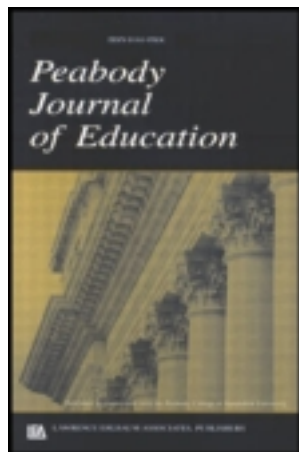


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School Choice and the Empowerment Imperative

Janelle Scott

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Drawing from historical, sociological, and policy literatures, as well as legislative activity, this article traces the intellectual and political evolution of educational equity, beginning with progressive models of redistribution and remedy to more recent neoliberal forms, which privilege parental empowerment through the expansion of school choice. At the legislative and regulatory levels, policymakers have redefined equity in schooling to mean providing parents with sufficient school choices to “buy” education for their children. This framework recasts the role of the state as a broadening agent for educational markets. Although parental empowerment is seemingly a central goal of the legislation, the laws also facilitate the entry of private sector actors into the educational marketplace. The resulting choice options depart from redistributive forms of equity, advantage some parents over others, and also empower for-profit and nonprofit intermediaries and private providers seeking to gain a share of the educational marketplace.

We believe your zip code shouldn’t determine your child’s future. E3 fights to improve urban public schools by empowering parents with school choice.—Excellent Education for Everyone (n.d.)

By the way, school choice was only open to rich people up until No Child Left Behind. It’s hard for a lot of parents to be able to afford to go to any other kind of school but their neighborhood school. Now, under this system, if your public school is failing, you’ll have the option of transferring to another public school or charter school. And it’s—I view that as liberation. I view that as empowerment.—Bush (2009)

Empowerment has become a prominent theme in educational policy and legislation, and in advocacy rhetoric. Advocates have recast educational equity to mean the empowerment of individual parents to choose from a menu of schools. For example, in the epigraphs, both President George W. Bush, reflecting on the importance of the No Child Left Behind Act of 2001, and the more recently formed New Jersey–based advocacy group Excellent Education for Everyone (E3) advance school choice as a tool for empowerment. In the policy realm, there are a number of laws that are currently under consideration or have already been adopted by policymakers that echo the “choice as empowerment” claim. Among the most prominent are so-called parent trigger laws, first enacted in California in 2010, and under consideration in at least 20 states, which permit parents in underperforming schools to vote to turn schools over to charter management organizations, among other possible governance alterations. Empowerment-themed laws also include the expansion of vouchers and tuition tax credits.

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Examples of such laws include Pennsylvania's Education Empowerment Act (Act 16, 2000), The Empowering Parents Through Quality Charter Schools Act (H.R. 2218, 2011), California's Parent Empowerment Act (SBX5 4, 2011), and Florida's and Arizona's Empowerment Scholarships Accounts program. In Pennsylvania, the Empowerment Act (2000) allowed the state to take over low-performing or fiscally troubled school districts. As a result, the for-profit educational management organization (EMO), Edison Schools, along with a variety of other for-profit EMOs and nonprofit charter management organizations (CMOs), secured control over the majority of Philadelphia's public schools. Foundations, intermediary organizations, and policy entrepreneurs have exported this model to several urban school systems, including New Orleans in the aftermath of Hurricane Katrina in 2005.

Adherents of these approaches claim that through the individual empowerment of parents—and the relative disempowerment of teachers unions—will come more high-quality and equitable schools. These claims and policy actions signal a political shift away from progressive or communitarian ideals and, instead, a focus on the expansion of markets and parents' rights to choose schools as consumers.

