



REVIEW OF *REPORT CARD ON AMERICAN EDUCATION*

Reviewed By

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Summary of Review

The 18th edition of the American Legislative Exchange Council's (ALEC) *Report Card on American Education: Ranking State K-12 Performance, Progress, and Reform* draws on ratings from market-oriented advocacy groups to grade states in areas such as support for charter schools, availability of vouchers, and permissiveness for homeschooling. The authors contend that these grades are based on "high quality" research demonstrating that the policies for which they award high grades will improve education for all students. This review finds that, contrary to these claims, ALEC's grades draw selectively from these advocacy groups to make claims that are not supported in the wider, peer-reviewed literature. In fact, the research ALEC highlights is quite shoddy and is unsuitable for supporting its recommendations. The authors' claims of "a growing body of research" lacks citations; their grading system contradicts the testing data that they report; and their data on alternative teacher research is simply wrong. Overall, ALEC's Report Card is grounded less in research than in ideological tenets, as reflected in the high grades it assigns to states with unproven and even disproven market-based policies. The report's purpose appears to be more about shifting control of education to private interests than in improving education.

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REVIEW OF *REPORT CARD ON AMERICAN EDUCATION: RANKING STATE K-12 PERFORMANCE, PROGRESS, AND REFORM*

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I. Introduction

As one of a number of issues on its agenda, the American Legislative Exchange Council (ALEC) has produced book-length reports evaluating the state of American education. In this 18th edition,¹ the authors, Matthew Ladner and Dave Myslinski, rank states on a handful of education policies around ALEC's agenda of "free-market enterprise, limited government, and federalism."² Ranking states has become quite popular, as it garners considerable national and local media interest, with the goal of advancing a policy agenda based on the selected ranking criteria.³

Ladner has been with a "who's who" of market-oriented education advocacy groups, including the Foundation for Excellence in Education, the Goldwater Institute, and the Alliance for School Choice. Myslinski works for Digital Learning Now!, an advocacy organization led by figures known for pushing private sector solutions for public schools. Together, Ladner and Myslinski spend considerable space presenting evidence to show that American schools are in crisis, and then indicate that there is research to show that the policies on which they award high grades to states will improve education for all students.

Yet our review of this report indicates that it is based more on an explicit ideological agenda than on compelling evidence on the effectiveness of these policies. The report draws selectively from research literature to make claims about these policies, which are not supported by a reading of the wider literature. Moreover, much of the research they highlight is quite inferior and unsuitable for supporting the claims made. In fact, some of the evidence in the report actually contradicts the authors' assertions that their preferred policies are more effective.

II. Findings and Conclusions of the Report

ALEC suggests that the American education system is failing in areas such as equitable outcomes, cost efficiencies, and academic performance relative to other nations. The report concludes: “U.S. public education, in short, is a high-spending and underachieving mess” (p. 98). Then, instead of considering curricular or pedagogical solutions, the authors introduce a number of what are largely structural issues—teacher compensation, choice schemes, online delivery, etc.—on which they believe policymakers should focus. They then apply a grading system assessing states on their policies in these areas.

The grades paint a grim picture of American education. No state received better than B+ for the overall “education policy grade.” The area where states score the worst, according to the report, is in the area of teacher quality, with 27 states in the D range on that general issue, while 30 states were in the D range or below for “delivering well prepared teachers.”

III. The Report’s Rationale for Its Findings and Conclusions

ALEC is known for bringing together corporate representatives and state lawmakers to produce model legislation around issues including deregulation, fiscal constraint, tort reform, and privatization.⁴ The authors of this report tend to see government and unions as major causes of problems in American education and are favorably predisposed toward market-oriented solutions. Thus, less government is its own objective around homeschooling, for instance, where ALEC—following the Home School Legal Defense Association—awards higher grades based on the absence or limitation of state “burdens” placed on homeschoolers, rather than on the effectiveness of homeschooling.

