

TENNESSEE EDUCATION SAVINGS ACCOUNT: TIPPING THE SCALE
FROM EQUITY TO CHOICE

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TENNESSEE EDUCATION SAVINGS ACCOUNT

Introduction

Since the release of *Nation At Risk* in 1983, the United States has seen wave after wave of panicked political and public rhetoric surrounding our failing education system and the students failed by it. In these arguments, we have seen two different, but often converging, strands of focus - one surrounding the general decline of student achievement in the United States, and the other surrounding the achievement gap between both white students and students of color and affluent students and those in poverty. The way these crises are addressed greatly depends on the underlying notions of the goal of schooling and tied beliefs about the mechanisms that will produce this goal. In April of 2019, Tennessee passed the Education Savings Account Pilot Program (ESA) aimed at addressing these crises through educational vouchers, a school choice initiative.

In this paper, I will use the Policy Window Framework to analyze the problem frame and political context that led to the creation of ESA. Using the Policy Window Framework, we can see undercurrents of neoliberal beliefs, as well as attempts by policy makers and politician to frame the problem as one of inequity. However, when we utilize Levin's Comprehensive Educational Privatization Framework, we can see that the policy's design of regulation, finance, and support service components place equity as a tertiary target in favor of choice and then efficiency, further supporting the claim that the submerged neoliberal values are truly at the forefront of the policy. I will use three current voucher programs, in tandem with the Levin framework, as case studies to illuminate the potential outcomes of the Tennessee ESA program. Hoxby's (2003) research on school productivity in response to competition will further outline the potential outcomes of ESA. This paper will follow in three sections: an outline of the policy, an overview of the literature, and an analysis of the policy with a focus on uncovering potential policy assumptions and outcomes.

Tennessee Education Savings Account Pilot Program (ESA): An Outline of the Policy

The Tennessee Education Savings Account Pilot Program (ESA) narrowly passed after a tie-breaking vote in April of 2019. This law allows students in Nashville, Shelby County (Memphis), and those zoned into the state-run Achievement School District (ASD) who are at or below 200% of the federal poverty line to use government funds to attend an approved private school (Tennessee Education Savings Account Act Pilot Program [ESA] of 2019). For the first year of the program, students will receive an average of \$7,376.44 (Fiscal Review Committee, 2019). The following sections will briefly outline the specifics of student qualifications, funding, and regulations. Further policy specifics will be outlined and analyzed in the analysis section of this paper.

Student Qualifications: Students must meet several requirements to be deemed eligible for this program. Students must be in grades K-12 and have previously enrolled in and attended a Tennessee school for one full year before receiving an ESA or are newly eligible to attend a Tennessee School (ESA of 2019). Additionally, students must be zoned to attend either a school in the ASD or a district that has ten or more schools. The district must also have a history of failure according to accountability metrics between the years of 2015-2018 (ESA of 2019). These school characteristics thus limit the program to Nashville, Shelby County (Memphis), and the ASD. Interestingly, students do not need to be zoned directly into a failing school, but rather simply a school within the designated district, meaning that students could qualify for a voucher while attending a highly rated school. Finally, families must meet the aforementioned income requirements, restricting the voucher to students in poverty. Tennessee currently estimates that 161,778 students are eligible to receive ESA (Fiscal Review Committee, 2019).

TENNESEE EDUCATION SAVINGS ACCOUNT

Funding: Eligible students will receive debit cards that contain the voucher amount, which can then be used for tuition or other educational expenditures including homeschool tutoring, textbooks, transportation, exams, and uniforms, among other things (ESA of 2019). Parents, scholarships, or other income sources may contribute to the additional money required for the student's tuition or educational needs (ESA of 2019). The voucher amount is equal to the amount "representing the per-pupil state and local funds generated and required through the basic education program (BEP)" (State Board of Education, 2019, p. 8) for the home district. After the first three years of the program, per-pupil funding will be subtracted from the funding that the students home public school would have received from the state; prior to the 3-year mark, schools with students participating in ESA will receive school improvement grants equal to the ESA amount (ESA of 2019).

Regulations: The ESA program has an outline of expansion regarding the number of students being served. The first year the student cap sits at 5,000 with expansion by the fifth year to 15,000 students (Fiscal Review Committee, 2019). Participating private schools must apply and be approved by meeting several requirements including attendance requirements, background checks on employees, and testing policies (i.e. state TCAP assessments in math and ELA for grades 3-11) (State Board of Education, 2019; ESA of 2019). These tests will then be published, used to create a private school accountability grade, and measure the progress of students in the program. Inefficient progress can result in termination of a participating private school (State Board of Education, 2019; ESA of 2019).