RESEARCH FOCUS

This article traces the political and ideological evolution of educational equity policies. It describes the progressive approaches of redistribution and remedy as mechanisms to redress state-sponsored injustices. The article also discusses the ideological underpinnings to current approaches to school reform. It concludes that the design of market-based choice policies is primarily informed by neoliberal and conservative ideals, while embracing some aspects of progressive values, although largely in terms of individual, rather than community empowerment.¹

Drawing from historical, sociological, and policy literatures, this critical policy analysis discusses the ways in which policymakers and advocates have redefined equity as an effort to provide parents with sufficient school choices to "buy" education for their children. This definition aligns neatly with neoliberal efforts to privatize many aspects of schooling. Having analyzed efforts to redefine equity, I then conclude with a discussion of the implications of choice as a central mechanism for educational empowerment in light of issues of democratic accountability and progressive forms of community empowerment.²

PROGRESSIVE APPROACHES TO EDUCATIONAL EQUITY

Although most observers of American public education note its racial and socioeconomic inequalities, there is little consensus about the causes or solutions for inequity in access and outcomes (Tyack, 1974). Where some see a racial achievement gap in terms of performance outcomes and

¹Neoliberalism is an ideology that transcends political party and emphasizes smaller government, the creation of private markets to deliver public services, and an emphasis on individual liberties (Harvey, 2005).

²This analysis is part of an ongoing, multiyear project first initiated in 2006 that maps elite and community-based school choice advocacy networks in terms of ideology, funding, and coalitional activity. The project draws from an extensive document review that includes Internal Revenue Service Form 990 reporting, board membership, legislation, website information, blogs and newspaper editorials, and organizational mission statements.

primarily hold teachers or parents responsible for flat student growth, others argue that the prime lens for understanding inequity is through an opportunity gap framework in which poor children and children of color experience structural, systemic inequities in their schooling. And still others claim that it is the “government monopoly” over the provision of schools that results in inequitable access for families of color and poor families (for a review of these arguments, see Allen & Jewell, 1996; Anyon, 2005; Hill, Pierce, & Guthrie, 1997; Ladson-Billings, 2006; Lawyers Committee for Civil Rights under Law et al., 2010; Obama, 2009; Sadovnik, O’Day, Borman, & Bohrnstedt, 2007; Thernstrom & Thernstrom, 2003). Debates about the merits of desegregation as a mechanism to disrupt inequity persist even as social science researchers have extensively documented the deleterious effects and persistent legacies of racial and socioeconomic segregation in U.S. public education (Edsall, & Edsall, 1992; Orfield, 1996, 2001)³.

These debates reflect enduring disagreements about the role of the state in creating, ameliorating, or perpetuating disparities (DeBray-Pelot, 2006; Heck, 2004). During various historical periods, the state has been a regulator of efforts to make schools more equitable, even as it has also been complicit in maintaining inequality through policy levers that have kept many urban, suburban, and rural schools segregated and underresourced (Edsall, & Edsall, 1992; Orfield, 2001). This tension regarding the role of the state in public education often plays out along ideological lines. Where liberals/progressives imagine a strong state on matters of redistributive justice, conservatives and neoliberals envision a state that instead maximizes opportunities for the private sector to provide educational services and preserves religious liberty. At different historical moments, progressive and conservative social movements have been successful at leveraging state policy responses, often by mobilizing around moral imperatives like justice, equality, or freedom (Ganz, 2006).

For example, the civil rights movement of the 1950s and 1960s helped to advance legal and regulatory frameworks for redressing systemic state-sanctioned inequity in public education, as well as in other social policy areas such as housing and employment. Although these efforts were often insufficient, and imperfect, policymakers sought to make schools more equitable through the equalization of state funding mechanisms, desegregation of schools, access to early childhood education through programs like Head Start, the placement of quality teachers in all schools, the development of high-quality and culturally responsive curricula, and the provision of compensatory funds for high-poverty schools. Although they faced formidable resistance and critique, these initiatives greatly expanded during the two decades following the civil rights movement and came to define the progressive approach to redressing educational inequity. These approaches also included the implementation of desegregation plans and the redistribution of resources as remedies for past injustices (Howe, 1994; Kantor & Brenzel, 1993).

³This scholarship does not conclude that racially homogenous schools were automatically inferior academically. Although segregated schools on the whole were underresourced by the state, communities were supportive of their local schools and many created educational environments that were culturally responsive, nurturing, and educationally rigorous (Walker, 1996). Moreover, desegregation plans were often flawed and/or poorly implemented, placing the burden on children of color to move to hostile environments, tracking children in low-status courses, and failing to ensure diversity in the teaching and administrative staff (Clotfelter, 2004; Patterson, 1997). Amidst these major shortcomings, there is also evidence of the benefits of integrated schooling. These include increased access to high-status curricula, shifts in racial attitudes, more interracial friendships, higher rates of college attendance, and a propensity to live in integrated neighborhoods as adults (Braddock, Crain, & McPartland, 1984; Braddock & McPartland, 1988; Linn & Welner, 2007; Wells & Crain, 1994, 1997).

