



EXPLOITING EQUITY:

HOW THE PIONEER INSTITUTE CO-OPTS THE CONCEPT OF SOCIAL JUSTICE

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**POLITICAL
RESEARCH
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INTRODUCTION

For Boston Teachers Union (BTU) Local 66 President Jessica Tang, lobbying around the Commonwealth's statewide proposal to lift the cap on charter schools provided a clear example of how charter school advocates like Pioneer Institute attempted to carry a message focused on racial justice but ultimately failed. "The charter school lobby featured many families of color in their campaign and even paid some to canvass. However once at the polls, many of these same families voted 'No' on the proposal after they learned the facts about public education and charter schools. In the end when the out-of-state, dark money started pouring in, it became clear who was really behind the charter school lobby."¹

For Pioneer Institute, "education is the civil rights issue of our era,"² and they apply this frame when discussing expanding charter schools and other forms of school privatization. They use imagery from the Civil Rights Movement on their website, hold Black History Month-branded events, and even claimed that restrictions to public funding for charter schools was a violation of a student's constitutional right to an adequate education. Like many right-wing think tanks, Pioneer Institute favors privatizing various public goods in the name of innovation, efficiency, and autonomy. However, unlike some of their more conservative colleagues, Pioneer Institute regularly uses traditionally left-wing language around social progress to garner support for their policies. They have also rallied numerous Black scholars and organizations behind their messaging and events that attempt to draw a thread between school privatization and the Civil Rights Movement, even though the most notable civil rights leaders never publicly supported school privatization in any form. During Pioneer's own event honoring Civil Rights activist Fred Shuttlesworth, one of Pioneer's presenters pivoted to promoting charter schools by wondering if Shuttlesworth would have supported the idea of charter schools, even though he admitted the exercise was "speculative."³

When advocating for the expansion of charter schools, Pioneer exalts data showing higher test scores for students of color at charter schools versus their public school counterparts and concurrently advocates for more standardized subject-specific statewide testing. However, a close examination of the data and rationale Pioneer employs shows not only that their leading claims are unfounded but also that these reforms actually disproportionately harm communities of color and immigrant communities⁴. What's more, the ideological roots of forms of school privatization were precisely designed to be effective workarounds for desegregation, allowing White families to access state resources to resegregate the education system and prioritize funding for majority-White schools.

First, this report disproves Pioneer's claims that charter schools are better learning environments for students of color and English Language Learners by examining the same state data sets referenced by Pioneer. Second, this report again uses the same data source to dispel Pioneer's claims that charter schools are better work environments for teachers, and thereby better learning environments for students of color. Third, this report demonstrates how Pioneer employs contradictory stances on histories of oppression in their messaging in order to further their education policies. Lastly, this report brings into focus Nancy MacLean's research that school privatization via vouchers was used most prominently in the South by White economists, most notably James McGill Buchanan with support from Milton Friedman⁵, to have the desired effect of resegregating the education system following the *Brown v. Board of Education* decision in 1954. Decades later, Milton Friedman was praised and honored by Pioneer for his contributions to the field, including the economics of education. Beyond Pioneer's nominal involvement of people of color in their public-facing work, the disproportionate effects of their policies on communities of color and other marginalized communities become as important, if not more, than the shape of their message.

CLAIM #1: CHARTER SCHOOLS ARE BETTER FOR STUDENTS OF COLOR AND HIGH-NEEDS STUDENTS

Pioneer's leading claims on why charter schools deserve more public funding most prominently mention their supposed ability to increase performance among "high-needs" students (low-income, economically disadvantaged, ELL students, former ELL students, or students with disabilities)⁶ and students of color. Pioneer's reports claim that at charter schools, these students perform higher on AP tests⁷ and experience lower attrition rates⁸, lower high school dropout rates, and higher graduation rates than at Boston Public School⁹. However a revision of their skewed methodology shows that not only are charter schools unable to deliver on those claims when looking at statewide data, but that by some measures high-needs students and students of color perform worse at charter schools than public schools. This report uses the same Massachusetts Department of Elementary and Secondary Education's (MA DESE) data as Pioneer used in their reports but looks at the experiences of students of color, high-needs students, and ELL students throughout the Commonwealth to get a more complete picture of charter school performance.