Review of the Literature: Neoliberalism, Productivity, and Past Policies

To understand the argument posed in this paper, as well as to fully comprehend the climate that has led to the school choice movement - particularly vouchers - one must first deconstruct the idea of neoliberalism and its role in education. In general, neoliberalism refers to the belief that markets should be unregulated (Apple, 2006). As a result, the public sector is viewed as a "potential profit center and a market monopoly to be broken up" (Horsford, Scott, & Anderson, 2019, p. 26). Neoliberal ideas intrude into the education realm and surface in two ways: 1) individuals' beliefs about the goals of schooling and 2) individuals' beliefs about solutions to educational failure. Those with neoliberal beliefs view the primary goal of schooling as producing economic participants and competing in the global market with a focus on individualism, as opposed to humanistic goals of democratic participation, creating well-rounded individuals, and collective growth (Horsford et al., 2019; Apple, 2006). This further translates into proposed reforms. If we view education through a neoliberal lens, then the market-based reforms are logical. These reforms focus on increasing individual choice, breaking up the monopoly, and increasing productivity while decreasing regulation. Examples of these types of reform are school choice, school turn-around, mass firings, and teacher pay tied to test scores. The ESA voucher system falls under this category whereas it is a school choice initiative meant to raise productivity while decreasing state bureaucratic "overreach." There is a dangerous underlying assumption in using the neoliberal approach to schooling: in free markets, there is always a loser and a winner. This paper will further delve into who the potential losers and winners are under the ESA market-based reform.

One of the primary assumptions underpinning the neoliberal belief of school choice is that by breaking up the government monopoly on schooling and increasing competition, we can increase productivity. Hoxby (2003) proposes that school choice is "the tide that lifts all boats" (p. 288) because schools respond to competition by increasing productivity or, if they fail to respond, they are forced out of the market. Thus, school choice introduces new supposedly higher quality choice

TENNESSEE EDUCATION SAVINGS ACCOUNT

schools to the market, but also increases public school quality, either through direct school improvement or closure of poor quality public schools. In this model, productivity is measured by per pupil expenditure compared to achievement (Hoxby, 2003). Hoxby (2003) found statistically significant improvements in productivity and achievement in school choice models when two characteristics were met. The first was that schools felt competition as there was a realistic possibility that at least five percent of public enrollment could shift to choice schools (Hoxby, 2003). Second, public schools that students were shifting from had to lose money (Hoxby, 2003). It should be noted that Hoxby's (2003) study was framed entirely using the neoliberal beliefs of schooling. Hoxby (2003) focused on the effects of human capital and analyzed school choice as important "because it has broad implications for the macroeconomy for trade, and for America's jobs" (p. 293). This undercurrent notion is important in remembering that her study focused solely on productivity from an economic perspective (test-based achievement and dollars spent) without acknowledging equity or other measures of achievement.

Outlined above are the beliefs and foundational research underpinning school choice initiatives, but it is important to note that ESA is not the first school choice program of its kind. Currently, fourteen states and the District of Columbia enact active voucher plans (Types of School Choice). In this section, I will briefly outline 3 current programs: the District of Columbia Opportunity Scholarship Program (DC OSP), the Louisiana Scholarship Program (LSP), and Tennessee's Individualized Education Account Program (IEA). These programs will serve as case studies to predict potential outcomes of ESA. Overarching similarities between DC OSP, LSP, and ESA are family income requirements, testing policies, and limited private school regulation upon approval.

The DC OSP started in 2004 and provides a set voucher amount to students in grades K-12 who are at or below 185% of the poverty line to attend an approved private school (Congressional Research Service, 2019; Wolf, Gutmann, Puma, Rizzo, & Eissa, 2007). Similar to ESA, DC Public Schools receive supplementary funding to support improvement (Wolf et al., 2007). Two evaluations have been conducted on the DC OSP program so far. The first evaluation found that students who used a voucher had reduced access to support programs such as English Language Learner services, and reduced access to high quality facilities (Wolf et al., 2007). Yet this evaluation did find significant increases in graduation rates (Wolf et al., 2007). The second, and more recent evaluation, analyzed academic outcomes and found statistically significant negative impacts on math achievements (Dynarski, Rui, Webber, Gutmann, & Bachman, 2017). Specifically, the evaluation found decreases by 7.3 percentile points for students who had used the voucher (Dynarski et al., 2017).