Challenges to Progressive Forms of Equity

There were challenges to these equity approaches that stymied their full implementation. Fiscal equity lawsuits can take many years to adjudicate, and even when plaintiffs are successful, wealthy schools and districts are able to raise revenue through private means.⁴ Few states have been able to halt this widening inequality; states have often been slow to design and implement more equitable funding formulas (Nelson, Drown, Muir, & Meter, 2001). In addition, many schools and school systems resisted desegregation mandates, utilizing tracking and other mechanisms to maintain inequitable schooling for African American and other children of color, for example (Oakes, 1985). By the late 1960s and the 1970s, community frustration over school district officials' resistance to full desegregation implementation gave rise to movements fighting for community control, democratic governance, and curricula that represented the histories and cultures of children of color (Fantini & Gittell, 1973). As in the case of the Brooklyn neighborhood of Ocean Hill-Brownsville, communities of color fought against school district and teacher union bureaucracies for the right to participate equitably in school governance and in personnel decisions within the community (Perlstein, 2004). In this context, what had been a fragile consensus on the need to redistribute resources fractured around these educational struggles.

More recently, continued attempts to redress educational equity have taken place against a backdrop of increasing and unprecedented social inequality. The 2008 economic crisis and the ongoing recession have worsened inequality, especially among African Americans and Latinos (Dawson, 2012; Hacker & Pierson, 2010). This inequality has further disrupted the economic and social stability of many communities. The economic downturn aligned with an earlier phenomenon: The unprecedented rates of incarceration among African Americans and Latino men have further destabilize communities already struggling with home foreclosure and unemployment (Alexander, 2010). By 2012, the unemployment rate for African Americans has risen to double that of Whites (Dawson, 2012).

It is clear that African American and Latino children, who are typically segregated in high-poverty, low-performing schools, feel the brunt of these socioeconomic trends. From the perspective of many liberal school reformers, school desegregation and fiscal equity efforts were primary mechanisms for disrupting patterns of segregation and educational resource inequality. At the judicial level, however, the courts have increasingly constrained the ability of public policy officials to utilize race-based remedies in K-12 and higher education, even when race-based inequity is apparent and when the initiatives are voluntary. The judicial retreat from school desegregation, along with demographic shifts in many urban centers and middle class flight into private schools, has helped to create seemingly intractable school resegregation. A majority of African American, Latino, and poor children still attend highly segregated and inequitable public schools—places where inequity in schooling outcomes is pervasive (Frankenberg & Lee, 2002; Reardon & Bischoff, 2011).

⁴Schools and districts generate private revenue through a number of mechanisms, including: fundraising by booster clubs, Parent Teacher Associations, Parent Teacher Organizations, local educational and school-based foundations, and volunteerism within schools and school districts.

CONSERVATIVE AND NEOLIBERAL EQUITY: EMPOWERMENT THROUGH CHOICE AND PRIVATIZATION

The moral and political victories of the civil rights, feminist, disability, and other equality movements fostered significant conservative backlash against a welfarist and redistributive state. Think tanks and advocacy groups provided the intellectual basis for policymakers to argue that redistributive social policy had actually harmed its targeted populations, causing them to be lazy and dependent on “entitlements” (Rich, 2004).

In 1989, advocates gathered to articulate a new political agenda that would focus upon the notion of empowerment for minorities through market forces (Snider, 1989). This meeting, sponsored by The Heritage Foundation, outlined an agenda for empowerment that relied on a dismantling of the welfare state. Publications supporting this platform emerged soon thereafter from numerous sources. One such publication from the Cato Institute compared the public school “monopoly” to the Berlin Wall and pressed for choice reforms that would “liberate” urban schools (Boaz, 1991).

This concept of liberation took on additional meaning as new organizations emerged with empowerment as a theme. For example, David Caprara, a former federal Housing and Urban Department Deputy Assistant, founded the (now-defunct) Empowerment Network in 1992, which advocated for a reduction in redistributive policy. Similarly, Jack Kemp, William Bennett, Vin Weber, and Jeanne Kilpatrick directed the now-defunct Empower America. This group focused on changing the role of government to one that encouraged “growth, economic well-being, freedom, and individual responsibility” within a framework of “opportunity, competition, ownership, and freedom” (Empower America, 2003).

