

Lessons from school choice schemes at home and abroad **Tony Hockley** and Daniel Nieto policy exchange



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## Hands up for school choice!

Lessons from school voucher schemes at home and abroad

# Tony Hockley and Daniel Nieto





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## **Preface**

#### Rt. Hon. Stephen Dorrell MP

There are few more important subjects for policy-makers than the question of how universal school choice can be made real.

Middle class families regard it as the norm, either because they choose fee-paying schools, or because they know how to operate public sector systems. The challenge is how to extend school choice, so that all families experience the same feeling of engagement in the choice of school for their child.

This thought provoking study of the international experience of voucher schemes demonstrates that many of the issues, which face UK policy-makers, confront other similar societies elsewhere in the world. Virtually all of them aspire to provide universal access to high

quality schools for their young people but few, if any, have succeeded in delivering it. Ours is not the only schools system to have fallen prey to bureaucratic management and professional introspection. But, as this report shows, others have been bolder in the approach they have adopted to arrest and reverse these trends.

Reports don't settle arguments, but this one contributes a substantial broadside in favour of school choice. The authors have shown that universal school choice is more than an idea: it is a reality which is delivering daily benefit to hundreds of thousands of Dutch, American and Swedish children's lives.

Stephen Dorrell, April 2004

## Introduction

"I ... welcome your interest in exploring the difficulties in the way of any voucher scheme to see whether a scheme can be developed which genuinely copes with them" Keith Joseph, Secretary of State for Education (1981){Seldon, 1986¹}

More than 20 years ago the then Secretary of State for Education, Sir Keith Joseph M.P, invited solutions to the problems presented by school voucher schemes. In the intervening two decades much else has moved on in education policy, with successive education reform acts designed to offer greater school choice within the state system, most notably the 1988 Education Reform Act. Meanwhile explicit voucher schemes have been introduced in a variety of other countries. But for some reason

Some form of school choice has become a common ambition of education policy

the debate on school vouchers in the UK has become stuck in an ideological rut.

Some form of school choice has become a common ambition of education policy, and at least part of the funding of each pupil's education now follows parents' choice of school for their children. It is, however, an ambition that has been difficult to deliver in practice in the UK, except for those few who can afford private education or a house that qualifies their children for

admission to a popular state school. As freedom of choice has developed, so too have the constraints. The most popular schools reject far more applicants than they accept.

Successive governments have encouraged school choice, while failing to lift the restrictions on school variety and capacity that would make choice a reality for all. Parents are faced with a range of rather similar schools, of similar size, doing similar things, in similar ways. Often the only tangible difference lies in the socioeconomic status of the pupils who are admitted.

The current system faces legitimate criticism from across the political spectrum because it provides choice only for the lucky (and wealthy) few and is, therefore, highly inequitable. Critics of vouchers argue that they lead to segregation, yet this has been the result of the current system of restricted choice for the few.<sup>2</sup> School admissions based largely on catchment areas simply reinforce the strong influence of a child's family and locality on their future life chances. Recent research into the importance of a child's family, school and locality concluded:

"Our evidence is that the advantage or disadvantage associated with family background is currently compounded by young people's experience of school and local area. But the fact that all three domains matter independently and are to some extent susceptible to policy interventions suggests that there is a great deal of scope for policy instruments to level out the playing field for later life chances."

Of the three, schooling is clearly the domain within which public policy can have the most direct and significant effect. Transforming families and localities is harder. In other countries, creating school choice through vouchers has provided a powerful means of overcoming the otherwise predetermined influences of family background, locality and schooling on individuals' life chances.

In 1981 when Keith Joseph, as Education Secretary, was confronted with demands to turn rhetoric about vouchers into reality, policy-makers were most concerned

schooling is clearly the domain within which public policy can have the most direct and significant effect

about the implications of vouchers for Local Education Authorities (LEAs) and the Government's overarching objective of achieving common standards in education. In 2004, those analysing any proposed voucher scheme will focus on the questions of what will happen to unpopular and failing schools and how popular schools can be persuaded to expand and new schools encouraged to set up. Experience elsewhere suggests that these issues can be tackled, although some conventional wisdom will have to be overturned along the way.

Some variety of provision has already been introduced, first through Grant Maintained Schools and City Technology Colleges, and more recently through the Specialist Schools initiative, City Academies and the promotion of Beacon Schools. But all of these are variants on the existing model of a local education service that is

carefully planned by the state authorities, not determined by its users. We now have an opportunity to move beyond the planned-choice model.

The extension of school choice has now become an ambition shared by people across the political spectrum, whereas in the 1980s it was very much perceived as part of a radical market-based "Thatcherite" agenda. Voucher schemes have been operating elsewhere for some time, and their success demonstrates that they have a role to play in providing better educational opportunities for all.

The intention of this research is to learn from experiments in school choice, particularly through explicit voucher schemes, and to devise ways in which choice might be extended more widely within the UK. Voucher schemes lend themselves most readily to this analysis principally because they bring a level of transparency to school choice that is otherwise difficult to achieve.

This report completes the first stage of an ongoing project which will conclude with the publication of a second report, focusing solely on the education system in England and Wales, in summer 2004.

This study covers both the short-lived UK experiment with nursery vouchers in 1996/7, and much larger school choice schemes in Sweden, the Netherlands and several American states. The international research took place between December 2003 and February 2004 and involved a series of interviews with policy-makers and those working within the education system.

Of course, the education system in any country is in part a product of its social and cultural history. But, whatever the origins of the different choice schemes, we are confident that there are lessons to be learned from how they operate in practice and the impact they have had on educational opportunities.

# 1. Nursery vouchers

Value	£1,100			
Тор-Uр	Unlimited			
Eligibility	Universal			
Admission	Provider discretion			
Regulation	Medium			

The nursery voucher scheme consisted of a number of measures intended to develop pre-school education for four-year olds in a mixed market of public, private, and voluntary provision. The main component was a universal voucher worth £1,100 which parents could top up if they wished. In England it was piloted by three supportive local authorities in 1996 and extended across the country in 1997.

The policy was blighted by its timing – it was introduced in the dying days of John Major's Conservative government of 1992-97. Few expected the Government to survive and the Labour Party made clear its intention to scrap nursery vouchers once elected. As this was a time of extreme restraint in government spending, nursery vouchers could not be pump-primed with promises of new money. Furthermore, the haste with which the scheme was introduced and rolled out nationwide gave little chance for problems, such as the impact of local authority monopoly power and the burden of regulation on existing voluntary sector nurseries, 4 to be identified and dealt with.