When comparing the performance of charter and public schools, Pioneer almost exclusively relies on data from schools in the Boston area and fails to consider comprehensive statewide comparisons.¹⁰ Pioneer's Senior Fellow Cara Stillings Candal and Advisory Board member Ken Ardon draw statistics from Boston-area schools only because "Boston has the Commonwealth's largest concentration of high-performing charter schools in the state."¹¹ This selective sample skews findings in favor of charter schools, eliminating any possibility of scientific validity. Furthermore, the findings would be meaningless to any other part of the Commonwealth, much less any other state. Boston-area charter schools account for just under half of the charters that exist in the Commonwealth,¹² leaving Pioneer's analysis to be relevant to just half the state at best. In order to create the most meaningful statistics that evaluate how charter schools are able to cater to high-needs students and students of color, the sample should include all charter schools in Massachusetts.

When isolating discipline rates for the lowest level of offenses,¹³ students of color and high-needs students receive drastically harsher punishment than their public school counterparts. Black, Hispanic/Latinx, ELL, and high-needs students are given out-of-school suspension (OSS) over in-school suspension (ISS) more often than White charter school students for the same types of offenses (see fig. 1).¹⁴ Only White students and Asian students are given ISS more often than OSS for the lowest-level offenses. Though the data show that students of color and high-needs students in public schools are also faced with harsher discipline practices (see fig. 2), these differences are even greater in charter schools. Black, Hispanic/Latinx, ELL, and high-needs students in charter schools all receive OSS at even higher rates relative to ISS when compared to their public school counterparts. Numerous studies have described how OSS is just one factor that is associated with low achievement, poor attendance, and juvenile crime, all of which contribute to the "school to prison pipeline." Statistical trends like the ones shown in MA's charter schools have caused states like California to design statewide measures to ensure more equitable discipline practices.¹⁵

Figure 1. Massachusetts charter schools: Average suspension rates for low-level offenses by student demographic, '16-'17.

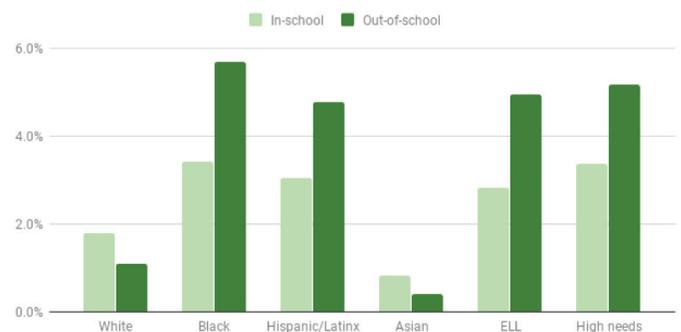


Figure 1 Data adapted from Massachusetts Department of Elementary and Secondary Education reports.

Figure 2. Massachusetts public schools: Average suspension rates for low-level offenses by student demographic, '16-'17.

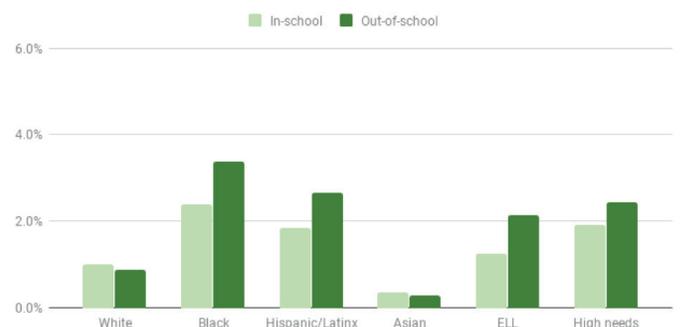


Figure 2 Data adapted from Massachusetts Department of Elementary and Secondary Education reports.