Louisiana's program also serves students in K-12 who are at or below 250% of the poverty line and were zoned to attend a school that scored a "C" or below on the state accountability system (Abdulkadiroğlu, Pathak, & Walters, 2018). Students receive a flat voucher and approved schools may not charge greater than that voucher (Abdulkadiroğlu et al., 2018). Evaluations have shown statistically negative effects on math, as well as negative or neutral effects on reading (Abdulkadiroğlu et al., 2018; Mills & Wolf, 2017).

Finally, Tennessee's IEA provides scholarships to children with disabilities to attend a private school. There is no income restriction on this voucher, and parents may contribute additional funds (Tennessee Department of Education, 2019b). Currently, there are no outcome evaluations on IEA. Instead, this program will serve as a model case for Tennessee's dispersal of information and private school characteristics.

Policy Analysis and Prediction of Outcomes

To understand the potential outcomes of a policy, one must first uncover the underlying goals and beliefs that led to the creation of the policy. Using the Policy Window Framework, we can see the underlying neoliberal beliefs of choice and efficiency attempting to hide behind the ideas of equity (Saulz, Fusarelli, & McEachin, 2017). ESA resulted from the convergence of three policy streams: problem framing, political context, and policy proposal. Using this framework, we can see how the political climate served to frame the problem which then resulted in the proposed solution of ESA. When using this framework, typically policy analysts separate the three streams; however, in this context, the political realm served to directly frame the problem as political agents utilized this issue to address political agendas such as the election.

Tennessee has attempted to pass voucher policies almost every year, so why did this policy pass now? The first part of this answer is the political timing of the ESA proposal. The bill passed in the spring of 2019, an election year. This year saw massive turnover across political branches. Twenty-five out of ninety-nine House of Representative seats turned over as incumbents chose not to run, including three out of four House education panel leaders (Aldrich, 2018a). This means that 25% of the House were new political voices. The new Republican Governor, Bill Lee, ran on a platform of education, and greatly served to frame the way that the problem was presented. Running on an education platform likely created a sense of urgency to enact his campaign goals. Furthermore, Tennessee is traditionally a 'red' state, meaning that in the 2016 election, Tennessee voted for current President Donald Trump whose Secretary of Education, Betsy DeVos, previously served on the board of a pro-voucher organization and has been very vocal about her beliefs on school choice. Here we can see the potential political overlap between the Republican Governor and Republican federal policies and beliefs, as State politicians often remain loyal to federal politicians in their party. Thus, we start to uncover the political context leading to the policy window.

The political agents mentioned above greatly served to shape and define the problem that led to the ESA proposal. In the midst of campaign season, Governor Lee was responding to a study released by Vanderbilt University in June of 2018, which showed that the Achievement School District did not have statistically significant improvement in student test scores when compared to students in other schools (Pham, Henry, Zimmer & Kho, 2018). Thus, once again, the problem was failing schools with no improvement under current measures. When asked how he would increase school and student achievement, Governor Lee stated: "The goal here is to provide children in all systems that have these low-performing schools... an opportunity to access a higher-quality education, which will ultimately strengthen the public schools in those districts as well" (Aldrich, 2019). In this quote, we can see Lee's attempt to focus on the idea of equity by allowing students to leave failing schools. However, undertones of market reform, a neoliberal idea, are still present with implied mention of competition in his attempt to tie removing students from low performing schools to increase in public school performance. Additionally, Governor Lee ran on a platform of education but also shaped his image around the idea that he is a businessman, which is prominently displayed on his campaign webpage (*Bill Lee*). In an interview with *Chalkbeat* regarding education reform, Governor Lee focused attention on his "keen awareness of the serious achievement gaps in our system, which are leaving behind students in rural communities and inner cities" (Aldrich, 2018b). He also mentioned that he would focus on "proactively seek[ing] out waste" and that "the primary causes [of lack of improvement] have been reliance on big-government, top-down 'fixes' to education" (Aldrich, 2018b). Although the *problem* is framed as failing schools and inequity in regards to the achievement gap, Governor Lee still frames the *cause* of the problem in a neoliberal manner with his focus on bureaucracy and productivity, which all seems logical when one takes into

TENNESSEE EDUCATION SAVINGS ACCOUNT

account his business background - thus, the resulting market-based reform using ESA, a school voucher, is rational.