By the end of the 20th century, conservative and neoliberal advocates were advancing educational privatization. They argued that attempts to share governance between parents, communities, teachers, and administrators had created inefficient and unresponsive school systems that were underperforming (Chubb & Moe, 1990). They called, instead, for more radical decentralization, where parents would be allowed to choose schools (preferably through publicly funded vouchers or tuition tax credits) for their children. Governance in these schools would be less contentious, they suggested, if all teachers and parents shared the same values and if the school was operated along a business model, with an appointed board making policy decisions, and approving a range of schools to be run by private operators in a portfolio model (Hill et al., 1997).

From Redistribution to Empowerment: Ideologically Diverse Coalitions Emerge

Although there are important conservative roots to the empowerment imperative shaping school choice policies, for at least the last three decades advocates from multiple ideological stances have promoted the notion that empowerment through increased parental choice will result in greater educational equity.⁵ Neoliberal and conservative think tanks and advocacy groups have been key promoters of this ideal, and they have formed coalitions with existing and new civil rights groups to advance this claim (Scott, 2009, 2011b). These efforts have helped to redefine what counts as equity-based policies in state capitals, Congress, and within and across advocacy organizations.

⁵See, for example, the testimony in *Empowering Success* (2001).

Although efforts to redistribute equity and remedy state-sponsored discrimination through the more traditional policy mechanisms persist, in the contemporary school reform and advocacy landscape, and in advocacy documentaries like the controversial *Waiting for "Superman"* (Guggenheim, 2010), and more recently in feature films like the 2012 movie *Won't Back Down* (Barnz, 2012; both are produced by Walden Media), there is a running narrative about market-based school choice being a primary strategy for reducing educational equity by conferring power to parents and away from dysfunctional districts and substandard teachers.

Of course, not all school choice policy emanates from market-based approaches. School choice has had a complicated history, especially with regard to racial equity in American public schooling, as policymakers have used choice to expand *and* restrict access to schools for particular populations (Kluger, 1975; Wells & Crain, 1997). Although school voucher policy can trace its intellectual origins to market aficionado Milton Friedman and to efforts to avoid integration, progressives have argued that with sufficient regulation, vouchers can be vehicles for educational equity (Cohen & Farrar, 1977; Jencks, 1966). Conservatives and progressives differ, then, on regulatory framework for vouchers. At issue for progressive advocates has been the ways in which vouchers can be used to segregate and exclude, and as such they have tended to envision a much larger role for the state in regulating them than Friedman would have originally preferred.

School choice can thus trace its origins to racism *and* to efforts to liberate children and families from segregated and unequal schooling. States have provided choice as a mechanism for White families to avoid desegregation (Lassiter & Davis, 1998), but they have also used choice to facilitate racial and socioeconomic desegregation and to redistribute resources through magnet schools as well as interdistrict and intradistrict choice plans (Mickelson, 2005; Willie, Edwards, & Alves, 2002). African Americans have also utilized variations of choice and alternative institution building in their attempts to secure equitable schooling; their institutional creations provided African American children with access to education when many states appeared committed to restricting or prohibiting it completely (Forman, 2005). Even the active intermediary and advocacy sector, comprised of foundations, new civil rights groups, entrepreneurial educational reform organizations, and policymakers, has embraced a particular, neoliberal form of choice that restricts the role of the state and expands the influence of market actors. This sector draws on the liberatory promise of choice to make empowerment claims.

The Rise of Neoliberal Intermediary and Advocacy Organizations

Beginning in the early 2000s, new civil rights organizations comprised primarily of people and/or parents of color emerged (Scott, 2011b). They were funded by conservative foundations and newer, venture philanthropies. Unlike traditional civil rights organizations, school choice was their single issue of concern. These new civil rights groups include Parent Revolution, which supports "parent trigger" laws, the Black Alliance for Educational Options, or the Hispanic Council for Reform and Educational Options, which have been supportive of charter schools and vouchers. The emergence of neoliberal groups of color aligns with political scientist Michael Dawson's (2012) analysis about the ways in which neoliberal ideology has worked to splinter marginalized groups:

Neoliberalism—the dismantling of the state, privileging of markets over all other institutions, and relentless catering to corporate interests—has reshaped the economic and political terrain, sharpened class cleavages, and pitted disadvantaged groups against each other, presenting new challenges for any emergent black political movement.

