the whole point of desegregation efforts was to offer better opportunities for minority children. It's hard to fathom how forcing kids to stay in the worst schools benefits anybody.

"It limits education opportunities for black students in the name of civil rights," says Jason Bedrick, education policy analyst with the Cato Institute.

Louisiana's voucher program is specifically designed to give low-income families a way out of failing school districts. At least 90 percent of the children who've used vouchers to attend a private school are black. Families are reporting great results and test scores seem to be improving for these children.

The Justice Department claims the voucher program has reversed progress toward integration in some schools. Bedrick points to a school in Tangipahoa Parish that lost five white students to the voucher program, and the federal government's claim the loss of this handful of students "reinforced the racial identity of the school as a black school." In another instance the Justice Department highlights, Cecilia Primary School lost six black students to vouchers, which made federal officials uncomfortable since the school was suddenly too white in a largely black school district.

Pretty weak examples.

School choice is the No. 1 way for parents to give their children a better shot at an education — and a future. And choice, whether in the form of charter schools or vouchers, is becoming more of an option for families around the country. According to the American Federation for Children,

in 2012, 16 states and Washington, D.C., offered private school choice programs, and many others are considering it. In Michigan, vouchers for private schools are illegal, but Gov. Rick Snyder has led efforts to make public schools as competitive and open as possible.

Yet the Obama administration is not a friend of school choice. It's consistently tried to kill the successful and popular D.C. voucher program for low-income students. So this attack on Louisiana's program shouldn't really come as a surprise.

Clint Bolick, the Goldwater Institute's vice president for litigation, is representing Louisiana families affected by the Justice Department's challenge. He says families are having a hard time understanding why the government would interfere in this way. "It's very difficult to even explain it to them," Bolick says.

Earlier this week, the institute filed a motion asking a federal district court judge to dismiss the Justice Department's suit. Bolick argues this case could have implications for more than 200 districts around the U.S. that are still under desegregation orders. Most of these districts are in the South, but others are sprinkled around the country.

To spruce its image, the Justice Department on Tuesday wrote a letter to concerned House Republicans saying it simply wants information about the effects of the voucher program. But this politically expedient move has "changed absolutely nothing," says Bedrick.

Louisiana Gov. Bobby Jindal put it best in a statement: "The federal government is attempting to retreat in name only, but is not backing off its attack on Louisiana parents. The Obama administration is doubling down on its belief that bureaucrats in Washington, D.C., know better than Louisiana parents."

And any parent knows that's not true.