Figure 3. Massachusetts average in-school suspension rates for low-level offenses by student demographic, '16-'17.

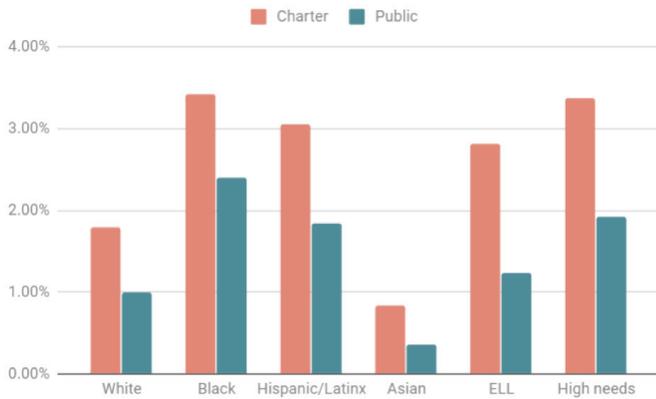


Figure 3 Data adapted from Massachusetts Department of Elementary and Secondary Education reports.

Figure 4. Massachusetts average out-of-school suspension rates for low-level offenses by student demographic, '16-'17.

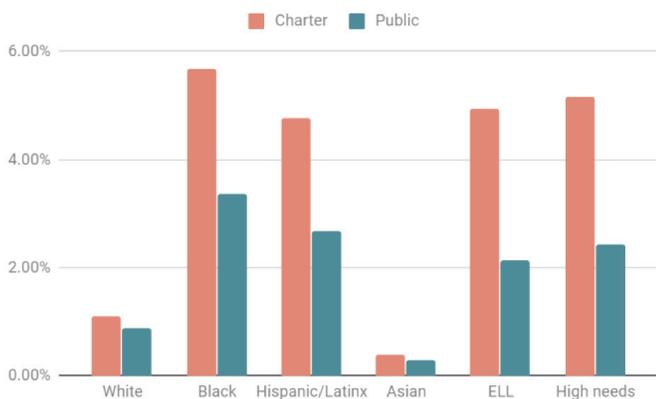


Figure 4 Data adapted from Massachusetts Department of Elementary and Secondary Education reports.

CLAIM #2: CHARTERS PRODUCE BETTER TEACHERS

It's well-documented that charter schools struggle to compete with public schools in terms of pay, retention, and work life quality. In 2017, the Boston Globe found that Boston's mostly non-union charter school teachers were paid \$55,000 on average, as compared to Boston Public Schools' unionized teachers that earn an average salary that exceeds \$90,000.¹⁶ Nationwide, charter school teachers experience double the rate of turnover than public schools¹⁷ and experience longer working hours.¹⁸ BTU Local 66 President Jessica Tang

describes these features as integral to the economics of charter schools: "Burnout and low pay are often a part of the charter school model. Many charters target younger teachers who are idealistic and therefore willing to work for less or may complain less about working conditions."

Pioneer explains away these trends by saying they are the result of anti-charter policies rather than a failure of the charter school model. Additionally, Pioneer believes these trends come second to what they say are good results for students. Pioneer turns again to student assessment scores, saying they are the superior measure of student success and therefore teacher effectiveness.¹⁹ Pioneer fellow Candal asserts that the high teacher effectiveness at charter schools can be attributed to their innovative staffing practices that are free from "teacher tenure or other common constraints that teachers unions impose on traditional public schools." As an example, Candal uses City on a Hill Charter School in Roxbury, part of a charter system whose board she sits on,²⁰ to demonstrate how a charter school unhindered by union rules is able to attract young, less traditionally-educated, but more effective teachers who are compelled by the mission of the school and perform with "stellar results." She does acknowledge that charters struggle to retain teachers once hired, and indeed in school year 2017-2018 City on a Hill's New Bedford branch ranked among the state's five lowest retention rates among charters and public school districts--just 40 percent compared to the charter school average of 70 percent.²¹ Candal attributes retention issues to low pay and poor teacher performance resulting in firings, and blames policies that restrict public funding to charters that make budgeting more difficult. However, recent unionizing activity among charter schools points not to pay but to management practices as reasons for job dissatisfaction. In February 2018, two of City on a Hill's three branches voted to unionize with Boston Teachers Union, demanding not simply equitable pay but more budget transparency, teacher retention, and more opportunities for teacher leadership.²²