Duggan (2003) argued that social movements emphasizing freedom were particularly susceptible to this neoliberal co-optation, but such co-optation has extended to education as well. “Neoliberal campaigns to downsize public education also aimed to largely abolish the public nature of support for broad-based access to knowledge and information, and to define education more as a matter of personal responsibility—a private, primarily economic matter” (p. 42). This neoliberal frame has largely governed the rise of school choice policies, and has succeeded in enveloping otherwise liberal or progressive advocates into the market-based school choice advocacy coalition.

Progressives, conservatives, and neoliberal advocates have forged alliances around school choice policy, and rifts have emerged between civil rights groups over the issue of school choice (Carl, 1996). Market-based choice has support in many communities of color where some feel that the traditional civil rights leadership is out of touch with the reality of poor people of color (Holt, 2000). These stakeholders see school choice as a means to legitimate power and voice (Wilgoren, 2000). Some political progressives, including teachers, grassroots groups, and parents, have embraced charter school reform in particular because of its potential to empower teachers and communities to reshape schooling with a social justice and equity agenda (Wells et al., 1999). According to Smith (2001), “As public institutions, charter schools have the potential to serve as pluralistic forums for democratic deliberation and decision making” (p. 56). This potential for charters to serve as democratic sites has been challenged by the rise of privatization within the charter school movement, and educational reform more broadly.

New advocacy and intermediary groups have worked with policy makers to expand the legislative context for privatization and choice (Wells, Slayton, & Scott, 2002). For example, the advocacy group Democrats for Educational Reform (DFER), and its affiliate, Education Reform Now, argue that a primary barrier to equity are teachers unions and entrenched school district officials:

We believe that reforming broken public school systems cannot be accomplished by tinkering at the margins, but rather through bold and revolutionary leadership. This requires opening up the traditional top-down monopoly of most school systems and empowering all parents to access great schools for their children.

DFER has pledged to support Democratic candidates who endorse its educational reform platform and to withhold support from others, especially Democratic incumbents who are supportive of teachers unions, for example. In DFER’s five-point enumeration of the issues for which it stands, there is no mention of resource inequality, racial or socioeconomic segregation, teacher quality, or linguistic diversity.⁶ Instead, the platform emphasizes test-based accountability for mayors, teachers, and school leaders, and the ability of parents to choose from a range of schools.

This coalition of conservative and neoliberal advocates, communities of color, new civil rights groups, and policymakers argue that choice empowers parents who are otherwise powerless and

⁶Issues in DFER’s platform include (a) policies that stimulate the creation of new, accountable public schools and that simultaneously close down failing schools; (b) mechanisms that allow parents to select excellent schools for their children, and where education dollars follow each child to their school; (c) governance structures that hold leaders responsible while giving them the tools to effectuate change and empowering mayors to lead urban school districts; (d) policies that allow school principals and their school communities to select their teams of educators, granting them flexibility while holding them accountable for student performance; and (e) national standards and expectations for core subject areas, with flexibility for states and local districts to determine how best to meet them.

instead subject to the whims of large and unresponsive urban school bureaucracies, uncaring teachers, and recalcitrant teachers unions (Holt, 2000; Moe, 2001). This coalition has successfully redefined what counts as educational equity through legislation and rhetorical framing that incorporates the language of the civil rights movement (see Luntz, 2010, for an understanding of how advocates are attempting to reframe school choice along equity and communitarian lines). For example, in the 2001 Congressional hearing on empowerment through school choice, Clint Bolick (2001) called on legislators to expand vouchers, explaining that he hoped the Supreme Court would rule in favor of the constitutionality of the Cleveland school voucher program so that “the constitutional cloud that has been hovering over school choice will be removed once and for all, and the promise of *Brown v. Board of Education* will finally be vindicated” (p. 14).