#### Eligibility

The vouchers were offered to all parents with a child of the appropriate age. The government conducted its own

publicity campaign and contacted relevant parents with details of local provision and a voucher application form. The vast majority of these parents took advantage of the scheme. In 1997, 653,746 eligible parents/carers in England were sent voucher applications for the summer term. By 12th February 1997, 511,780 of them had returned their applications to the nursery voucher centre (78%).<sup>5</sup>

#### **Funding**

The flat rate voucher was based on the average cost across the country as a whole, although there was, of course, significant local variation in actual costs. In London, for example, it could cost £3,250 for a full time place in a nursery school and £2,660 for a full time place in a nursery class in a primary school. Parents using their vouchers in the private sector were able to make additional top-up payments from their own resources, whilst in the public sector the LEA would cover any additional cost.

#### Regulation

Private providers were not inspected prior to joining the scheme, as this was considered impractical given the speed of its introduction. Instead they conducted a self-assessment with a formal inspection to follow within a year. Nursery and reception classes within the state sector, however, continued to be inspected by the Office for Standards in Education. In response to concerns that good standards should prevail in private

Private providers were not inspected prior to joining the scheme

nurseries and playgroups the School Curriculum and Assessment Authority published guidelines, to be followed by nursery providers, on: "Desirable outcomes for children's learning on entering compulsory education".

#### Results

LEAs had a strong incentive to retain the cash from vouchers by ensuring that LEA provision prevailed over alternative suppliers. They encouraged popular state schools to entice parents to subscribe to reception classes on the basis that this would secure their child a school place thereafter. Far from competing with local authority providers, other providers could do little but accept whatever demand was left over.

The introduction of vouchers coincided with, and significantly accelerated, a shift that was already underway - away from "playgroups" and towards "education". Additionally, vouchers institutionalised and professionalised voluntary groups, which led to parent-volunteers withdrawing their practical support.

An academic study of the vouchers scheme in Scotland, commissioned by the Scottish Office, noted that it had served to increase provision by an average of 75% but only in the local authority sector.<sup>7</sup> Local authority

providers had the physical capacity, secure funding streams, and available labour that the voluntary and private sectors lacked.

Although private and voluntary providers could often offer more attractive hours of operation as well as services during school holidays, they found it hard to compete with the local authority provision that guaranteed continuity from nursery to school. Furthermore, few private and voluntary providers were willing to risk investing in creating new nurseries when the future of the voucher system was so uncertain after an expected Labour victory in the impending General Election.

Additionally, parents exercised only limited choice and tended to settle for providers largely on the basis of their proximity and convenience; which is hardly surprising given the age of the children involved and parents' need to travel with them each day.

Despite the political furore surrounding the scheme, which was designed by the Labour Opposition to highlight the ideological differences between the two main political parties in the run-up to the 1997 Election, the Scottish researchers did note that:

"There were differences in the extent to which the voucher scheme gained approval or was regarded with contempt by politicians and professionals. It is fair to say that the negative reactions became more muted as the scheme progressed and that by the close of the pilot year the scheme was seen in a largely positive light by most of those involved."

#### Lessons

- Choice schemes do not operate in isolation. New entry, expansion, and diversity are dependent upon providers' confidence in their commercial environment and the opportunities available to them.
- At least initially within a choice scheme, it may be most effective to launch schemes targeted at populations least well-served by current provision.

# 2. Sweden

Value	£5,200 (SK70,000)
Тор-Uр	No
Eligibility	Universal
Admission	Non-selective
Regulation	Medium

Universal school choice in Sweden was introduced with a voucher scheme in 1992. Since then, municipalities have been required to provide funding for any school chosen by parents, whether public (municipal) or private, on condition that it is approved by the National Agency for Education (NAE). In practice almost all schools that have applied for accreditation have been approved, in some cases despite the objections of the local municipalities.

In return for accreditation, independent schools are prevented from charging top-up fees to their state-funded pupils and from selecting their pupils on the basis of academic performance. Both profit-making and religious schools can be admitted to the scheme, and the ownership of groups of schools by profit-making companies is a particular feature of the Swedish system.

#### Eligibility

The scheme is open to all school-age children. All they need to do is register with a school. As schools are not allowed to select, pupils are admitted on a first come, first served basis, and can be put on the list for a school at birth. Once a pupil attends a school they cannot be excluded, even on disciplinary grounds.

#### **Funding**

In 2001 the average annual cost of schooling in Sweden was around £5,200 per pupil. Municipal schools receive a premium over the amount paid per pupil to their private competitors, in order to make some allowance for municipality overheads in the operation of the education system.

While funding is calculated across the board on a per pupil basis, it is only distributed on this basis to the independent schools. This gives the municipalities some discretion in their budgeting for municipal schools, and enables them to make adjustments when they have to find funds for state-funded pupils at a new independent school. In addition to making compensating changes in municipal school budgets, they also have the options to raise their local taxes or cut spending elsewhere within their services.

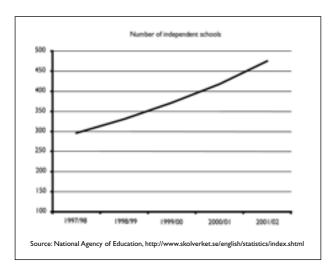
#### Regulation

Independent schools must be approved by the NAE, for which they must commit to certain provisions: no top-up fees, open enrolment, quality standards and compliance with the national curriculum and targets. Almost all applications are approved.

The NAE is responsible for evaluating academic standards but will only carry out inspections when schools continuously fail to achieve the targets in national tests for Swedish, English and mathematics.

#### Results

In the first ten years of the choice scheme the number of independent schools increased from 90 to 475. Nevertheless, by 1992 they still only accounted for less than 10% of Sweden's 5,000 schools and just 4% of pupils.



The overall figures mask significant local variations in the importance of independent schools serving state-funded pupils. In several municipalities the proportion of pupils enrolled in independent schools exceeds 10% of the total, and in some it is almost 20%.

Approximately 30% of independent schools are of a "general" nature, with a similar proportion representing specific educational ideals (e.g. Montessori, Waldorf, Freinet, Regio Emilia). Some 15% are associated with a

religious denomination and the remainder are ethnic or specialist schools either teaching a foreign language or focusing on certain areas of education.