The above focuses on the microlevel framing of the problem; however, upon zooming out to the macrolevel federal political context, the policy window continues to open as federal and state problem definitions and political climates collide. Secretary of Education Betsy DeVos is well known for incendiary statements such as referring to public school as “a monopoly, a dead-end” and education as the “education industry” (Strauss, 2019). DeVos has framed the problem of education failure as a neoliberal one with her use of the terms “industry” and “monopoly.” Political agendas converged in April of 2019. Secretary DeVos had recently failed to pass an education budget that included a federal tax credit (voucher) and deep cuts to educational programming like special Olympics. This plan was directly vetoed by President Donald Trump, likely leading to significant embarrassment for DeVos (Aldrich, 2019). DeVos then came to Nashville to show support for Governor Lee’s proposed ESA plan. This show of support was likely an attempt to reposition her previous failure with a smaller scale voucher win; however, this visit to Nashville likely also gave the bill further authority in the Tennessee Congress and influenced its passage. With DeVos, we can see a stronger neoliberal focus (efficiency and choice) collide with Governor Lee’s mixed message of equity and market ideas, in convergent support to pass the bill. The political context served to frame the problem, and eventually led to its approved solution.

In March of 2019, Governor Lee announced his voucher plan, the final stream of the policy window- the policy proposal, during the State of the State speech. Lee’s (2019) announcement included the following explanation preceding his policy proposal:

Low-Income students deserve the same opportunities as other kids, and we need a bold plan that will help level the playing field. We need to change the status quo, increase competition, and not slow down until every student in Tennessee has access to a great education. (Line 189-192)

This policy proposal has an overlapping, equally present, focus on equity for low-income students and neoliberal market ideas of competition and choice. It appears that Governor Lee attempts to frame the problem as poor achievement for low-income students, a problem rooted in equity. However, the solution he poses is one rooted in neoliberal beliefs of competition and choice. If equity is the issue, neoliberalism cannot be the solution.

Using the Policy Window framework, we were able to uncover the goals, values, and political context that led to the creation of ESA. However, as discussed in the literature review, neoliberal ideas assume that education is a marketplace, and thus we must have both losers and winners. The Policy Window exposed these values and assumptions; we can now turn to Levin’s Comprehensive Education Privatization Framework to analyze the enacted policy to determine which values were prioritized (Levin, 2002). Levin’s framework looks at the balance and trade-offs between four voucher criteria: equity, freedom of choice, productive and competitive efficiency, and social cohesion. Governor Lee’s (2019) announcement attempted to balance equity and the neoliberal ideas of freedom of choice and efficiency. However, the Policy Window Framework uncovered consistent undercurrents of neoliberal ideas. Using the Levin Framework, we can uncover if the constructed policy balances these two concepts, like in Lee’s announcement, or if the neoliberal undercurrents are actually surface level of the created policy. If the former is the case, Levin’s framework will show an equal emphasis on equity, choice, and efficiency. If the latter is the case, and neoliberal values are emphasized, then we will see a prioritization of choice and efficiency. In the following section, I will analyze ESA categorically by the three design instruments used to emphasize the 4 criteria: finance, regulation, and support services. Integrated within this analysis, I will use the aforementioned case

TENNESSEE EDUCATION SAVINGS ACCOUNT

studies to predict the outcomes of these prioritizations. It should be noted that I have chosen the most impactful elements of the policy, as a full analysis is beyond the scope of this paper.

Finance: Two major components of finance design are incorporated into ESA, both with differing outcomes: 1) voucher amount and 2) school improvement grants. ESA provides students with an average voucher amount of \$7,376.44 in the first year, regardless of the family's proximity to the federal poverty line (Fiscal Review Committee, 2019). However, the average tuition amount of an elementary private school in Nashville, an affected district, is \$11,262 (Private School Review: Nashville) and \$11,253 in Memphis (Private School Review: Memphis), both above the ESA amount. This deemphasizes equity as students whose families are closer to the poverty line are less likely to be able to contribute additional money to the voucher, thus limiting participation. One could argue that other private schools will be available within the voucher range; however, when we analyze IEA data, Tennessee's other voucher program, we see that only 10% of approved private schools fall into the voucher range (See Figure 1). Furthermore, using DC OSP as an example of a scholarship program with similar family income requirements, only 14.2% of students attended schools that charged higher tuition than the voucher, even though 50% of schools fell into this category, indicating that families are likely prioritizing cost (Wolf et al., 2007). If Tennessee does not offer enough approved schools within the voucher range, we will likely see inequitable participation as students are excluded due to parental inability to fill the remaining price gap after the voucher, and likely an inequitable distribution of participating students who are closer to the 200% of the poverty line. The winners here become those that can afford to choose.