The Growth of Market-Based Choice

As neoliberal intermediary and advocacy organizations have gained policy influence, market based choice has expanded (The School Choice Advocate, 2011). Choice policies have developed, however, in particular, market-oriented ways: There are charter schools in 42 states, 17 voucher plans, roughly 2 million children being homeschooled, 39 tuition tax credit plans, and the development of hundreds of small and alternative schools across a number of urban school districts. In addition, the development of EMOs, CMOs, and virtual schooling companies has fundamentally altered how schools are managed and controlled in some of the most impoverished school districts. Many of these organizations have, in conjunction with choice-based policies and programs, fostered a rapid expansion in the use of private contracting for data management and analysis, tutoring services, test preparation, marketing, and other consulting (Burch, 2009). Much of this privatization is taking place in schooling systems that no longer have democratically elected school boards. Instead, these school systems have leaders appointed by mayors or state legislators, thereby limiting the ability of communities and parents to participate in the decisions shaping the kinds of schools being offered to them (Buras, 2012; Hemphill, 2008; Robinson, 2008).

The school choice as empowerment claim, then, coincides with and has helped to grow the private sector influence in almost every aspect of public education—from the creation of franchise schools in which governance and “ownership” are controlled by EMOs and CMOs, to tutoring, data management, and analysis (Burch, 2009). Even as parents have been afforded more choices, power has also been distributed to the private sector providers who operate schools and exert control over admissions and discipline policies that can determine which students get access to their schools (Lacireno-Paquet, Holyoke, Moser, & Henig, 2002). Meanwhile, in Congress and in state capitals, a number of bipartisan legislative efforts have been aimed at expanding school choice, nominally for parental empowerment, but also to help facilitate the entry of private sector providers into the delivery of public education.

Choosing Empowerment: Legislative Approaches

State legislatures, the federal government, intermediary organizations such as New Leaders for New Schools and Stand for Children, and other educational philanthropies (Demarrais, 2006; Reckhow, 2010) are expanding market-based school choice policies—including charter schools, vouchers, and online schools—that rely on the mechanisms of competition and incentives. These

choice policies also tend to emphasize the empowerment of parents over other goals that might extend considerations to entire communities (Scott, 2011c).

In 2010, California passed the nation's first "parent trigger" law, The Parent Empowerment Act, which allows parents in low-performing schools to take control of their schools' administration, choosing between closing the school, converting it to charter status, or making it a turnaround school—a process that would require a new teaching and leadership staff. Supporters of parent trigger laws formed an advocacy groups to mobilize parents to utilize the law. This group, Parent Revolution, is headed by Ben Austin, a former consultant to the CMO Green Dot Public Schools, and received funding from the Broad and Gates Foundations to organize parents and community members. In 2012, Florida's legislature considered its own trigger law but failed to pass it; however, state legislators are likely to propose the initiative again following the 2012 presidential election. Much like California's law, Florida's proposed law, The Parent Empowerment Act, would have allowed parents to choose from a variety of school improvement options, such as converting low-performing schools to charter school status. Florida's approach would also require districts to notify parents about teacher performance evaluation ratings, to make online schooling available, and to inform parents of the availability of virtual instruction.

At the federal level, The Empowering Parents Through Quality Charter Schools Act, proposed in 2011, would help to expand and evaluate "high-quality" charter schools, provide start-up costs, and allow EMOs and CMOs to apply directly to the Department of Education for funding. A final example of empowerment legislation is Arizona's Empowerment Scholarship Program, enacted in 2011 (Ariz. Rev. Stat. Ann. §15-2401), which provides parents of students with disabilities vouchers for use at private schools of their choice, for tutoring services, for the cost of homeschooling materials, or for other educational expenses.

Although each of these laws has a distinct emphasis and emanates from particular political moments, they share a focus on increasing the numbers of alternatives to traditional public schools through the creation of more charter schools, especially in urban school settings. Thus, although "empowerment" is nominally important to the legislation, a closer look reveals that the laws also confer market power by facilitating the entry of privately managed charter schools into the educational marketplace. Parents certainly gain additional choices, but these forms of choice depart from traditional notions of equity and reduce democratic control of schools by increasing private sector approaches. In this way, the empowerment imperative framing school choice expansion is also benefiting entities seeking to gain access to public subsidies.

DISCUSSION

With support from policy entrepreneurs, think tanks, philanthropies, and advocates, policymakers have, over the last two decades, expanded market-based school choice programs across the United States. There currently exists a panoply of choice programs from which families may avail themselves: charter schools; school voucher programs; homeschooling; virtual or online schools; and small, alternative schools can be found around the country. Choice plans whose origins stem from the civil rights era and which emphasize redistributive equity forms also persist, though they are more politically vulnerable and comparatively smaller in scale (*Parents Involved in Community Schools v. Seattle School District No. 1*, 2007).

