

# Universal Preschool

## Lawmakers Should Approach with Caution

BY COLLEEN HRONCICH

### EXECUTIVE SUMMARY

Children are not widgets. What works well for one may not work for another. That is why education is not a one-size-fits-all endeavor. When looking at preschool or K–12 education, having a diversity of options is essential.

Yet there continue to be calls for the federal government to pass a universal preschool program like the one in President Biden’s Build Back Better Act. This is clearly unconstitutional: the U.S. Constitution grants no authority over education to the federal government. But, perhaps just as important, a universal preschool program would be harmful policy.

Currently, parents enjoy a wide variety of preschool options.

Unfortunately, the mandates and regulations that would accompany a federal universal program would likely put many providers out of business. Smaller providers would be particularly hard-hit. The most likely to survive would be one of the less popular options: secular, center-based preschools. Furthermore, there is strong evidence that universal programs are less helpful for disadvantaged children than targeted programs, while the research is mixed as to the benefits of preschool programs of all sizes.

All things considered, implementing universal preschool, with the goal of helping lower-income families, would likely be counterproductive.



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## INTRODUCTION

Universal preschool was a centerpiece of President Biden’s Build Back Better Act, which seemingly collapsed in December 2021 when Sen. Joe Manchin (D-WV) announced that he could not support the legislation.<sup>1</sup> The universal preschool provision would have directly funded both public and private preschool programs that met a long list of requirements. In January 2022, Treasury Secretary Janet Yellen said that universal preschool was at the “core” of Biden’s agenda, so it is likely to be resuscitated on its own or as part of another package.

The U.S. Constitution gives the federal government no authority over education.<sup>2</sup> Despite this, federal universal preschool plans remain politically popular. Supporters point to various studies on the importance of early childhood education and tout the supposed effectiveness of many programs. The reality, however, is that the research on early childhood programs is limited and mixed, and no studies have examined initiatives comparable to a universal program heavily regulated by the federal government.

**“Many proposed preschool standards are designed around institutional schooling and therefore reflect a bias toward that model.”**

French economist Frédéric Bastiat famously pointed out the difference between the “seen” and the “not seen.”<sup>3</sup> Politicians typically support policies based on the seen benefits: someone gets money, services, and so on. They often fail to consider the “not seen” harms that policies create, such as rationing of services suddenly in high demand because of government subsidies or forgone investments in new businesses because of revenue lost to taxation. It is crucial that lawmakers consider the harms—the “not seen” effects—that would stem from adopting a federal program such as universal preschool.

## WHAT DOES RESEARCH SAY ABOUT PRESCHOOL PROGRAMS GENERALLY?

The research on early childhood education programs is incomplete at best and does not support a universal federal

program. This is largely because little research on programs of such scale exists. But there is evidence that many families simply do not need such government programs; they do a good job of providing what children need themselves. Plus, numerous studies show the difficulty of mandating quality in large-scale programs.

## What Is “High-Quality” Preschool?

Supporters of universal preschool—indeed, any preschool program—emphasize the need for “high-quality” programs when touting the potential for success. But, like K–12 education, there is no uniform definition of “high quality” that can be used to evaluate programs. Many proposed preschool standards are designed around institutional schooling and therefore reflect a bias toward that model. For example, the National Institute for Early Education Research’s standards say that such a program should be at least a full school day, which is more than many parents want from preschool. The standards also use criteria such as “appropriate learning standards,” “effective curriculum,” and “high quality teaching”—things that sound good but do not have a clear definition that applies to every child.<sup>4</sup>

Surveys show that parents are not clamoring to replicate K–12-style education in preschool. In December 2020, only 31 percent of parents were using center-based care similar to K–12 schooling, which includes full- and part-time preschool and childcare.<sup>5</sup> A universal program that defines “high quality” as a full-time, institutional model would not meet the needs of many families.