The second financial component of ESA is its inclusion of School Improvement Grants. For the first three years of the program, public schools that have participating students will maintain funding through these grants which must be used for improvement. We can look at the outcomes and prioritization of criteria in both the initial three years and post-grant years. This financial design is challenging to analyze as the intentions of this component are unclear. It could be assumed the intended focus of this component is equity through the attempt to provide equitable funding to public schools during the first three years. Efficiency and equity could also be assumed to be a goal because the funding is tagged to be used for public school improvement, thus increasing productivity in achievement, making public schools more competitive with the private schools and increasing equitable access to successful schools. Cynically, it could also be assumed that this funding component may have been created in an effort to garner support for the bill (prioritizing choice), as voucher programs have traditionally been accused of draining funding from public schools (Levin, 2002).

Regardless of the intentions, we can still analyze the potential outcomes both during the initial three years and the post-grant years. Hoxby (2003) shows that in order for schools to increase productivity they must feel competition by losing some funding. In the first three years of the program, we are unlikely to see improvement in public school productivity as no funding is being removed and therefore no competition is felt. Consequently, this element sacrifices some degree of competitive as well as productive efficiency until the post-grant years. Furthermore, the public schools are unlikely to see improvement using the additional funding because studies have shown that a reform must be in place for 5-7 years before the reform shows true effects (Boorman, Hewes, Overman, & Brown, 2003; Strunk, Marsh, Hashim, & Bush-Mecenas, 2016). Therefore, productive efficiency is further harmed as funding will have been removed before the reform has time to be effective. Equity is also secondarily harmed as failing public schools continue to fail, and so do the students in them. As a result of this financial component, the only criteria that was potentially emphasized is choice if we take the cynical perspective, as efficiency and equity suffer.

TENNESSEE EDUCATION SAVINGS ACCOUNT

Figure 1.1: Tennessee Individualized Education Account Program Analysis

School Name	Yearly Tuition: Elementary School	Yearly Tuition: High School	Voucher to Tuition Comparison- Does Voucher Cover full Tuition (Yes, No)	Difference in Price between Elementary school tuition and average voucher (\$7,005) (School Tuition – Voucher = Difference)	Difference in Price between High school tuition and average voucher (\$7,005) (School Tuition – Voucher = Difference)	Religious Affiliation (Yes, No)
Academy of Excellence	\$8,955 (Higher if not paid annually)	\$9,205	No	\$1,950	\$2,200	Yes
Chattanooga Christian Academy (2020-21 school year)	\$10,900	\$14,700	No	\$3,895	\$7,695	Yes
Benton Hall Academy	\$15,351	\$16,082	No	\$8,346	\$9,077	Yes
Gateway Academy (Green Hills)	Unknown	Unknown	Unknown	Unknown	Unknown	No
Gateway Academy (Brentwood)	Unknown	Unknown	Unknown	Unknown	Unknown	No
Grace Baptist Academy	\$8,725	\$11,250	No	\$1,720	\$4,245	Yes
Madonna Learning Center	\$13,400	\$13,450	No	\$6,395	\$6,445	Yes
PEER Academy	Unknown	Unknown	Unknown	Unknown	Unknown	No
St. Francis of Assisi Catholic School	\$10,500*	Not Offered	No	\$3,495	Not Offered	Yes
Sheltering Tree Ranch	Dependent on level of personalization	Dependent on level of personalization	Unknown	Unknown	Unknown	Yes
Silverdale Baptist Academy	\$9,130	\$11,425	No	\$2,125	\$4,420	Yes
Skyuka Hall	\$16,000	\$17,655	No	\$8,995	\$10,650	No
The Edison School	\$13,500	Not Offered	No	\$6,495	Not Offered	No
The King's Daughters' School	Dependent on level of personalization	Dependent on level of personalization	Unknown	Unknown	Unknown	Yes
University of Tennessee Early Learning Center of Research and Practice	\$5,840**	Not Offered	Yes	Covered -\$1,165	Not Offered	No
Average (Calculated by dividing the total of the column by the number of participating schools with information in that category)	\$11,230.10	\$13,395.29	90% No 10% Yes	\$4,224.90	\$6,390.29	40% No 60% Yes

Data Collection: To collect data, all schools on the IEA published list (Tennessee Department of Education, 2018) were search via google to collect tuition rate and religious affiliation. Tuition differences were calculated using published voucher average (Tennessee Department of Education, 2019a)

*Tuition varied depending on if child was a member of the church. To calculate the tuition cost, non-member and member tuition price was averaged.

**Tuition was set at a per month basis of 730. Yearly tuition was calculated by multiplying this monthly rate times 8 months to reflect average school year.