IV. The Report’s Use of Research Literature

These ratings borrow explicitly from conservative advocacy organizations active on education issues. For instance, ALEC uses the Fordham Institute’s measures of academic standards; the Center for Education Reform’s (CER) grades of state charter school laws; the Friedman Foundation and the Alliance for School Choice’s information on voucher policies, etc. These groups typically rate states on how well they match their preferred policies. ALEC then incorporates these measures into its own ratings.

The question is, then, the extent to which such ratings align with research findings on effective policies. ALEC indicates that this approach is intended to “reflect how each state is striving to provide high-quality education options to every student” (p. 36). So, are such efforts based in research on “high-quality education options?” ALEC contends, “a number of high-quality academic studies strongly buttressed the case for these crucial reforms” (p. 2).

The organizations from which ALEC draws its grades are not research organizations. Furthermore, when studies are highlighted in this report, they do not represent the peer-reviewed research on a given issue, are often of extremely poor quality, and generally

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unsuited for supporting their claims. Whether the topic is homeschooling, standardized tests, alternative preparation for teachers, school choice, private schools, online learning, costs per student, or international comparisons, the chasm between ALEC's agenda-based claims and the empirical evidence is great.⁵ We select two typical examples—focusing on alternative preparation and school choice—to illustrate the patterns evident throughout their report.

Alternative Teacher Preparation

ALEC promotes policies that open alternative avenues into teaching. Yet even the research ALEC presents shows that achievement gains are generally similar whether the teacher was traditionally or alternatively certified, even though alternative certification programs generally attract higher scoring teacher candidates (p. 6). In doing so, ALEC cites only one, unpublished, paper (providing a dead link) to highlight the finding that a smaller but selective program provided higher value-added effects, claiming this has broader “implications for alternative certification” (p. 6).

Moreover, drawing on that paper, ALEC offers an inaccurate or manipulated representation of the original data by cherry-picking evidence, and making apple-to-oranges comparisons favorable to its position. ALEC presents what it claims to be the proportion of teachers from different certification programs “passing state general knowledge *reading* certification exam on first attempt” (p. 6, our emphasis). Yet ALEC actually reports reading results (which tend to be higher) only for the alternative programs ALEC favors. Closer inspection shows that what it presents for traditionally certified teachers are *mathematics* results—which have a lower pass rate across all certification programs. Additionally, ALEC neglects to inform readers that this report also found alternatively trained teachers from another such program “generally perform worse than traditionally prepared teachers”—a deficit that is statistically significant.⁶ Finally, ALEC glosses over the skewed sample sizes for alternatively certified teachers (n=55, 96, 206, and 1,473) when compared to graduates from traditional credentialing programs (n=17,392), suggesting an attempt to stretch the conclusion of the selected few to the many.

While a selective presentation of research is typical throughout their report, ALEC claims to focus on the most rigorous research. However, ALEC ignores multiple peer-reviewed studies⁷ and presents instead an *Education Next* report⁸ that inappropriately makes an

unsupportable causal claim based on correlation that “genuine alternative certification” leads to higher test scores (p. 7).

School Choice

ALEC claims to provide “high-quality random-assignment research” (p. 7) which favors school choice. (No such empirical standard is claimed for its other issues, such as homeschooling). The report champions certain studies produced by voucher and charter school advocates, even though those reports have repeatedly been tempered by other scholars, often in peer-reviewed journals.⁹ Even when studied by scholars who are funded by pro-voucher foundations, for instance, the programs have shown insignificant to modest academic gains, at best, and only for some students.¹⁰ (ALEC does not list the studies purportedly demonstrating voucher effectiveness, but instead refers—with another dead link—to the pro market model Friedman Foundation’s claims.¹¹) Other researchers challenge these findings and their generalizability, and point to the structural limitations of random-assignment studies for this type of research.¹² On a broader scale, findings on charter schools have been decidedly mixed. Larger national studies often show such schools to be more likely to perform at a level beneath that of demographically comparable public schools.¹³ Nonetheless, ALEC ignores these larger and more rigorous studies. Instead, ALEC chose four smaller-scale studies—including one based on 3 schools—to claim that charter schools get better results.

