

Trump could hurt school choice

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June 8, 2017

The most helpful thing President Donald Trump could do for the school choice movement is to stay out of it.

That may sound counterintuitive, given this administration is perhaps the most open to expanding school options for families. That was obvious when Trump nominated Education Secretary Betsy DeVos of Michigan, the poster child of school choice.

Yet many choice advocates are cringing over proposals under consideration — not applauding them.

The administration should take note, and stay true to its original mission of reducing federal interference in education. DeVos has maintained that states are in a better position to implement school policies, and she should extend that philosophy to choice programs.

Trump and DeVos [are proposing a budget](#) that would reduce the overall amount of [spending](#) — a good thing, considering the \$70 billion poured into education each year hasn't improved schools. Yet they are also suggesting more for charter schools and choice among public schools, in addition to \$250 million meant to study and fund private vouchers.

And there are rumblings that a much bigger federal tax credit program for school choice could be included in Trump's tax overhaul plan.

Here's why this is troublesome:

First of all, it's unconstitutional, says Neal McCluskey, director of the Cato Institute's Center for Educational Freedom. The federal government has no authority over local education, and that includes school choice programs.

The only exceptions include a few areas where the federal government has jurisdiction, such as the Opportunity Scholarship private choice program in Washington, D.C. And education experts at the Heritage Foundation [have proposed](#) moving the \$1.3 billion the government spends on

schools with a military population to education savings accounts that would give military families control over where their children go to school.

In addition to the constitutional roadblocks, there are some practical concerns surrounding increased federal involvement. These programs, if approved by Congress, could hamper federalism and stamp out innovation at the state level.

“First and foremost, any school choice program is almost certain to carry regulations over private schools,” McCluskey says. “If you kill policy innovation in states, which are labs of democracy, you lose something valuable.

Of course, in half the states that don’t allow private school choice (Michigan is one of them) those who run nonpublic schools are thrilled at the idea of some federal help.

“I think it’s the right direction,” says Brian Broderick, executive director of the Michigan Association of Non-Public Schools, representing about 100,000 students. Yet it’s unclear how this state could access federal funds for private schools, given the stringent language in the state constitution. “We’ve got to do something for families in low-performing schools. At least it’s on the table for discussion.”

But any federal money would come with strings, and that’s something schools will have to weigh if this funding comes to fruition. Just look at the kinds of questions DeVos [got this week](#) during a Senate subcommittee hearing. She was grilled by Democrats about whether private schools could discriminate against LGBT students, or on the basis of disability or religion.

As DeVos noted, schools receiving federal funding must follow federal law.

She would be better off using her position to encourage states to expand their choice programs and leave the feds out of it.

Frederick Hess, education policy director at the American Enterprise Institute, [recently wrote](#) about how states are best suited to control choice programs and the dangers of Trump getting involved.

Hess observes: “School choice would not only risk being branded as TrumpChoice, but it would be fronted by an unpopular and divisive president...school choice has a lot to lose.”