Regulation: The regulation design elements prioritize choice over equity. Upon first glance, this becomes clear as there are few regulations to begin with. The ESA law outlines, “Neither a participating school nor a provider is required to alter its creed, practices, admissions policies, or curriculum in order to accept participating students” (ESA of 2019, p.12). By including this in the law, the program greatly emphasizes choice as evidenced by a survey which indicated that one of the top deterrents for private schools to initiate the approval process was fear of threat to religious identity, fear of harm to integrity of admissions policies, and fear of pressures to adhere to a

TENNESSEE EDUCATION SAVINGS ACCOUNT

state curriculum (Mills & Wolf, 2017). Therefore, with this inclusion, ESA could see a larger number of schools willing to participate. This is particularly important considering the degree to which religious schools participate in these voucher programs. According to my analysis in Figure 1, 60% of participating private schools in Tennessee's IEA are religiously affiliated. Furthermore, 80% of DC OSP participants attended a religiously affiliated private school (Wolf et al., 2007). Choice is greatly emphasized here, and at a significant cost to equity. The phrasing in this law opens up the door to discrimination (Mead, 2019). If students chose a religious school they are subjected to that school's "creed." For example, if a school states that a child and their family must attend church every week, then the child is subjected to that rule or dismissal from the school is warranted by the law. Some may argue that it is the family's choice to attend that school; however, if students are already limited by voucher price range and school availability, this could be the only choice. Once again, students closer to the poverty line lose.

The next regulation component, testing policies, will transition into the support services component. ESA requires that participating schools test students in grades 3-11 in ELA and math using the state assessment (TCAP). Schools can be removed if "participating students [fail] to make academic progress" (State Board of Education, 2019, p.14). This policy clearly emphasizes choice over both equity and productive efficiency. Although some degree of social cohesion is present as a school must have math and ELA in common, there is a massive gap in testing and accountability measures impacting the other two criteria. This emphasizes choice as private schools in recent studies have reported that testing requirements were a reason that they did not apply to be approved (Mills & Wolf, 2017). Furthermore, Tennessee requires that students take ELA, math, science, and social studies assessments. If students are not being tested in the same manner as public schools, how can a clear picture of students "academic progress" be calculated? This further harms both Hoxby's (2003) hypothesis of productive efficiency as well as the stated goal of equity because without consistent assessment metrics to analyze private school effect on student outcomes, students using ESA could reasonably be in failing private schools. LSP data showed that after the first year 45% of students were in private schools with D or F ratings, and accountability policies similar to ESA's aimed at removing low-quality schools showed little effects on school participation (Dreilinger, 2013). As such, the policy is hiding private school failure and shifting public school students to private, but still failing, schools.

Support Services: ESA's testing policy also serves as a support service as the information is translated into a private school accountability score and student test scores are made publicly available. As a result of the inconsistency in testing and accountability metrics, this policy continues to harm equity while attempting to increase competitive efficiency. By posting students' scores online and using them to calculate a school grade, the policy attempts to emphasize competitive efficiency by providing a comparison to other private school and public school scores. However, this potentially creates inequity as information is manipulated. Schools may feel the pressure to game scores to maintain voucher students by focusing on instruction for particular students or subjects, similar to the educational triage methods that are used in public schools to increase test scores (Booher-Jennings, 2005). Additionally, these scores remain public so the pressure to game may be amplified if schools feel that potential non-voucher families are using the scores to make decisions about schools. Furthermore, inequity is seen as public schools are held to different standards than private schools, as indicated by differing metrics making up their accountability grade. Private school accountability grades will be created using TCAP scores and potentially graduation rates, whereas public school scores are calculated using six different measures (Metro Nashville Public Schools Report Card) This is likely to incentivize private schools to participate, thus emphasizing choice.

ESA also set out a regulation that the state must publish online a list of all participating schools, grades taught, and "any other information that the department determines may assist parents in selecting a school" (State Board of Education, 2019). This is set up to increase productive

TENNESSEE EDUCATION SAVINGS ACCOUNT

efficiency by aiding parents to make informed choices. Tennessee has a similar listing posted for their IEA. This list contains school name, if it has an inclusive setting, grades served, street address, city, phone number, and date of approval (Tennessee Department of Education, 2018); however, nowhere does it include religious affiliation or tuition cost. Although the goal of creating a list was to foster efficiency and equitable access of information, if the ESA list mirrors the IEA list, equity will once again be deemphasized as key information is only available to those with the time, resources, and the know-how to conduct research on their own. Furthermore, the design of this page indicates the lack of priority of these two equity-related categories (religious affiliation and cost); by not posting them, the state is deemphasizing their importance. This shows that equity may not even be the goal of this process.