But questions about whether or not schools of choice are “better” are often confounded by the question of whether or not they are attracting “better” students. ALEC indicates that “*A growing body of empirical work... disproves the notion... that charter schools look better on paper than they actually are because they ‘skim the cream’ in selecting highly motivated students*” (p. 11, our italics). Yet ALEC cites no studies from this “growing body of empirical work” and ignores the growing consensus in the peer-reviewed research literature that charter schools serve as vehicles, if not engines, for sorting of students by race, class and ability.¹⁴ Still, ALEC argues that randomized studies compare students of similar or equal demographic characteristics. The report refers to practices in medical research, where this “design represents the gold standard of social science research. The Food and Drug Administration mandates random assignment in evaluating the efficacy of new drugs because it is the most powerful research method available” (p. 11). Yet ALEC ignores the limitations of randomization when applied to education. For instance, parents and students who participate in charter school lotteries represent a self-selected population that is motivated enough to make a choice. Then, there exists no placebo control to offer some certainty that results reflect treatments and not students’ responses to being included (or not) in a study.¹⁵

The authors again vaguely appeal to “A growing body of research indicat(ing) that students would benefit substantially from stronger charter school laws” (p. 10). In claiming this “growing body of research,” ALEC references only a one-page list produced by choice advocates at the George W. Bush Institute listing 61 “top performing school districts” based on math achievement. ALEC then claims that “one-third of the nation’s top 30

school districts ranked by mathematics scores were charter schools.” Yet the list includes 61 entries, not 30, and the proportion of charter schools on the complete list is substantially less. But more importantly, such “research” tells us nothing about the

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effectiveness of these organizations. Nonetheless, the authors use such “evidence” to suggest that states remove the cap on charter schools and expand authorizing power “to stimulate improvement of America’s charter school laws.” No evidence is provided that this would lead to improvement. Indeed, some of the states getting high grades from ALEC for their charter laws have poorly performing charter school sectors. The authors praise Governor Jindal’s choice agenda in Louisiana, for instance, giving the state’s charter schools a “B” grade, even though the state itself gives charter schools in the reform crown jewel of the Recovery School District a D average.¹⁶ Similarly, Ohio is graded “B” on its charter schools, while 72% of the state’s charters are projected to earn an F under the state’s grading system.¹⁷

V. Review of the Report’s Methods

The report employs no research methods of its own. Its contribution is limited to the formation of a state grading system. These ratings, though, are problematic in their application to the real world of outcomes. For example, ALEC rates Oklahoma higher than Wyoming (B+ and C, respectively) despite the fact that Wyoming has the lowest NAEP gap between poor and non-poor students, has more students scoring proficient or higher, and is first in funding level fairness—while Oklahoma is 49th.¹⁸ Thus, Wyoming is more egalitarian while producing better results, yet ALEC ranks Oklahoma higher due to fewer restrictions on homeschoolers and charter schools. Additionally, ALEC rates DC higher than Hawaii and Kentucky despite those states having a lower Black/White achievement gap and more students scoring proficient or higher on NAEP. DC gets the higher rating because it has a more open charter policy. Thus, ALEC’s rating system places a premium on a state’s alignment with ALEC’s ideology rather than on evidence of academic outcomes.

VI. Review of the Validity of the Findings and Conclusions

Since ALEC rates a state’s “success” by its alignment with ALEC’s agenda rather than any measure of educational quality, the validity of ALEC’s report is questionable. Moreover, ALEC’s selective use of often poor quality, cherry-picked research warrants criticism of the report’s integrity. In short, the report is a collection of pro-market think tanks’ assessment

of the extent to which states have embraced ideological policies that are supported by ALEC itself.

VII. Usefulness of the Report for Guidance of Policy and Practice

ALEC's report is best understood as evidence of the organization's ideological desire to promote market-based policies. It does not provide evidence supporting the wisdom of such policies. The report begins by asserting that American education is in crisis and continues to provide hyperbolic claims throughout. This is not surprising given ALEC's overt mission and history of such practices.¹⁹ Accordingly, ALEC provides myopic insights into the realities of American education. At best, the report serves as an amalgamation of other like-minded think tanks' assessments of states' adoption of pro-market policies, and thus offers nothing new. Thus, it provides little or no usefulness to policymakers.

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