

Montana Public  
Education Center  
MT-PEC  
Issue Spotlight

School Choice in Montana  
Well-Protected, Freely Exercised

January 16, 2015



## Privatization Is Not About Choice

Proponents of “school privatization” (legislation to provide tax benefits for expenses at private schools) have sought to increase public and legislative support for their efforts by invoking a term “choice” that is naturally appealing. And who can blame them for trying to associate their efforts with such a positive term? The right to exercise choice in our lives is something we all want.

The primary problem with the proponents’ arguments is truth in labeling. It is not choice that the proponents of privatization are after, as the right of a parent to choose among private, home school or public schools is safe and secure in existing law.

As the **Bozeman Daily Chronicle** has succinctly stated in its January 5, 2015 editorial:

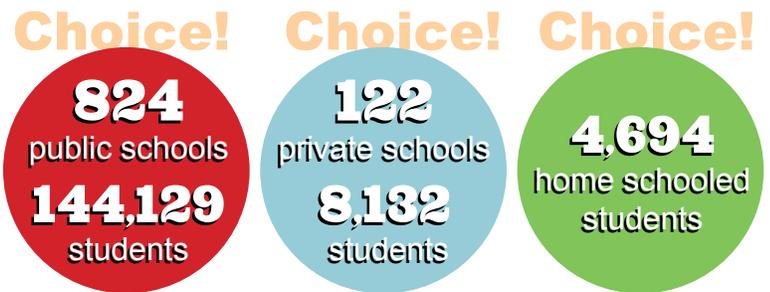
*“Proponents have co-opted the term “school choice” with all its benign implications and the suggestion that somehow we don’t have it right now. In fact, we are free to send our children to any school we want. In addition, Montana has very liberal home-schooling regulations, and many parents take advantage of that. What the debate is really about is reallocating public money for private education. And that’s something that will of necessity reduce the resources available to public schools, diminishing the quality of education in those schools and raising questions about equality in educational opportunities.”*

## Existing Laws Protecting Private School Choice

- 20-5-102 MCA provides an exemption from compulsory enrollment for a child enrolled in a nonpublic or home school.
- 20-5-109 MCA imposes minimal record keeping and education delivery obligations on private schools, including records on immunization, provision of minimum hours of instruction, location in a building that complies with health and safety regulations and provision of an organized course of instruction.

*This law also provides that homeschools can operate by notifying the county superintendent on an annual basis.*

- 20-5-111 MCA reserves to the parent of a home school child all authority over the course and methods of instruction.



## Montana Private and Public School Choice by the Numbers\*

- There are 824 public schools operating in virtually every community in Montana. These schools serve as centers of innovation and excellence for 144,129 children.
- There are approximately 122 private schools operating in Montana, over two-thirds of which are religiously affiliated. There are 8,132 students enrolled in such schools.
- There are another 4,694 children who are educated at home.

\* Facts about Montana Education, 2013-14, OPI

## Public School Choices Abound

The choice of public education, which is exercised by 92% of families in Montana, is the gateway to a range of additional choices within our public schools.

The right of parents to choose among public school offerings is as well established and available as the right to choose alternatives to the public schools and includes the right to choose the school district and school in most instances, usually with no tuition.

Once enrolled in the public school of choice, children and families have an abundance of additional choices to further customize each child’s learning, including but not limited to a wide variety of curriculum options for different career pathways, advanced placement courses, dual credit courses, part time enrollment, and availability of distance learning through the Montana Digital Academy.

# The Pact of Accountability Between Voters and Public Schools

When it comes to public schools, voters have numerous of assurances that their taxes are being accountably spent to benefit children, too numerous, in fact, to specify them all in the format of this issue spotlight. This “pact of accountability,” which is embedded in our Constitution and the laws passed by the Legislature, ensures that any school receiving public funds will:

1. Accept and provide a quality education to every resident child seeking enrollment while ensuring equality of educational opportunity for all;
2. Comply with the open meeting and public records laws and will solicit and incorporate public input into their decisions;
3. Be governed by locally-elected trustees who may be unelected if voters don't like what is happening in their public schools;
4. Provide accredited instruction through highly-qualified staff who must be licensed and endorsed pursuant to law;
5. Assess their performance using several standardized measures and widely report and otherwise make results of such assessment available to the public; and
6. Be nonsectarian and otherwise free from discrimination on account of sex, race, creed, religion, political beliefs or national origin.



## Proposing to Fund Untested Concepts to Replace Public Schools Proven to Produce Excellence and Efficiency

As well documented in the Great Work of Montana's Public Schools, Volume II, public schools in Montana provide top-10 performance at below average costs to Montana's taxpayers. By virtually every measure, our public schools are not only succeeding but are the envy of other states in the nation.

Using privatization as a mechanism for improving education, on the other hand, has been disproven and discredited many times, in research across the nation. From the documented proliferation of financial scandals in private “for profit” charter schools, to studies showing that privatization yields student achievement that is no better than or worse than public school student achievement, there is no credible research showing that privatization will benefit Montana's children. Given that private schools are not required to test or otherwise assess and report their performance to the public, that is not likely to change.

So why invest in the untested to replace what has been proven to work time and again in Montana, generation after generation?

## Seeking an Escape Clause From the Pact of Accountability

Proponents of school privatization are seeking an “escape clause” from the pact of accountability, to allow them to receive and spend tax benefits on education that is exempt from all of the accountability measures imposed on Montana's public schools over the years.

The proposals are usually advanced with a corresponding claim of pursuing “choice” and “competition” with no sense of irony regarding the fact that 1, choice already exists and 2, “competition” is hardly fair when you have “loaded the deck” by imposing a myriad of rules on public schools while providing a blanket exemption from the same rules for the private schools who would benefit from such proposals.

## Canned Ideas from Out of State Interests Don't Fit Montana's Circumstances

The lion's share of school privatization proposals advanced over the years have not been conceived in Montana. Most find their genesis in model legislation advanced by the American Legislative Exchange Council (ALEC), a partisan, corporate funded organization devoted to proposals that fit their goals and ideologies, not those of Montanans.

Before you buy the assertions of supporters of school privatization that their ideas are really their own, make sure to watch the PBS-produced exposé on the role of ALEC in privatization proposals advanced by Montana legislators in past legislative sessions.

Montana families are freely exercising school choice under current law without interference. Most (over 90%) Montana's families choose and trust Montana's public schools to serve their children effectively, efficiently, and transparently and our public schools earn that trust every day. Let's not jeopardize our success by experimenting with unproven proposals that drain resources away from the children educated in Montana's public schools.

**Public education works in Montana. Let's keep it that way!**

We are united by our **shared interests** in the **best interests** of students.



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