Summary: The Levin framework has uncovered that the finalized ESA policy prioritizes choice and efficiency, often at the cost of equity. There are also some areas where productive or competitive efficiency are deemphasized for the sake of choice. Social cohesion was not seen to be emphasized in this law.

Conclusion

Applying the Policy Window Framework to ESA uncovered strong undercurrents of neoliberal beliefs, but politicians attempted to place equity as the primary target of the reform. Using the framework, it becomes evident that the political climate and problem frame used by politicians created a rising tide of neoliberal ideas which then only logically resulted in a market-based reform: the ESA voucher. The policy was presented by the Governor as an issue of inequity to be solved by market-reforms, thus a policy that balanced neoliberal ideas of choice and efficiency with equity should have been the result. However, using Levin's Framework, equity was a tertiary target often harmed by the law's emphasis on choice with some focus on efficiency. Hoxby (2003) claimed that school choice is the "tide that lifts all boats" (p. 288), and using the Policy Window Framework we were able to see the rising undercurrents of neoliberal ideas with surface-level waves of equity. However, using the Levin Framework to analyze the enacted policy, the true tide is rising neoliberal ideas of choice and efficacy. Using case studies, we can see that most boats will sink under this rising tide.

We can and should learn from past failures and experiences. Given the evidence from DC OSP, LSP, and the IEA programs, we can predict that there are likely significant negative outcomes which will result from Tennessee's ESA program. At the bare minimum, we can hypothesize that ESA will have little impact on achievement as neither DC OSP nor LSP improved achievement. One of the goals of Levin's framework is to move past just the focus on achievement, and thus I was able to predict other outcomes as well which are interwoven into my analysis. Although results from the ESA program will not be available for several years, the future does not look promising, and we will likely see the rising tide tip our students' and schools' boats.

TENNESSEE EDUCATION SAVINGS ACCOUNT

References

- Abdulkadiroğlu, A., Pathak, P. A., & Walters, C. R. (2018). Free to choose: Can school choice reduce student achievement? *American Economic Journal.Applied Economics*, 10(1), 175-206. doi:<http://dx.doi.org.proxy.library.vanderbilt.edu/10.1257/app.20160634>
- Aldrich, M. (2018a, October 18). It's not just the governor's race. Here's what Tennessee's big legislative turnover could mean for education. Retrieved from <https://chalkbeat.org/posts/tn/2018/10/18/its-not-just-the-governors-race-heres-what-tennessees-big-legislative-turnover-could-mean-for-education/>.
- Aldrich, M. (2018b, November 7). Here's what Tennessee's next governor says about K-12 education. Retrieved from <https://www.chalkbeat.org/posts/tn/2018/11/06/hold-heres-what-bill-lee-says-about-k-12-education/>.
- Aldrich, M. (2019, April 2). Betsy DeVos joins Tennessee governor in full-court press for expanded school choice. Retrieved from <https://chalkbeat.org/posts/tn/2019/04/01/betsy-devos-joins-tennessee-governor-in-full-court-press-for-expanded-school-choice/>.
- Apple, M.W. (2006). Understanding and interrupting neoliberalism and neoconservatism in education. *Pedagogies*, 1(1), 21-26.
- Bill Lee. (n.d.). Retrieved from <https://www.billlee.com/about/>.
- Borman, G. D., Hewes, G. M., Overman, L. T., Brown, S. (2003). Comprehensive School Reform and Achievement: A Meta-Analysis. *Review of Educational Research* 73: 125-230.
- Booher-Jennings, J. (2005). Below the bubble: “Educational Triage” and the Texas Accountability System. *American Educational Research Journal* 42, 2, 231-268.
- Congressional Research Service. (2019, March). District of Columbia Opportunity Scholarship Program (DC OSP): Overview, Implementation, and Issues . Retrieved from <https://fas.org/sgp/crs/misc/R45581.pdf>.
- Dreilinger, D. (2013, November). Half of Louisiana’s Voucher Students at D or F Schools in Program's First Year, Data Shows. Retrieved from https://www.nola.com/news/education/article_4de31720-5901-5315-999c-8608c2248574.html.
- Dynarski, M., Rui, N., Webber, A., Gutmann, B., & Bachman, M. (2017). Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year. Retrieved from <https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf>.
- Fiscal Review Committee . (2019, April). Fiscal Memorandum. Retrieved from <http://www.capitol.tn.gov/Bills/111/Fiscal/FM1437.pdf>.
- Horsford, Sonya Douglass, Scott, Janelle T., & Anderson, Gary (2019). Chapter 2: Critical Policy Analysis: Interrogating Process, Politics, and Power. *The Politics of Education Policy in an Era of Inequality*. Routledge: New York. (pp. 21-48).
- Hoxby, C. M. (2003). School Choice and School Productivity. *The Economics of School Choice*, 287–342. doi: 10.7208/chicago/9780226355344.003.0009