## Previous Studies

In January 2022, researchers from Vanderbilt University released “the only randomized control study of a statewide pre-K program to date,” looking at Tennessee’s Voluntary Pre-K initiative. The study tracked nearly 3,000 children who, because of space limitations, were randomly placed or denied a spot in the preschool program. The results were not what advocates were hoping for:

Data through sixth grade from state education records showed that the children randomly assigned to attend pre-K had lower state achievement test scores in third

through sixth grades than control children, with the strongest negative effects in sixth grade. A negative effect was also found for disciplinary infractions, attendance, and receipt of special education services, with null effects on retention.<sup>6</sup>

One of the lead researchers, Dale Farran, admitted to being surprised and alarmed by the results. Farran is now rethinking what constitutes “high-quality” preschool. She realized higher-income families are choosing play-based preschool programs with art, music, and nature, not worksheets and lectures. “It really has required a lot of soul-searching, a lot of reading of the literature to try to think of what were plausible reasons that might account for this,” she told NPR. “One of the biases that I hadn’t examined in myself is the idea that poor children need a different sort of preparation from children of higher-income families.”<sup>7</sup>

A 2012 report on the federal Head Start program is the most comprehensive study of a large-scale preschool program.<sup>8</sup> Serving more than a million underprivileged children each year, Head Start is the largest preschool program in the United States. But the U.S. Department of Health and Human Services study found the program had little or no effect on student outcomes that persisted through third grade, despite costing more than \$7 billion per year at the time (\$7,900 per child). The program now costs more than \$10 billion, or more than \$10,000 per child.<sup>9</sup>

The 2012 Head Start and 2022 Tennessee analyses were both random-assignment studies. These are the research “gold standard” because randomly assigning children to treatment or control groups automatically controls for child and family characteristics (e.g., family income, degree of motivation to teach a child their ABCs, and more) that affect outcomes and, if not controlled for, could give an erroneous impression of the program’s effectiveness.

Later studies using the Head Start results have found some positive cognitive effects from center-based preschool in general compared to home care, but it is unclear if these results also fade out by third grade.<sup>10</sup> And a study like this does not account for the potential benefits of home-based care, like stronger family relationships and the more relaxed feel of a home compared to a center. Parents may not want to trade those benefits for a slight uptick in test scores that soon fades.

A 2019 analysis by Rucker C. Johnson and C. Kirabo Jackson found positive long-term effects for poor children from Head Start.<sup>11</sup> But Head Start is targeted to low-income families, and research on targeted versus universal programs suggests that it is unlikely that a universal program would find similar results. Moreover, Johnson and Jackson’s results appear to require other factors to be in play, such as long-term K–12 spending increases. Finally, the researchers did not use random assignment, and the validity of their instrumental variable approach has been questioned.<sup>12</sup>

**“Many studies have found that current certification requirements mostly increase the cost of becoming a teacher and otherwise deter potential candidates from entering the profession.”**

Nobel Prize–winning economist James Heckman is an oft-cited expert on outcomes from investments in early childhood development and an ardent advocate for high-quality preschool programs.<sup>13</sup> But he does not support universal preschool. “The benefits of public preschool programs are the greatest for the most disadvantaged children,” he says. In a 2021 study on education in Denmark, Heckman and coauthor Rasmus Landersø found that “intergenerational mobility in educational attainment declined when Denmark moved toward universality in education policies and away from targeting the least advantaged groups.”<sup>14</sup> In other words, universal programs may *worsen* inequality. The authors attribute this to more advantaged families better accessing and influencing universally available programs.

Supporters of expanding preschool education often point to three “high-quality” programs—the Abecedarian Project in North Carolina, the Perry Preschool Project in Michigan, and the Chicago Child-Parent Centers preschool program—to show the promise of universal preschool.<sup>15</sup> But these programs, which were studied in the 1960s and 1970s, differ markedly from the universal preschool programs envisioned today. First, all three of those programs included parental outreach beyond the regular preschool day. Second, there

were some important flaws in the studies, such as moms in the Abecedarian control group refusing to participate and a lack of randomization in the Chicago program. Most important, they were hyper-intensive—only 57 children were treated in Abecedarian and 59 in Perry—each at a very high cost, which cannot be extrapolated to a universal initiative. Because of these issues, none of these programs can be legitimately used to promote a universal preschool program.