Meanwhile, market-based forms of choice are rapidly growing. According to the Friedman Foundation for Educational Choice, in 2011 alone, 13 states enacted 19 school choice programs, including the creation of eight new school voucher and tuition tax credit programs and the expansion of 11 existing ones (The School Choice Advocate, 2011). More recently, in 2012, Washington and Georgia voters passed charter school referenda.

Neoliberal and conservative advocates look favorably on these policy developments. Unfortunately, from the perspective of democratic participation and redistributive equity, these choice forms are limited in terms of the kinds of empowerment they offer. Parents can choose from a range of schools where participation in governance, personnel, policy, or curriculum decisions is not guaranteed, and the ability to choose is not one that is shared equitably across parents and caregivers with access to differently valued social and political capital (Engel, 2000). Market advocates, in promising that choice will empower local school communities, have embraced civil rights era rhetoric. At the same time they have rejected the redistribution of resources and opportunity for democratic participation—a right that many early civil rights activists struggled to attain for underserved populations. In addition, the emphasis on choice and individual empowerment neglects the ongoing community and grassroots-based movements for educational equity that continue to emphasize issues of democracy, resource equality, and desegregation (Scott, 2011a).

For example, in 2010, a coalition of civil rights groups responded to the Obama administration's blueprint for educational reform, which emphasized the use of charter schools and privately managed charter school networks as strategies to improve low-performing schools. It issued a statement asserting a progressive role for the state: "The federal government's role is to protect and promote that civil right by creating and supporting a fair and substantive opportunity to learn for all students, regardless of where and to whom they were born" (Lawyers Committee for Civil Rights under Law et al., 2010). The coalition argued that school choice policies could certainly play a role in a platform to improve educational equity, but echoing a long-standing progressive and liberal approach to equity, it called for a strong state to ensure that high-quality schooling was accessible to all students.

CONCLUSION

Given the inequities shaping the educational opportunities in far too many schooling systems, it is likely that individual parents will find the ability to choose away from low-performing, under-resourced schools to be an empowering prospect, provided they are able to secure access to better schools. (Arons, 1989; Holt, 2000; Pedroni, 2007). Yet market-based choice can also constrain the power of families unable or unwilling to leave their local public schools by further destabilizing struggling school districts and by incentivizing school leaders to engage in selective enrollment practices, even as families attempt to exert their power by choosing schools (Frankenberg, Siegel-Hawley, & Wang, 2010; Jennings, 2010).

At the same time, public school advocates continue to advocate for a different version of empowerment through the creation of equitable and democratic schools that are diverse and well funded; that have high-quality teachers, small class sizes, and culturally responsive, challenging curricula; and that optimize the participation of parents, community members, teachers, and students (Anyon, 2005). With the rise of market-based reforms, however, the spaces for democratic participation have become relatively limited in many districts, especially where mayoral control

of schools exists (Vanacore, 2011). In Detroit and Philadelphia, state legislators have proposed dismantling public school systems altogether, replacing them with privately managed charter schools and virtual schools, settings in which the state has limited reach in terms of ensuring equitable access and outcomes (Zehr, 2011). The potential for empowerment through democratic governance at the district and school level is disappearing in the very urban districts where communities of color fought just a generation ago for control over schools.

Although parents who are able to secure seats for their children in charter and voucher schools might indeed be satisfied and even feel empowered, other parents and students may find themselves absent from the vision of empowerment through school choice. These individuals may include parents who are ineligible to participate in tuition tax credit programs, parents of special education students, English language learners, homeless students, students who have been involved in juvenile justice systems, or students in foster care. In the shifting definition of educational equity, policymakers and the broader public must engage in careful deliberation about who is included, who benefits, and who might be left out of the 21st century vision of market-based empowerment. Ultimately, given the growth of market-based school choice, a key challenge for progressive, equity-oriented policymakers and the broader citizenry is how to meet the demands for parental choice while also ensuring that empowerment is maximized through equitable access and outcomes, and through the democratic participation of parents, teachers, and students.

AUTHOR BIO

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