

TO: Kansas House K-12 Education Budget Committee
FROM: Gerard Robinson, Former President of the Black Alliance for Educational Options
- **Virtual Testimony - PROPONENT**
SUBJECT: Education Savings Account Bill / HB 2218
DATE: February 2, 2023

My name is Gerard Robinson. I speak today as a supporter of parental choice programs for families, students, educators, and communities. What I share in writing, and by virtual testimony, are my thoughts alone and in no way represent any organization for which I have an affiliation.

My support for parental choice initiatives dates to 1992 when I worked with local families and educators to place a choice initiative on a California ballot. Although the voters soundly defeated the ballot measure in 1993, my determination to promote the idea that parental choice in the public, private, and hybrid sectors should be supported by lawmakers continues.

Since 1992, I have promoted parental choice in three ways. In the advocacy space, I am the former President of the Black Alliance for Educational Options, which was a Washington, D.C.-based nonprofit organization that supported policies and programs to increase access to high-quality educational options that empower low-income and working-class black families. In the policy space, as a Virginia Secretary of Education I worked with Governor Bob McDonnell and a bipartisan coalition to enact laws and programs to support the education of students. In the research space, I have published several articles about parental choice programs, including “A Survey of Parental Rights and Responsibilities in School Choice Laws” in 2016, and in 2017 I co-edited a book titled *Education Savings Accounts: The New Frontier in School Choice*.

Regarding Kansas, I have spoken in-person with residents and lawmakers about existing parental choice and accountability programs in states such as Florida, so this is not my first time weighing into this conversation in your state.

With the introduction of parental choice legislation by governors and legislators across the nation comes worthwhile questions about the merit of a proposed program. Will a private school choice program defund public schools? Will a school crème-skim the best students? How can poor and low-income students pay for private education? Isn't parental choice just a warmed-over slice of pie from the era of racial segregation?

The last question is the one I want to address. That claim was used to undercut a proposed parental choice program in California in 1992. The same claim was used to try to undercut an existing parental choice program in Virginia in 2022, for which I addressed in a July 18, 2022, op-ed.ⁱ A similar claim is occurring inside and outside of state legislatures in 2023.

I will use a theme from my 2022 op-ed to address the claim about parental choice.

The post-WWII parental choice movement in the United States movement falls into two ideological camps.

The first is a “fear-based” choice ideology that followed the 1954 and 1955 U.S. Supreme Court decisions in *Brown v. Board of Education*. During that era of massive resistance, governors and legislators enacted laws to close public school districts, fire black educators, and create white-only

academies with public funds. Thanks to the work of forward-thinking lawyers, legislators, and judges, that “fear-based” choice ideology did not become the law of the land.

The second is a “freedom-based” choice ideology that began in practice with the creation of the Milwaukee Parental Choice Program in 1990. From that point forward, governors, judges, and legislators – white, black, Hispanic, and others – have supported legislation to open more public, private, and hybrid school opportunities to more families, to provide educators with new opportunities to practice their craft, and to create innovative learning environments for students of all races.

Nevertheless, opponents have for decades tried to shut down existing parental choice programs – or stop the creation of new ones – through various political and legal tactics. Why? Because they say the modern choice model is racist. But that approach has largely failed. We have more parental choice models today than we did in 1990, and supporters for them are more racially and politically diverse than the Jim Crow coalitions of the 1950s and 1960s.

Why?

For starters, states have laws and enforcement mechanisms to address issues that were nonexistent during the “fear-based” choice era. Second, black school children, families, and teachers are beneficiaries of parental choice programs today, unlike during the era of massive resistance. Third, no state legislature has shut down the operation of a public school district to make room for a private-school-only model of teaching and learning. Fourth, some parental choice schools offer an integrated student body not found in a neighborhood public school.

In closing, parental choice programs enacted since the 1990s have not produced a racial Armageddon some proponents said it will. With that stated, I do not claim all parental choice programs are perfect. They are not. Choice programs have challenges. One challenge we should avoid upfront is to claim our parental choice goals in 2023 are no different than our parental choice goals in 1953.

We’ve come a long way since then, right?

ⁱ <https://www.washingtonexaminer.com/restoring-america/community-family/virginias-scholarship-tax-credits-are-an-educational-beacon-of-hope>