In addition to producing better teachers, proponents of charter schools state that flexible employment practices also allow charter schools to hire more teachers of color. Charter school proponents nationwide champion their schools for having flexible hiring procedures that allow more equitable hiring, and in turn, better learning environments for students of color as teachers can act as role models.²³ Beyond simple representation in the hiring process, it's important to consider

how people of color experience those jobs throughout their tenure.

An analysis of MA DESE’s teacher data shows that though some charter schools hire more teachers of color, teachers experience heavier workloads and higher turnover when compared to public schools (see table 1). When looking at all charter and public schools throughout the state, MA charter schools had higher class sizes and higher turnover rates amongst all teachers when compared to public schools and the state average.²⁴

Table 1. Average class size and teacher retention rates by school type, school year 2016-2017

2016-2017	Charter school districts	Public school districts	State average
Average class size	21	18	18
% Retention	71%	83%	82%

Table 1 Source: Data adapted from Massachusetts Department of Elementary and Secondary Education reports.

In academic year 2017 to 2018, all of the charter schools with majority teachers of color had far lower retention rates than the state average of 87 percent (see fig. 5).²⁵ The Helen Y. Davis Leadership Academy, a Dorchester-based charter middle school, employed the highest proportion of teachers of color of any school in the Commonwealth in school year 2017-2018 with 93 percent teachers of color. However by years’ end, almost half of its faculty either left or were fired. Phoenix Charter Academy High School in Springfield had the second-highest proportion of teachers of color in the Commonwealth with 64 percent teachers of color but was able to retain just 30 percent of their faculty that same year, meaning 7 in 10 teachers left the school by year’s end. Both of these retention rates are far below the state average retention rate of 87 percent.

Figure 5. Proportion teachers of color versus retention, school year 2017-2018

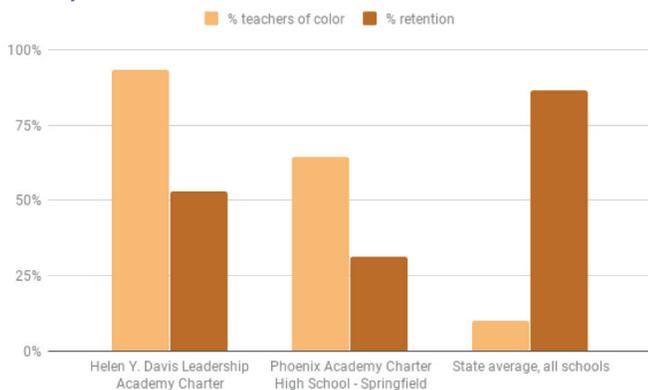


Figure 5: Data adapted from Massachusetts Department of Elementary and Secondary Education reports.

Charter schools that rely heavily on teachers of color also had higher student-to-teacher ratios than state average. In school year 2017-2018, the Helen Y. Davis Leadership Academy and Phoenix Charter Academy High School both had student-to-teacher ratios that were 20 percent higher than state average. At these schools, there are approximately 15.3 students to one teacher, whereas the state average is 12.6 students to one teacher.²⁶

According to the same datasets that Pioneer has used in the past, students of color and high-needs students in MA charter schools tend to be disciplined more harshly and drop out of school more often than their public school counterparts. Teachers of color at charter schools tend to have higher turnover rates and higher workloads. The data suggests that charter schools does more harm than good for communities of color by exacerbating unequal student treatment and lagging in educator retention practices.