Interestingly, there have been cases where "uneconomic" small rural municipal schools have been closed, only to see new independent schools open in response to local demand. Teachers move readily between the two sectors, as their working conditions are universally subject to the collective bargaining that is so much a part of the "Swedish model".

The Swedish reforms continue to generate debate and, as with any choice scheme, face criticisms that competition and choice inevitably upset the social composition of schools. To some degree these criticisms are limited by the requirements for schools themselves to be non-selective and by the total bar on pupil exclusion. Furthermore, recent academic research has found a positive association between the performance of pupils in municipal schools and the local presence of independent schools.

Under the Swedish reforms more decisions are now in the hands of schools themselves. Pupils both in municipal and independent schools have benefited in terms of choice and performance and school populations are actually becoming more homogeneous while schools themselves are becoming increasingly heterogeneous.<sup>10</sup>

#### Lessons

- Linking choice to non-selective enrolment would appear to counteract the current widespread tendency towards segregation on socio-economic grounds: Selection is by parents alone, matching schools to their aspirations and needs for their children.
- Independent schools can reinforce quality in state schools, provided that all schools have the necessary freedom of operation.

## 3. The Netherlands

Value	Average £3,560 (5,340)
Тор-Uр	Limited
Eligibility	Universal
Admission	Selective (3 types of secondary school)
Regulation	High

School choice in Holland is long-standing and reflects the religious heterogeneity of the country. Dutch society is subject to "pillarisation" (Verzuilling), which protects the rights of Catholic, Protestant, and other (secular or minority religious) organisations to operate in most social spheres, ranging from unions to libraries and hobby clubs.<sup>11</sup> Article 23 of the Dutch constitution gives any school that meets legislative standards the right to receive state funding on an equal footing with state schools.

Any group of parents can decide to start a school in the knowledge that it will be funded. The minimum number of parents required to start a publicly funded school depends upon the size of the local municipality. Just 50 parents are needed in municipalities of less than 25,000 residents or 125 parents in the largest areas. The ease with which parents can start up new schools means that more than 65% of schools in the Netherlands are private.

Every municipality has its own rules regarding the minimum number of pupils necessary for a school to remain open and these depend on a range of factors including the city's size and geography. But, if there are deemed to be too few children in a period of 3 consecu-

tive years then the school will be closed, although this is very rare in practice.

Most schools enter into co-operation with others, to form a school association, which helps them share overhead costs and mitigate closure and other risks. 12% of the school associations in the Netherlands have more than 10 member schools and half represent one school alone. In the state sector school associations are entirely

Any group of parents can decide to start a school in the knowledge that it will be funded

dependent upon the education office of the municipality in which the school is located. In the private sector school associations are fully autonomous charities and comprise a combination of parents and individuals with a special interest in education. The Dutch operate a system of positive discrimination in the part of per-pupil funding that is not associated with staff costs for primary school pupils. The family background of each pupil is assessed and pupils deemed to be at an educational disadvantage attract enhanced funding, up to a maximum of 190% of the standard level. Although non-staff costs are the smaller part of education costs, this can nevertheless enhance each pupil's funding by the equivalent of several hundred pounds, allowing schools with a high proportion of non-Dutch students, for example, to employ more teachers than the national staffing formula allows. This is similar in its ambition to a positively discriminating voucher (PDV) scheme, as suggested at the end of the 1980s for the UK by Julian Le Grand<sup>14</sup> and John Gray.<sup>15</sup>

The family background of each pupil is assessed and pupils deemed to be at an educational disadvantage attract enhanced funding

#### Eligibility

Public-owned and managed schools in the Netherlands are not allowed to select pupils but publicly-funded private schools are free to do so. Secondary schools are divided into three streams, often defined as "academic", "technical" and "vocational", but also described as "difficult", "medium", and "easy". The purpose of the "weighted voucher" system for primary schooling is to offer each child a fair opportunity by the time that they face secondary school decisions and selection. The increased funding available for primary school pupils from more difficult socio-economic backgrounds goes some way to ensuring that, at the primary school level, it is not in a school's interest to exclude disadvantaged children.

#### **Funding**

The funds that follow school choices represent the main source of funding for schools, and it is a constitutional requirement that the amount per pupil for private schools is equivalent to the per pupil cost of schooling in a state school. However, central government controls manpower costs, using a formula covering staff numbers and pay rates. In the pursuit of equivalent treatment of both sectors, municipalities must also provide funding for buildings for all schools, regardless of whether they are public or private. As a result, publicly-funded private schools have only limited financial freedom. Even their ability to charge top-up fees to parents is heavily restricted, so that they represent a very small element in school funds and can only be used for defined purposes.

Positive discrimination in the per-pupil funding formula for primary schools (for non-staff costs), operates in three main categories of pupil:

#### · 1 Point

Native Dutch pupils with parents with a good educational background. (73% of primary school pupils)

#### 1.25 Points

Native Dutch pupils with parents with a limited educational background (14%)

#### · 1.90 Points

Immigrants with poor Dutch language abilities (13%)

We estimate that the maximum weighting is worth an annual £300 per pupil to the school.

#### Regulation

All schools receiving public funding are tightly regulated – they have to follow a national curriculum, are subjected to regular inspections and their pupils must sit national examinations at the end of their elementary and secondary school careers. In addition, each child has an "education number" so that their progress can be tracked against a set of attainment targets.

#### Results

The Dutch system delivers a broad offering of different types of school. Of the country's secondary schools, 32% are state, 34% are Catholic, 27% are Protestant, and 7% do not fit into any of those categories.

This diversity is a direct result of the ease with which you can set up a new school in the Netherlands. As a result, the average size of a school is relatively small - an average of 160 pupils in an elementary school. This has some costs: it is estimated that the absence of economies of scale may add up to 20% to the cost of the education system.<sup>16</sup>

Although the exercise of choice can mean long journeys to the preferred school, this does not appear to be a big issue in the Netherlands, where the public transport network is well-developed.

Analysts have suggested that in recent years parents have become more consumerist in their approach to school selection and that they might use religion as a proxy for other attributes. For example, Christian schools have good reputations for order and discipline.<sup>17</sup>

Further policy initiatives to extend choice and

diversity are under discussion. Policy-makers are looking at ways to improve the information received by parents about alternative schools. After a series of national consultations, the Government has made it compulsory for schools to produce a brochure for parents and pupils, covering the main factors in choice of school.

