

# Does School Choice Mean Parents or Schools Do the Choosing?

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In their book on school choice, the authors ponder the question: "Does School Choice Mean Parents or Schools Do the Choosing?"

The book is published by Teachers College Press at Columbia University\* and its authors, Wagma Mommandi and Kevin Welner, begin by citing the driving force behind school choice, which is to remove the "government monopoly on schools and let families choose the school for their children." But, through their decades of research, the authors conclude that "charter schools often play an outsized role in shaping enrollment." They cite an assortment of practices that charter schools have implemented to deter the enrollment of certain groups of students. And they conclude, "even when parents are able to enroll their child in their preferred school of choice, academic requirements and disciplinary policies may prevent enrollment in subsequent years."

These same conclusions were reached by Dr. Barbara Ferguson and published in her book: "Outcomes of the State Takeover of the New Orleans Schools" (2018). Dr. Ferguson uses the term "selective admission" for charter schools with enrollment practices that deter the enrollment of certain groups of students. The term "selective retention" is used for charter schools that have policies that prevent continued enrollment.

Charter schools are public schools, and they are supposed to be distinguished from the traditional public schools only by the governance structure. Charter schools are governed by private boards and traditional schools are governed by public boards. Yet, in New Orleans, the charter schools are allowed to enact admission and retention rules like those enacted by private schools..

"Selective Admission" allows charter schools to select the best and the brightest, and the wealthiest. Lycée Français charter school, in 2011-12, had a paid preschool program with a tuition of \$4,570 and those preschool students gained automatic entry into the elementary charter school. They bypassed the lottery, which is required by federal law to be used when there are more applicants than spaces available in the school. Benjamin Franklin, Lusher and Warren Easton were three successful magnet high schools that became charter schools and were allowed to keep their selective criteria for admission.

"Selective Retention" allows charter schools to selectively remove underachieving and disruptive students:

- To continue their enrollment at Franklin and Lusher, students had to earn an overall 2.0 grade point average, and at Warren Easton an overall 1.5.
- At Hynes charter school: "Students with chronic attendance/tardy issues or with three or more suspensions will be ineligible to re-register."
- At Mays charter school: "A student who misses ten or more consecutive days of school without notifying Mays Prep ...is subject to being unenrolled at Mays Prep."
- At Priestley charter school: "Students must maintain a 2.5 grade point average during the school year. Failure to do so will result in academic probation...and/or an invitation not to return the following year."

- At Lake Forest Elementary charter school: “Failure to complete volunteer hours or participate in the mandatory fund raisers may result in loss of placement for your child.”

This list can go on and on. The above information is taken from each school’s handbook and cited in Dr. Ferguson’s book.

Perhaps the most egregious “Selective Retention” charter school scheme is expelling students for offenses for which they previously could not be expelled. Charter schools are allowed to develop their own rules for expulsion.

- At Miller-McCoy charter school, students can be expelled for “not attending tutoring, homework center..., misbehaving on the school bus, disrupting class...”
- At Arise Academy charter school, students can be expelled for “offenses, such as, disrespect, out of uniform, chewing gum...”
- At New Orleans College Prep charter school, students can be expelled “for repeated and fundamental disregard of school policies and procedures.”
- At Lafayette Academy charter school, students can be expelled for “unexcused or excessive absenteeism; cheating; failure to report to detention.”

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Charter schools not only developed their own rules for expulsion, but they could expel directly from the site level. Thus, a more tragic outcome was the aftermath of the expulsion. Previously, schools had to make a recommendation for expulsion to the district level. If the district office expelled the student, the district was then required to reassign the expelled student to another school. But charter schools were allowed to expel directly from the site level with no obligation to ensure that the student was re-enrolled in another school. Thus, the parents of the expelled student had to find another school which was almost impossible since charter schools can cap enrollment.

Constitutionally, each state has an obligation to educate all students to a given age which is established by the state. But that obligation is circumvented when no entity has the responsibility to ensure that a student expelled from a charter school is re-enrolled into another school. When the New Orleans School Board regained some control of the charter schools, they reversed the charter school site-level expulsion mandate, now requiring charter schools to recommend students for expulsion to the district office. If expelled, the district office then places the student into another school. However, two New Orleans high schools still retain language in their handbooks which state that they expel from the site level.

“Does school choice mean parents or schools do the choosing?” The Louisiana charter school law was intended for parents, especially parents of “at-risk” children and youth, to remove their students from “failing” schools and to choose a school with a higher rating. But the written law has not become the implemented law. New Orleans “at-risk” children and youth remain in the poorest performing schools.

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Endnote:

*\*School’s Choice: How Charter Schools Control Access and Shape Their Enrollment (Teachers College Press, 2021) Authors: Wagma Mommandi and Kevin Welner.*