CLAIM #3: STANDARDIZED TESTING IS THE ONLY WAY TO ENSURE THAT CHILDREN LEARN ABOUT RACIAL OPPRESSION

One of the most prominent policy areas that Pioneer Institute frames as an issue of racial oppression has been their longstanding effort to expand standardized testing as a condition for graduation. Ever since former Governor Deval Patrick’s 2009 decision to forgo implementing the graduation requirement that students must pass the Massachusetts Comprehensive Assessment System (MCAS) US History test²⁷, Pioneer has developed a narrative that students’ social studies knowledge is on the decline and that reinstating the requirement is the only way to hold students to any sort of standard. It’s important to note that funders like the Foundation for Partnership Trust who have funded MCAS public relations efforts since the outset also fund pro-charter think tanks like Pioneer. These funders and think tanks considered the test to be a simple way of ranking schools by one reductive performance measure that made charter schools look more successful relative to public schools. Many critics argued the test favored non-ELL students and those without learning disabilities and that scores on one test would not capture the complexity of a student’s learning

experience.²⁸ Beyond the US History requirement, the general MCAS performance shows persistent achievement gaps between White students and students of color even if those gaps may be narrowing.²⁹ Low-income, students, students of color, and students in urban settings also struggle to keep up with their more privileged classmates.³⁰ Students in special education in particular are disproportionately negatively impacted by MCAS requirements as not being able to graduate exacerbates already slimmer employment options upon leaving school.³¹

In the face of these criticisms, Pioneer has defended their allegiance to the MCAS US History exam by claiming that without the exam, students would not be taught important subjects in history, particularly ones that involve the oppression of people of color and other minorities. Director of Pioneer's Center for School Reform Jamie Gass has written op-eds in multiple media outlets using events like Black History Month to highlight xenophobic oppression throughout US and global history and claiming that without the MCAS US History test, these subjects would not be taught. Most of Gass' op-eds recycle the same talking points nearly word for word: identifying and describing the importance of one historical figure or literary work that illustrates marginalization and oppression, claiming that students today are being deprived of learning this history, then blaming Deval Patrick for removing the MCAS US history graduation requirement in favor for the nationwide Common Core. In regional media placements, Gass makes it seem as though the teaching about slavery, the Civil Rights Movement, Native Americans, and the Holocaust exists only within the context of the MCAS US History test: "Students today need to be taught about the realities of slavery to comprehend the potential tyranny found within the human heart. But in 2009, Gov. Deval Patrick ditched the U.S. history MCAS test graduation requirement, which the Baker administration has yet to restore."³² Gass says the same in op-eds that lift up slavery and Frederick Douglass the Civil Rights Movement,³³ Native Americans,³⁴ and the Holocaust.³⁵

If one's only exposure to Pioneer's stance on the teaching of social studies and history came from Jamie Gass's regional op-ed placements,³⁶ it's plausible that one might confuse their promotion of a reductive student assessment tool as genuine concern for teaching histories of oppression and progressive ideals. However, an expanded view of Gass's media placements shows he has been featured on the far-right newsite Breitbart News lamenting the state of education. As

with his regional placements about MCAS, in the Far Right outlet he similarly laments the lack of a MCAS US History exam requirement except he does not mention the history of people of color and minorities at all but focuses solely on teaching classical European literature and Shakespeare.³⁷