The Government has also introduced parental surveys to gauge interest in the formation of a new primary school and to assess what type of school parents require. There are also proposals to reduce even further the restrictions on the setting up of new schools.

#### Lessons

- A system in which creation of new schools can be initiated by parents rather than state authorities does not cause chaos, although some financial economies of scale may be sacrificed.
- Building positive discrimination into the value of primary school vouchers may make it possible to allow secondary schools to select without encouraging socioeconomic segregation.

## 4. The USA

In the US, there have been many different attempts to encourage school diversity and give parents greater choice. Education is almost entirely the responsibility of local government so arrangements vary from state to state and city to city. Despite its limited role, federal government has become more involved in recent years — not least by legislating to introduce school choice for the parents of those children who are being failed by the public school system.

#### **Charter Schools**

The introduction of "charter schools"<sup>18</sup> during the 1990s has proved to be the most important innovation in the search for greater diversity in the publicly-funded school system. Charter schools can be public or private. They enjoy operational independence and are free to use pioneering educational techniques to raise academic achievement. They are also free to develop and pursue an alternative curriculum.

Charter schools are so-called because they operate under a contract, known as a charter, from a public agency. They:

- · must be non-religious;
- · are not allowed to charge tuition fees;
- · are not allowed to select pupils;
- can forfeit their charter if they fail to achieve their academic goals;
- receive a fair share of school funding from each student's school district;
- can approach more than one public body for their charter.

Charter schools can be "instrumentalised", in which the teachers must be public employees, or "non-instrumentalised", in which they are not. In some areas the teachers in public schools have voted to become "instrumentalised" charter schools with their employment packages intact, in order to head off a competitive challenge from "non-instrumentalised" charter schools.

By 2003 there were nearly 2,700 charter schools, educating 685,000 pupils, across 36 states and the District of Columbia (DC).

There is considerable scope for state legislatures to create environments in which charter schools are either encouraged or discouraged, and to set the limits of their

Education is almost entirely the responsibility of local government so arrangements vary from state to state and city to city

operational freedom. Arizona is the only state to give start-up grants to assist charter schools with initial capital costs. Any citizen group or organisation can apply for a 15 year charter from the Arizona State Board of Education, the Arizona State Board for Charter Schools or the local school board. In 2001 the annual limit on the number of charters that could be approved by any of the three authorities was lifted. Not surprisingly, at 464

Arizona has the largest number of charter schools of any state.

In less enthusiastic states, local legislation can put a brake on charter schools e.g. by failing to exempt charter schools from specific building requirements or from established teacher contracts.

Access to a charter school is available to all pupils within an open enrolment area. Pupils receive assistance in making their choices from a counsellor from the local school board. The nature of open enrolment varies from state to state. In some states pupils can take public funding to any public or charter school within the state, in others they can even take it to private schools or to schools in other states. But in many states, pupils' choice is limited to public and charter schools in the local school district.

#### The Schools Superintendent

The smooth operation of the American public school system depends on the local school district's "Schools Superintendent". The Superintendent is both the broker of pupils and school places and the highly visible figure-head for the system. It is his job to make sure that every pupil has a place at an appropriate school, that every school in his district has enough pupils (if necessary by attracting pupils from neighbouring school districts) and that the costs that fall on the local taxpayer are in line with what the directly elected members of the school board have promised.

As a result, Superintendents are spoken of in terms not usually associated with state education: as "buyers", "sellers", "poachers" etc. A successful Superintendent can cut the sum that has to be funded by unpopular local taxes. It is not surprising that some Superintendents have previously held senior positions in business.

Cross-border flows of pupils from one Superintendent's district to another can be an important test of school quality. These flows have accelerated since the development of "virtual" charter schools which enable pupils to access schooling provided by other districts (in its entirety or by subject) on their PCs

The small town of Appleton, Wisconsin (pop. 71,000) boasts ten charter schools including two virtual charter schools. The local property tax levy for schools in Appleton has declined from \$17.52 per \$1,000 in 1993/4 to \$8.56 per \$1,000 in 2002/3.<sup>19</sup> The levy accounts for about a third of the school district's revenues - state and federal funding accounts for the rest. The Appleton Superintendent has a clear strategy: to meet the challenge of school choice by providing a wide variety of public schools, including



instrumentalised charters. This enables him to keep school funds within his district's public schools while also bringing in funds from neighbouring districts.

By contrast, in another Wisconsin town the Superintendent refused to yield to parents' demands for a Montessori charter school, which they then opened anyway as a private school. Next time he conceded rather than lose pupils to non-public schools or schools in other districts.

A Massachusetts task force on underperforming school districts has argued for Superintendents to be given more statutory powers, not least to enable them to quickly remove school principals and thereby tackle a "culture of excuse".<sup>20</sup>

The developers of new (middle-class) suburban housing have the right to choose to which school district their development should belong. Such "annexation suits" put further competitive pressure on the Superintendents as their budgets are based on pupil numbers.

#### No Child Left Behind

Many of the school choice schemes that will be discussed in detail below were set up by innovative state and local governments before the passage of President Bush's No Child Left Behind Act. The main impact of the Act has been to put pressure on those states and school districts that have been dragging their feet in the extension of school choice.

The central premise for the No Child Left Behind Act (NCLBA)<sup>21</sup> was the evident failure of massive increases in federal government spending on education since 1965 to narrow the gap between rich and poor. Indeed, this expenditure has been accompanied by a widening of income inequality.

The aim of the NCLBA is to offer the lowest-achieving pupils from low-income families a way out of failing schools. The Act requires states to provide school choice for children whose local school is deemed to be "low performing" over a two-year period, or who have been a victim of crime at school. In these circumstances a child must be offered a place at another school within the school district or at a public charter school. Additionally, children in failing schools can choose tutoring and other supplementary educational services.

#### **Voucher Schemes**

A variety of both public and private voucher schemes are now in place in the US. Our research has focused on the voucher schemes in Milwaukee and Maine as well as an attempt in Boston to give parents access to a different kind of school within the public school system.

## Milwaukee

Value	£3,900 (\$5,882)
Тор-Uр	No
Eligibility	Low-income families
Admission	Lottery
Regulation	Low

Much of US education policy in recent decades has been designed to deal with the causes and consequences of segregation. The 1975 Assembly Bill sought to promote greater integration in schools. In 1990 the city of Milwaukee introduced the Milwaukee Parental Choice Program (MPCP) in a bold attempt to give real school choice to its inner city pupils, many of who are from racial minorities.