TENNESSEE EDUCATION SAVINGS ACCOUNT

- Lee, B. (2019, March). *State of the State Address. State of the State Address*. Retrieved from <https://www.tn.gov/governor/sots/state-of-the-state-2019-address.html>
- Levin, Henry M. (2002). A comprehensive framework for evaluating educational vouchers. *Educational Evaluation and Policy Analysis* 24(3): 159-174.
- Mead, J. F. (2019, September). *School Vouchers and Student Rights: Constitutional Protections for Contractual Obligations*.
- Metro Nashville Public Schools Report Card. (n.d.). Retrieved from <https://reportcard.tnk12.gov/districts/190/page/DistrictOverall>.
- Mills, J. N., & Wolf, P. J. (2017, July). The Effects of the Louisiana Scholarship Program on Student Achievement After Three Years. Retrieved from <http://www.uaedreform.org/downloads/2017/06/the-effects-of-the-louisiana-scholarship-program-on-student-achievement-after-three-years.pdf>.
- Pham, L., Henry, G. T., Zimmer, R., & Kho, A. (2018). *An Extended Evaluation of Tennessee's Achievement School District and Local Innovation Zones. An Extended Evaluation of Tennessee's Achievement School District and Local Innovation Zones*. TN Education Research Alliance.
- Private School Review: Nashville. (n.d.). Top Nashville Private Schools. Retrieved from <https://www.privateschoolreview.com/tennessee/nashville>.
- Private School Review: Memphis. (n.d.). Top Memphis Private Schools. Retrieved from <https://www.privateschoolreview.com/tennessee/memphis>.
- Saultz, A., Fusarelli, L.D. & McEachin, A. (2017). The Every Student Succeeds Act, the Decline of the Federal Role in Education Policy, and the Curbing of Executive Authority. *Publius: The Journal of Federalism* 47(3): 426-444.
- State Board of Education (2019, August). Rules of State Board of Education Chapter 0520-01-16. Retrieved from https://publications.tnsosfiles.com/rules_filings/08-11-19.pdf.
- Strauss, V. (2019, April 18). To Trump's education pick, the U.S. public school system is a 'dead end'. Retrieved from <https://www.washingtonpost.com/news/answer-sheet/wp/2016/12/21/to-trumps-education-pick-the-u-s-public-school-system-is-a-dead-end/>.
- Strunk, K.O., Marsh, J.A., Hashim, A.K., & Bush-Mecenas, S. (2016). Innovation and a return to the status quo: A mixed-methods study of school reconstitution. *Educational Evaluation and Policy Analysis* 38(3): 549-577.
- Tennessee Department of Education. IEA Program 2018-2019 Participating Schools, IEA Program 2018-2019 Participating Schools (2018). Retrieved from https://www.tn.gov/content/dam/tn/education/iea/iea_per_pupil_funding_2019-20_parents.pdf
- Tennessee Department of Education. Per Pupil Funding Amounts for the Individualized Education Account , Per Pupil Funding Amounts for the Individualized Education Account (2019a). Retrieved from https://www.tn.gov/content/dam/tn/education/iea/iea_per_pupil_funding_2019-20_parents.pdf
- Tennessee Department of Education. Student Eligibility for the IEA Program, Student Eligibility

TENNESSEE EDUCATION SAVINGS ACCOUNT

for the IEA Program (2019b). Retrieved from

https://www.tn.gov/content/dam/tn/education/iea/Student_Eligibility_Enrolling.pdf

Tennessee Education Savings Account Act Pilot Program, Tennessee Code Annotated 49-6,
Public Chapter No. 506 (2019)

Types of School Choice. (n.d.). Retrieved from <https://www.edchoice.org/school-choice/types-of-school-choice/>.

Wolf, P. (2019). WHAT HAPPENED IN THE BAYOU? Examining the Effects of the Louisiana
Scholarship Program.(feature). In *Education Next* (Vol. 19). Hoover Institution Press.

Wolf, P. J., B. Gutmann, M. Puma, L. Rizzo, and N. Eissa (2007): “Evaluation of the DC
opportunity scholarship program: impacts after one year,” National Center for Education Evaluation,
Institute for Education Sciences Report 2007-4009