Pioneer's superficial and selective interest in teaching oppression is evident and at times even inconsistent. Their stances on histories of the oppressed become particularly contradictory when criticizing the MA DESE 2018 change to the statewide social studies curriculum. To respond to the curriculum change, Pioneer turned to the American Principles Project (APP), a conservative think tank that incites fear of what they call the "pro-sexual liberationist, pro-homosexualist propaganda" that seeks to destroy "the innocence of children."³⁸ APP also highlights what they see as "anti-Christian bigotry"³⁹ and promotes anti-LGBTQ⁴⁰ and anti-abortion⁴¹ policies under the guise of religious liberty. Together, Pioneer and APP issued a report accusing MA DESE of swapping "a full account of our country's European past and its own exceptional history" with "the history of politically correct protest movements" and labeled the efforts as "progressive educational propaganda." For example, Pioneer and APP call the study of Native American governing structures an "irrelevant distraction" that "suits progressive dogma, but is of marginal historical importance." They also consider the study of the struggle for disability, LGBTQ, and immigrant rights as "undisguised political propagandizing" and reject thematically linking the Civil Rights Movement to America's founding documents, claiming it "bizarrely narrow[s] the importance of the Constitution"⁴² (though Pioneer's own 2013 Frederick Douglass US History Essay Contest asks students to do just that by suggesting students to contemplate the significance of the Constitution with the Letter from Birmingham Jail)⁴³. For Pioneer and APP, the inclusion of progressive ideals is "part of a national movement that replaces classroom knowledge of civics with skills training for progressive community activism." Ultimately, the report echoes Gass's assertions that the MCAS US History test is the most important standard-bearer and calls for the MA State Board to "reject the 2018 Revision in its entirety, and immediately put into effect both the 2003 Framework and its accompanying MCAS test."⁴⁴

In their quest to justify reinstating a test that has had persistent equity problems, Pioneer has turned to a variety of competing perspectives based on what will appeal most to their readership. In fact, the single reliable link between all of these

op-eds and articles is the conclusion that legislators should reinstate the inequitable MCAS US History requirement. Such inconsistency demonstrates the shallowness of Pioneer's desire to be a socially-minded organization and reveals their efforts to push conservative policies to more left-leaning constituents who are less likely to identify as such.⁴⁵

TRACING THE HISTORICAL ROOTS OF PIONEER'S EFFORTS TO PRIVATIZE PUBLIC EDUCATION

One way to understand the gap between Pioneer's attributed value to charter schools and the lived experience of students and teachers of color at the schools is to understand the historical origins of the idea of school privatization. Vouchers, which enable parents to use the public dollars that the government would have otherwise spent on their child on the private education option of their choice, are at the ideological root of the charter school movement. Though Pioneer mostly advocates for charter school reform, they also strongly support vouchers. A 2015 policy brief released by Pioneer called "Proving the Viability of a School Choice Voucher" claims that vouchers increase education quality because of market dynamics: "Evidence shows that [a voucher system] will...improve outcomes for students in both public and private school as competition is increased, improve parent satisfaction, and reduce overall spending on education."⁴⁶ A closer look at the history behind school privatization and vouchers specifically shows that these policies were designed with the desired effect of undermining racial integration. And though the genuine intent of current supporters of vouchers and charter schools is impossible to know for certain, the lasting effects of voucher systems have allowed segregation in education to persist today, a charge that critics have also extended to charter schools.

After *Brown v. Board of Education* was decided in 1954, policymakers and scholars throughout the South acted quickly to conceive a workaround for federally-mandated desegregation and ensure that the school system could still disproportionately favor White students.^{47 48} Market-driven ideas of choice and competition were used by state governments to pass devastating policies that slashed funding for public schools and even allowed for their closure should they integrate. Such policies did not explicitly address

race but were clearly employed to maintain segregation. Historian Nancy MacLean highlights the work of conservative economist James Buchanan as pushing the concept of school privatization using principled reasoning that was not explicitly racial, relying primarily instead on the economic justifications that state-run schools had a "monopoly" on education and that privatization would provide parents with the widest range of school options possible.⁴⁹ Milton Friedman echoed Buchanan's sentiments in a 1955 manifesto in support of vouchers, praising the option as enabling parents to have the utmost choice in their child's education:

Parents could express their views about schools directly, by withdrawing their children from one school and sending them to another, to a much greater extent than is now possible... Competitive private enterprise is likely to be far more efficient in meeting consumer demands than either nationalized enterprises or enterprises run to serve other purposes⁵⁰.