School boards in the State of Wisconsin operate a policy of state-wide open enrolment. This means that pupils can, with some restrictions, choose public schools in any school district in the state. The key innovation of the 1990 Bill was that it gave Milwaukee families with an income at, or below, 175% of the poverty line, a voucher which would extend their choice to include non-public "choice" schools (so long as they were non-sectarian). In 1995 the MPCP was extended to cover religious schools, although this change was subject to challenge for a further three years on constitutional grounds relating to the separation of the church and state.

#### Eligibility

The Milwaukee voucher programme has been designed to be as simple as possible. Pupils are eligible if their household income is below the threshold. If their parents believe this to be the case they need only approach the schools in which they are interested and satisfy the school that they qualify, usually by means of their tax return. The school will assist them in completing the one-page application to the programme. (Appendix 1).

If places in any choice school are oversubscribed then the Milwaukee programme requires that they are allocated by "lottery". The schools cannot select their voucher pupils; they cannot even take the past disciplinary record of these pupils into account.

#### **Funding**

The annual value of the Milwaukee voucher is \$5,882 per pupil. If a child is admitted under the voucher programme a cheque made out to the parent or carer is sent to the school, which the parent then signs over to the school. The per pupil cost of local public schools has been estimated at more than double this figure by one interviewee.

Choice schools receive no start-up assistance, and their facilities vary significantly. While some have been able to operate from disused or existing school buildings, often associated with a church, or neglected and abandoned in the "white flight" that has been a feature of so many cities, others have set up in rented shops and offices around the inner city.<sup>22</sup> This lack of facilities has not dented the enthusiasm of the entrepreneurs who set up new schools or the parents who enrol their children in them.<sup>23</sup>

People running choice schools do not believe that physical infrastructure is particularly important. Recreational facilities can be borrowed from other local schools and sports clubs. At one school they said: "We use an urban training facility: a run around the block". If policy-makers had insisted that every school had a playing field then the Milwaukee voucher programme would have been limited to well-established private schools offering a few voucher places as a matter of philanthropy. Instead more than 13,000 inner-city Milwaukee children from low-income families have benefited.

Many of the choice schools in Milwaukee top up the income from vouchers by raising funds from charitable sources. Some private schools evidently subsidise voucher programme pupils and participate in the programme as an act of philanthropy.<sup>24</sup>

#### Regulation

Simplicity pervades all aspects of the Milwaukee programme including the accreditation of participant schools. Any existing or prospective school wishing to join the scheme must complete a three-page "intent to participate" form, in which they state their willingness to comply with basic private school standards as well as civil rights and health and safety codes. The administrator must outline the type of pupils that the school plans to serve, agree to the Milwaukee programme's random selection system and provide a Student Rights letter.

Critics of the Milwaukee voucher programme have noted that it:

"...has no formal method of making schools accountable. There is no systematic reporting of

test scores or any other outcome measurements, no accreditation like those found among colleges or private elementary and secondary schools, no burdensome government requirements for teacher credentials or program uniformity. Instead the Milwaukee program relies on the free market system of supply and demand, in which the consumers of education choose which schools thrive and which ones perish."<sup>25</sup>

Every participating school must provide an annual financial return and complete a "continuing eligibility form" in order to remain in the programme. A school choice expert involved in the design of the scheme told us:

"We resisted regulation because it clearly didn't work in the Milwaukee Public Schools. But bad schools usually have financial problems, and we sought to keep a check on them this way, not by regulating the teaching."

Two choice schools in Milwaukee were recently closed by the courts. In one case the principal of the Mandella [sic] School of Science & Math, which operated within an inner city office block, was said to have been taking the voucher money without paying the teachers for several months.



Within days of the closure of Mandella School in midterm two school "fairs" were organised to ensure that its 190 children still had choices, with both Milwaukee

Straightforward fraud and maladministration can and does occur in many situations with public funds

Public Schools and choice schools participating. The Milwaukee Journal Sentinel reported on the cases of Angelique and Jasmine:

"Their grandmother asked Jasmine: 'Do you want to go back into Milwaukee public schools or stay in choice schools?'

Jasmine looked confused and turned to the public schools representative; 'What school do you think I should go to?'

Later in the morning, Angelique learned that a space was available at New Hope [a charter school]. She left planning to spend the evening deciding between New Hope and another school called Learning Enterprise.

On Tuesday afternoon, Jasmine wound up picking John Muir Middle School after discovering that a friend would be there as well.

'When will I be starting?' she asked her grandmother and the public schools representative.

The answer came from both women. Tomorrow."  $^{26}$ 

Choice schools were making places available to Mandella students even before any discussion of whether any voucher money would follow them for the remainder of the school year.

Straightforward fraud and maladministration can and does occur in many situations with public funds. Mandella was not the first and will not be the last. But the opportunities are limited when schools are expected to provide tuition, often to difficult children, for less than \$6,000 a year and pupils are free to opt back into the Milwaukee Public Schools or move to other choice schools at any time. The balance between fostering innovative new entry in "at risk" inner city areas and safeguarding public funds is a difficult one. It will be interesting to see the extent of the regulatory response to the Mandella case.

#### Results

Enrolment in the Milwaukee programme is fast approaching the mandated cap of about 15,000 students. It is by no means certain that the cap will be raised, as the scheme was always intended for the poorest people in Milwaukee and was designed to challenge Milwaukee Public Schools not to undermine them.

In 2003/4 there were 106 schools participating in the programme. There have been 154 applications for the school year 2004/5. The majority of schools have a religious affiliation. The figures for 2000/1 were Catholic 36.9%; Lutheran 14.6%; Christian non-denominational 8.7%; Other Christian 18.4%; Islamic 1.9%; Jewish 1%; No religious affiliation 27.2%.

The Milwaukee voucher programme was originally championed by local Democrat politicians but they and the teachers' unions are now its strongest critics. They object to the fact that the private schools do not have to provide teachers with the same generous employment terms as the Milwaukee public schools. Staff costs are by far the most important school expense so freedom to operate outside the public school employment contract is an important concession to the participating private schools – and essential given the low value of the voucher relative to the per pupil cost of education within Milwaukee public schools.

While evidence on the academic value added by the

Milwaukee voucher programme is a subject of considerable academic and political debate, it is indisputable that the parents who have used the scheme to help their children escape from Milwaukee Public Schools value it highly.

