

Subject line: KIPP News Clips 11/17

This week in charter school news, Illinois will become the first state to end an existing private school choice program without court intervention. Wisconsin's school choice and charter school programs are fighting a new lawsuit that challenges its constitutionality. Education trade outlets are evaluating NAEP in regard to charter school performance. LAUSD could soon remove charters from nearly half of the district's public school buildings. A number of lawsuits across the country raise constitutional concerns about private school choice policies. A Harvard economist argues that America needs a free-market principled approach with unfettered competition.

Recent reports around Illinois' decision to end their [six-year private school tax credit scholarship program](#) raises both criticism and support. Illinois' tax-credit scholarship, [Invest in Kids](#), provides education scholarships that help pay for tuition for families experiencing financial hardship. During the fall veto session, state lawmakers did not pass a bill to extend the tax-credit scholarship program, despite efforts by parents and advocacy groups, allowing the program to lapse on Dec. 31. As a result, more than 9,600 students experiencing financial hardship will no longer benefit from the state-sponsored financial support. Advocates for Invest in Kids protested at the Springfield state capitol during the final days of the fall veto session, pushing state lawmakers to call a bill, [HB 4149](#), that aimed to prolong the program until 2029 and introduce new limitations altering donations that the state capped at \$100 million. Illinois is now likely the first state to terminate an existing private school choice program without having been forced to do so through a legal process. This is especially unusual during a time when more and more states have been passing school choice legislation nationwide. [The Wall Street Journal Editorial Board](#) says that the decision underscores the Democratic state and national teachers unions' determination to maintain their monopoly.

In Wisconsin, supporters of taxpayer-funded school choice and independent charter school programs are urging the state [Supreme Court to reject a lawsuit](#) seeking to declare the programs unconstitutional. Twenty two parents of voucher-enrolled students, private schools and choice advocacy groups argue that undoing the three-decade-old program would create "chaos for tens of thousands of families." A [report](#) says that if the program ended, there would be a need for 17 additional buildings for the student influx, and additional teachers would need to be hired in public schools. Private schools, parents, advocacy groups, and the state chamber of commerce claim that the program has benefited families for a generation and the overturn attempt is politically motivated. The lawsuit was filed after the state Supreme Court shifted to a liberal-leaning bench. Critics, including Democrats, have said that the program drains resources from public schools. The first decision for the court is whether to take the case directly or turn it

over to lower courts. The lawsuit mainly argues that the funding mechanism for voucher school programs violates the Wisconsin Constitution.

The first-ever [state ranking of charter student performance](#) on the [National Assessment of Educational Progress](#) (NAEP) was published Tuesday in Education Next, analyzing state-level charter school performances in reading and math in 35 states and the District of Columbia. While not new data, this is the first exploration of charter performance through the lens of the Nation's Report Card. The study found that the type of charter school and the authorizing entity both impact performance, with schools managed by nonprofit networks scoring better on NAEP tests than freestanding, independent and for-profit charter schools. Alaska's charter schools perform the best, while Hawaii ranked at the bottom, with students learning the equivalent of a year and a half less than typical charter school students. Shavar Jeffries is quoted in coverage by [The 74](#), stating that the new findings "confirm our experience, which is that public charter schools perform better when they are part of a larger network."

In ongoing news about co-location, Los Angeles charter school operator Alfredo Rubalcava is preparing for a [fight about an upcoming policy](#) that could limit the use of half the city's public school buildings by independently-run charter schools. The LA Unified School District (LAUSD) board has directed Superintendent Alberto Carvalho to create a policy preventing charter co-locations in schools providing special support to students. Experts suggest that the policy may be driven by financial considerations, with shrinking enrollment and reduced budgets for both district and charter schools. Critics argue that the policy prioritizes institutional survival over student outcomes, while supporters claim it protects programs serving vulnerable students. In a charter school board committee meeting, charter school educators pleaded with the board to reconsider the change, and the Greater Los Angeles Local Advocacy for the California Charter Schools Association expressed that they were prepared to take legal action if the new policy contradicts the state law that mandates districts to allocate space for charter schools.

As a surge of legal challenges dominate headlines, [critics of private school choice policies](#) are increasingly turning to state courts, with lawsuits in states including South Carolina, Wisconsin, Ohio and Texas. While Republican-led states are increasing efforts to provide state aid for alternatives to public schools, critics argue these initiatives could strain public school budgets and support institutions with discriminatory practices. The outcome of these legal battles could have significant implications, with opponents arguing that the expansion of voucher programs poses an existential threat to public education, and by extension, to the democratic system.

Harvard economics professor, Roland Fryer, argues that [current school choice initiatives in the United States](#) are not addressing the fundamental issues in the education system in a Wall Street Journal op-ed. He suggests a return to Milton Friedman's vision of a free-market for education, allowing parents to choose the best educational environment for their children without restrictions based on geography or income. Fryer argues that the current American school choice framework is inadequate, as increasing choice through partial vouchers and other measures has yielded disappointing results because of an imperfectly competitive market. Education savings accounts are mentioned to help bring a more competitive and diverse array of schooling options for students as they are rapidly developing. His call to action is that by fully committing to free-market principles in education, the American education system can unlock and optimize potential talents of students.