The "views" and "consumer demands" Friedman wrote about allowed for White parents who rejected segregation to use public funds to ferry their children to a different, private institution where admission policies may be as restrictive and race-based as they desire. States throughout the South seized this idea by establishing a "tuition grant program" that offered vouchers to students to attend private schools. During this time through the late 60s, over 200 private White-only "segregation academies" were established in the South, many of which were supported by state tuition programs to incentivize White students to leave desegregated public schools. Such tuition programs were inaccessible to Black students, causing many of them to either attend local underfunded public schools, move to places with better public schools, or rely on informal community-supported education options⁵¹.

Like Friedman, Pioneer is careful to avoid overtly racist language and has not acknowledged the historical context in which forms of school privatization came about, though Pioneer celebrates the leading economists of the time. On Friedman's 96th birthday in 2008, Pioneer Executive Director Jim Stergios championed the concept of vouchers for its impact on education policy:

I think one of things that people don't think about often is how powerful [Friedman's] ideas have been in just the area of education...whether vouchers are making strong progress

across the United States, or not, they do set the tone. The tone is, if it's not working, we need to try something different. We need to bring competition to bear whether outside the system or within the system⁵².

Though the idea of “choice” and affinity for market solutions persist in conservative thinking, forms of school privatization and vouchers in particular continue to disproportionately impact communities of color. A 1965 court ruling eventually struck down voucher systems that support private segregated institutions, but recent studies show voucher systems still effectively cater mostly to White, suburban, middle-class students who have never attended public school. An NPR report in 2017 showed that in Indiana, voucher recipients are 60 percent White, a 24 percent increase since 2011, while just 12 percent of recipients are Black, down from 24 percent in 2011⁵³. Nationwide⁵⁴ as well as in Massachusetts⁵⁵, the fact that charter schools have higher proportions of students of color than public schools and that those students of color receive harsher discipline contributes to racial equity issues in schools. The issue is further compounded by the fact that private schools are overwhelmingly White nationwide⁵⁶. In order to create a more equitable school system, the need for “choice” must be interrogated to determine if vouchers indeed create more equitable and integrated educational opportunities for all kinds of students regardless of background or race.

CONCLUSION

When it comes to charter schools in Massachusetts, Pioneer Institute is a well-known advocate. Their research and quotes are regularly featured in *The Boston Globe*, NPR, and other nonpartisan or even left-leaning news outlets. Pioneer has successfully established itself as an approachable conservative voice that stays away from the most polarizing political issues, sticking instead to areas that have had appeal with Democrats and Republicans alike. Pioneer has strategically packaged their traditionally conservative policy positions in ways that appeal not just to conservatives, but to a wider audience that also cares about social issues such as racial justice. In the case of education reform, Pioneer has tried to draw connections between the Civil Rights Movement and charter schools for their alleged ability to deliver more equitable education. A more representative sampling of the same data Pioneer draws from reveals a privatized system that exacerbates the inequities already present in public schools. If Pioneer is lobbying the

public to support diverting their tax dollars to privately-run institutions like charter schools or private schools via vouchers, the public deserves a full evaluation of how these policies will affect their communities. Looking at test scores to determine student learning and teacher effectiveness is not enough. The types of learning environments created for students, how well schools are able to prevent dropouts, and the types of jobs charter schools are providing to communities of color and high-needs communities should be considered in conjunction with test assessments to understand the value of charter schools.

END NOTES

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Jessica Quiason, PRA Research Fellow, is a strategic researcher who feels empowered when she can use research to elucidate the details of systems of oppression in order to upend them.

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