As the official Wisconsin state assessor of the Milwaukee voucher programme concluded:

"The Milwaukee Parental Choice Program provided an opportunity for an alternative education for poor families who were not satisfied with public schools and whose children were not excelling in those schools."

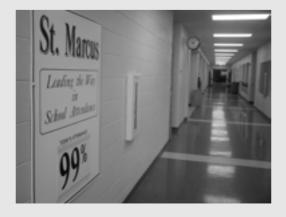
A recent study of the US voucher schemes, including Milwaukee, noted:

"Researchers who have served as evaluators of the publicly funded choice programs in Milwaukee and Cleveland, as well as the privately-funded programs in Washington DC, Dayton, New York, and San Antonio agree that these programs have been generally positive developments and have supported their continuation, if not expansion."<sup>29</sup>

The popularity of the scheme in Milwaukee has grown. It will be interesting to see if pressure builds for the cap on pupil numbers to be lifted.

#### Lessons

- Making things simple for both parents and schools is essential if a voucher programme is to succeed in getting parents to exercise choice and people to set up new schools.
- The greatest benefits come from schemes targeted at the disadvantaged.
- Innovative education need not be expensive.
- People setting up new schools should not get hung up on facilities and equipment but focus on supporting good teaching.



#### St Marcus Lutheran School

St Marcus is a 130 year old school which served a German Lutheran population when the local area was a suburb of Milwaukee. As the Lutherans moved out of town the fortunes and standards of the school declined.

Three years ago a young new principal took the school into the Milwaukee voucher programme. The new regime was designed using other "high performing, high poverty" schools around the US as its models. He got started by going through the local telephone directory one evening with a colleague. They called families in the area with the news that their children could apply to a faith-based, disciplined local school, where the teachers would be committed to: "Do anything, for any kid, at any time". Since then the school roll

has grown from 90 pupils to 250. The school ethos is one of strict pupil discipline and total teacher commitment: every child and every parent has the principal's mobile phone number and he has all of theirs. The lack of noise is the first thing that strikes anyone visiting the school, especially when compared with a British inner-city school. What is also remarkable is the challenging nature of the tuition: no child is allowed to let their attention wander. On the day of our visit, half of the final year pupils voluntarily turned up for an additional after-school Latin class. They also turn up for an optional Saturday school.



#### **Notre Dame Middle School**

Notre Dame is a private Catholic school founded seven years ago with 26 pupils in two school years. Today 80% of its 85 pupils are supported by the Milwaukee voucher programme; the remainder are asked to pay the annual \$1,100 tuition fee, although few parents pay the full amount in practice and are frequently assisted by scholarship money. Almost half of the school's funding comes from philanthropy.

Notre Dame is the only all-girl school in the State of Wisconsin, serving an "at risk" Hispanic community. English is the second language for must pupils. The school operates an extended school day, with an after-school programme of study, sports and arts etc.

Notre Dame aims to overcome the traditionally high drop-out rates of Hispanic girls. The school helps pupils with applications to good high schools that send a high proportion of their students to college. After leaving Notre Dame for high school, former pupils continue to receive support including tutoring if necessary. In 2003 11 of Notre Dame's first graduating class (1999) took up college places.

# 6. Maine

# ValueMaximum of £3,650 (\$6,600) Top-Up Yes (15% max) Eligibility Varies. Dependent on school provision in pupil's home school district. Admission Determined by school Regulation Low

When Maine became a state, upon its separation from Massachusetts, its constitution made no state-wide provision for school education. Instead, it called for the legislature to encourage private academies. The 1873 Free High School Act "allowed towns to pay tuition to the trustees of private academies for the education of town residents." This brought into being what has become known as "Town Tuitioning". In 1909 the State of Maine legislated to make tuitioning mandatory in certain circumstances,

requiring "any town not maintaining a high school to pay the tuition of its students to an approved secondary school". The law was amended in 1983 to exclude religious schools, following a Supreme Court decision preventing states from directly giving public funds to religious schools.

Maine's towns are largely self-governing. Each town runs its own school system, and can work with other towns to provide a high school or special educational programmes. Towns may choose to "tuition" their pupils

(Secondary School) Pupil home location	Choice 32
Remote from a public school	Public schools in other districts and states
District with a contracted (private) school	The contract school or a public school in the district
District with no maintained or contracted secondary school	Public schools in other districts, private schools, or schools in other states and countries District with 10 or fewer pupilsPublic schools in neighbouring districts
Insufficient courses locally (< 2 foreign languages)	Any other school for the required language course

to private and public schools elsewhere, with tuitioning money following each pupil's choice, or they may enter into a contract with a specific private school. Some 55 towns do not operate schools and "tuition" all of their pupils to other districts' schools, or even to other states and Canada.

#### Eligibility

The Maine town tuitioning scheme is the closest thing to a universal voucher programme to be found in the US. Eligibility is determined by the pupil's location in the state. If the town does not possess a high school, the pupil is able to select a school elsewhere, with financial support from their school administrative district. The choices available to pupils in such a town are determined by the arrangements the school district has made.

In this large and sparsely populated state it is important to note that tuitioning pupils remain eligible to travel on public school buses even if they choose to attend a private school (although their school may have to pay for this privilege).

The town tuitioning system relies on the School Administrative Districts' Superintendents to act as brokers. Superintendents will often exchange school places with neighbouring districts in order to ensure that every pupil's needs are met and that the School

The Maine town tuitioning scheme is the closest thing to a universal voucher programme to be found in the US

Administrative District's income and expenditure are balanced. Sometimes pupil "exchanges" will take the form of barter, with no tuitioning funds changing hands.

#### **Funding**

On average, educating tuitioning students costs about 20% less than Maine's average per pupil expenditure.<sup>33</sup> Once a tuitioning pupil is admitted to a school on the approved list, the school simply has to send a bill to the pupil's School Administrative District where it is verified and paid by the Town Treasurer. The town is then reimbursed according to a formula by the State of Maine. In 2003/4 the maximum amount of tuitioning costs that the state was willing to underwrite was \$5,564.42 for elementary schools and \$7,290.20 for secondary schools. Parents are allowed to pay top-up fees up to a maximum of an additional 15%.

#### Regulation

For the past 30 years, private schools participating in the tuitioning system have relied on a system of peer accreditation operated by the New England Association of Schools and Colleges (NEASC). Private schools accredited by the NEASC can be approved for tuitioning if they:

- · Meet "basic" school requirements
- · Are non-sectarian
- Are incorporated in Maine or the US
- · Meet requirements for reports and audits

Private schools not accredited by the NEASC must also satisfy the "sending" school districts that they comply with state requirements on:

- Language of instruction (usually English)
- Provision of required courses
- · Instruction in the "basic curriculum"
- Employment of certified teachers
- · School year and school day
- Maximum student-teacher ratio (30:1)

Any school with more than 60% of its students receiving state funding must participate in the state-wide assess-

ment programme to evaluate the academic achievement of its pupils.

Common regulation of public and private schools is often debated and is a source of considerable concern to Maine's historic private academies.

#### Results

In 1999 around 32,000 pupils from 55 school districts were eligible for town tuitioning, the vast majority of them at secondary school level. Around 6,000 of these went to a private school and they accounted for about a third of all private school pupils in the state.

Tuitioning has certainly enabled a wide range of non-public schools to flourish. Many new schools start when a few parents, often ex-teachers, decide to home-school their own children, then club together to form a local study group and go on to turn it into a small school. Montessori and Edison schools have also grown in number and size.

As private schools are not required to participate in the state's assessment tests, it is not possible to compare the academic achievement of tuitioning students with their peers. However, commentators claim that towns that participate in the tuitioning scheme are particularly attractive to parents. Jon Reisman, Professor of Public Policy at the University of Maine and a resident of the "sending" town of Cooper has noted that:

"Cooper's tuitioning system is the major reason why parents ... move here...School choice is the most valued attribute of living in Cooper."<sup>34</sup>

In other towns, proposals to build a local public school have met with resistance as the district would cease to be eligible for the tuitioning scheme and local parents would forfeit the opportunities for school choice that they currently enjoy.

There is also strong anecdotal evidence that the tuitioning scheme has prompted improvements in the public schools. One superintendent of schools is quoted as saying:

"If we're a business and a business is losing its clients then it behoves us to find out why that is happening." <sup>35</sup>

#### Lessons

- The tuitioning scheme would be bureaucratic, opaque, and cumbersome if it were not for the highly visible role of each district's Schools Superintendent in making the "market" work.
- Private providers must be allowed to retain a clear identity if they are to be able to raise funds from philanthropic sources and thereby increase the options available to publicly-funded pupils.



#### Foxcroft Academy, Dover-Foxcroft, Maine

Foxcroft Academy (1823) is typical of the "academy" schools in Maine which date back to the 18th and 19th centuries. Academies are able both to contract with the local towns (with a bar on top-up fees) and to take town tuitioning students (with the possibility of top-up fees) as well as to recruit fee-paying private students. In addition home-schooled students attend Foxcroft for specific classes.

Philanthropic money provides an important supplement to the funds received from towns for their tuitioning and contract students. Maintaining the independent identity of the school is a key ingredient in fund-raising success.

Unlike charter schools, which are closely bound to local authorities, Foxcroft is not "a state school by another name". Largely as a result of its ability to secure philanthropic sources of income Foxcroft is able to provide high quality education within an impressive facility for around \$7,000 a year which is considerably less than the per pupil cost of many US public schools.

## 7. Boston

Value	£3,590 (\$6,500) plus start-up assistance				
Тор-Uр	No				
Eligibility	Universal: high-schools interview				
	for fit with school philosophy				
Admission	Lottery				
Regulation	High				

The growth of charter schools and the No Child Left Behind Act have put the public school system under intense pressure. In Boston, the birthplace of state-funded education in the US, the school district has tried to find a way to satisfy parental demand for an alternative type of school (and particularly small schools) within the public school system.

In 1994, the local School Committee, Superintendent, and Teachers' Union created the Pilot Schools system "largely in response to state legislation creating first-time charter schools and the subsequent loss of Boston students to area charter schools".<sup>36</sup>

The pilot schools are small, innovative, public "choice" schools. Some of them recruit pupils from within one of the three Boston catchment zones. Others recruit pupils city-wide. The pilot schools have freedom over their budgets, staffing (but not salaries) and timetables.

As with many small school initiatives, the focus in pilot schools is on managing the "student-teacher load", to ensure a consistent individualised relationship. As a result pilot schools emphasise the core curriculum and offer pupils few options.

#### Eligibility

Any child within the relevant zone can apply to pilot schools serving that zone. Any child within the city can apply to the pilot schools serving the whole city. Pilot schools may not select pupils on the basis of prior academic achievement although the pilot high schools may screen applicants for their "commitment to the school's philosophy"

#### **Funding**

The Boston Pilot Schools<sup>37</sup> receive a fee per pupil of \$6,500, compared to the estimated \$9,000 per pupil cost of education in Boston's public schools.

#### Regulation

The development of new Boston Pilot Schools, unlike charter schools, is completely controlled by the city, which publishes a Request For Proposals (RFP) to which interested parties can respond. They are free to determine their own curriculum but they are inspected for the quality of vision, budget, leadership, teaching, professional support of teaching, and parental support. The schools are evaluated every three years, to assess their eligibility for continued status as a pilot school.

Recently the city introduced a new regulation requiring any further pilot school start-ups to have designated cityowned facilities so that the city does not later face political pressure to provide facilities for popular pilot schools that have outgrown their original premises.

#### Results

Boston now has 19 pilot schools, of which 12 were new start-ups rather than conversions of existing public schools (which require a positive vote by existing staff). Between them, the pilot schools account for 9.5 % of the 64,000 pupils in schools in Boston.

A recent review of the Pilot Schools concluded:

"While the Pilot Schools serve a student population generally representative of the Boston Public Schools, Pilot School students perform well on all available measures of student engagement and performance, and are among the top performing of all Boston Public Schools." 38

One independent commentator noted that: "public schools are now marketing to parents as customers" citing one of the Boston pilot schools as a leading example.

#### Lessons

- Once money directly follows pupils even a small movement of pupils can prompt dramatic changes within the public school system.
- Choice has put innovation and quality on the public school agenda and the public school system has responded to parental desires for small, disciplined schools.

## **Conclusions**

The experience of school choice schemes involving both public and private providers, proves that they can be successful in a wide variety of national and local contexts. It also amply demonstrates that choice can drive up quality within local public schools.

#### New entry

Effective choice depends upon the scope for new schools to enter the market and grow. Stipulations on facilities, courses, and testing all provide strong deterrents to new entry and innovation. Regulation and accountability mechanisms must therefore be tailored to keep such barriers to a minimum.

#### Costs

Choice need not be expensive provided that schools have the flexibility to teach as they see fit and are not subject to intrusive regulations on teacher contracts, class sizes etc.

Choice need not be expensive provided that schools have the flexibility to teach as they see fit

#### Simplicity

The most successful schemes are the simplest – only they are able to extend the benefits of choice beyond those who already enjoy them. The more complex the scheme,

the less chance there is that it will make a significant difference.

#### Responsibility

School Superintendents in US school districts show what a powerful broker can do to stimulate the market and help pupils find places with minimal bureaucracy. In a market approach to education, there are clear benefits from having a single individual responsible for finding every local pupil a school place and attracting pupils to fill local schools.

#### Variety

In several of the schemes studied, it was important for schools to be able to develop a particular "ethos". This enabled them to differentiate their appeal to parents. Ethos is particularly important if voucher funds are to be topped up by philanthropy and voluntary support, which

Ethos is particularly important if voucher funds are to be topped up by philanthropy and voluntary support

becomes more difficult the more a school lacks its own identity and appears to be a public school in all but name. The small scale of many of the new schools is also attractive both to parents and teachers.

#### Selection

A publicly funded school choice system needs to be tied to open enrolment, using random selection in situations of oversubscription. Allowing schools to select, or establish criteria for admission, runs the risk that teachers and parents will manipulate the system to engineer the socioeconomic profile of the school population. However, selection may be acceptable if a system of socio-economic weighting is used to channel greater resources to disadvantaged pupils and make them attractive to good schools.

#### **Targeting**

The Milwaukee scheme is particularly effective because it is targeted on those who have had the least opportunity to exercise choice in the past. The gradual expansion of the target population has allowed the scheme to grow at a pace that puts pressure on local public schools to improve without causing a backlash.

#### **Facilities**

School choice schemes have shown that parents realise that it is the core education offered by a school that matters most, not the quality of playing fields, computer laboratories or other facilities. In Milwaukee, micro-schools are delivering new educational opportunities to inner city children in run-down office blocks and lock-up shops.

+ \* \*

The experience of school choice in Sweden, the Netherlands and the United States demonstrates that it is not just an ideological pipedream but a workable policy that can deliver clear benefits to children and be popular among parents. The next phase of our research will examine how school choice can best be implemented in England and Wales in the light of the conclusions we have drawn from our international case studies. We will investigate whether it would make sense to start with a more limited scheme focused on disadvantaged children (as in Milwaukee) or whether we should move to a system of universal choice (as in Sweden and the Netherlands). We will assess what schools should be able to participate in a school choice programme, whether participating schools should be allowed to require parents to pay top-up fees, what sort of regulation and inspection regime should apply and whether selection should play a role in admissions. We will also review the different obstacles which those implementing a school choice programme will encounter in urban and rural areas. By showing how school choice can be made to work in the domestic context, we hope to meet the challenge identified by Sir Keith Joseph more than twenty years ago.

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## **Appendix 1**

	Wisconsin Department of Public Instruction MILWAUKEE PARENTAL CHOICE PROGRAM STUDENT APPLICATION FORM 2004-2005 School Year				INSTRUCTIONS: A separate form must be completed for each child applying under this program. Print clearly in ink. Return completed form to the school.						
	MPS-PCP-3A (	Rev. 11-0	3)			Fe	r DP	l Use			
	Collection of this information is a requirement of s. 119.23, Wis. Stats.					$\perp$					
School A	pplying To								Grade Level	For School Year 2004-2	905
Student's	Name Last, First	Middle Ir	nitia/			,			Date Of Birt	h Month/Day/Year	
									/	/	
Student's	Home Street Add	fress		City		2)	Р		Telephone /	Area/No.	
						+			( )		
Parent/G	uardian Name Las	st, First, N	fiddle Initial		:	S	chool	Attend	ed During 200	3-2004 School Year:	
				STUDENT	ELIGIBILIT	7					
				stions to determine th							
				Question #2 and one			6 mu	st be ch	secked yes to	be eligible.	
				esponds with your ts, children, other	YES	NO			-	box for each question	
relatives.	and unrelated po	eople wh	o live in your	household. Foster	١ -	ч.	2.			me level is at or bell your household size	
children ar income is o		ousehold	of one (1) and or	nly the foster child's				quest	ion #1, check	yes. If higher than the	
	Hou	sehold	Maxin	num			3		check no.	rolled in the Milwaukee	Public
		ize L	Yearly li		_	_	٥.			ng the 2003-2004 school	
			\$ 16,0				4.			ipate in the Milwaukee F	
	ā	3	\$ 27,3	119			5		-	ring the 2003-2004 school not in the Milwaukee F	
			\$ 32,9		-	_		Choic	e Program, w	as your child enrolled in	one of
			\$ 38,5							through 3 in a private of Milwaukee during the	
		6	\$ 44,1	82	_	_			school year?		
	For each add	litional ho	usehold member	add \$5,621.			6.			child was not enrolled kee or elsewhere, dur	
tax return (	(line 34 of Form 1)	040, line 2	21 of Form 1040	the federal income A, or line 4 of Form						ear, otherwise, check no	
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the program		renn caren	dan year usat me	nes you engure to							
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	e of Parent or Gua	, , ,								Date Signed	
>											
				sible for pupil admiss						ded by the parent or gua	irdian,
				luded that it is pro	perly and	the s	the student is eligible.				
completely filled out to the best of my knowledge.					☐ Yes ☐ No						
Name of	School Administ	trator or l	Designee Print	or Type		Date	Date Application Received Mo./Day/Year				
School A	Administrator Or	Designed	Signature			_				Date Signed	$\dashv$
		_ co.g.ne	-9-3-3-6								
-											





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Reports don't settle arguments, but this one contributes a substantial broadside in favour of school choice. The authors have shown that universal school choice is more than an idea: it is a reality which is delivering daily benefit to hundreds of thousands of Dutch, American and Swedish children's lives."

Rt. Hon Stephen Dorrell MP

This report is the first part of a major research project by Policy Exchange into vouchers and school choice. This part of the project examines case studies from abroad, drawing out common characteristics of school choice and the use of voucher schemes involving both public and private providers. The research will conclude in summer 2004 with a set of recommendations on implementing a school voucher scheme in the UK.

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