## FEDERAL MANDATES

Universal programs pushed at the federal level—including the Obama administration’s unadopted Preschool for All plan and Biden’s Build Back Better Act—include numerous mandates that providers must comply with to participate.<sup>16</sup> These are typically difficult to implement, would greatly increase costs, and have not proven to be successful.

## Teacher Degree and Certification Requirements

There is frequently an effort to require that preschool teachers have at least a baccalaureate degree. The Build Back Better legislation would have required lead preschool teachers to have a degree in early childhood education or a related field at a minimum; any future Biden preschool proposal is likely to have a similar requirement. But there is no conclusive evidence indicating that a degree requirement improves the quality of a preschool.<sup>17</sup> Some studies have found a *correlation* between degrees and quality, but the authors of a meta-analysis of those studies acknowledged that they could not say the degrees *caused* the higher quality.<sup>18</sup>

A degree requirement would likely push many experienced, successful, and caring preschool teachers who do not have the credential out of the profession. It could also prevent excellent candidates from becoming preschool teachers. And there is evidence that these certification requirements are a stronger barrier to entry for minority candidates, so teacher diversity could be negatively affected.<sup>19</sup>

According to the National Association for the Education of Young Children, in center-based early childhood education facilities, 52 percent of educators hold a postsecondary degree of some sort, with 35 percent holding a bachelor’s degree. Among licensed home-based providers, only

31 percent hold a postsecondary degree, with 17 percent holding a bachelor’s degree.<sup>20</sup>

In the K–12 space, teacher certification and its effect on teacher effectiveness is mixed at best. Many studies have found that current certification requirements mostly increase the cost of becoming a teacher and otherwise deter potential candidates from entering the profession. After studying the issue, Chad Aldeman and Ashley LiBetti Mitchel of Bellwether Education Partners note, “Although candidates spend billions of dollars and thousands of hours on teacher preparation courses, we don’t yet have a body of evidence justifying those requirements.”<sup>21</sup>

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Interestingly, many private K–12 schools do not have similar certification requirements. Instead, school leaders evaluate individual teachers to hire the staff that is the best fit for their schools. Parents still pay additional money on top of their school taxes to send their children to private schools, and their children do not seem to suffer from a lack of teacher certifications.

Given the downside of these requirements—higher costs, forcing experienced teachers out of the profession, potential decrease in teacher diversity, and exacerbating existing preschool teacher shortages—policymakers should demand much stronger evidence before enacting such mandates.

## Link to Local Teachers’ Union Salary Scale

Along with degree requirements, union-negotiated salary requirements for preschool teachers are often promoted when discussing universal preschool. The Build Back Better Act would have mandated that salaries and salary schedules for preschool teachers be equivalent to elementary school teachers with similar credentials and experience. But linking salaries for preschool teachers to local public school

elementary teachers—regardless of how many students are in the preschool teachers’ care—would be a significant financial hurdle for smaller providers. This would make it extremely difficult for small providers to remain in business.

To understand the potential harm of this requirement, consider a church-based preschool run by a teacher with a master’s degree and six years of experience who teaches five children. If she lives in Pittsburgh, her mandated salary would be \$54,000 in keeping with the Pittsburgh Public Schools contract. The state would have to pay more than \$10,000 per student to cover her mandated salary, and that would not leave anything for other expenses.

Like the certification question above, research on the effects of increased K–12 teacher pay is inconclusive.<sup>22</sup> Some studies find higher salaries improve teacher retention and the quality of teacher candidates as indicated by the teachers’ scores on SATs or teacher exams, but those outcomes are not proven to improve student results. However, tying increased compensation to other factors—such as working in harder-to-staff fields or high-poverty schools—does seem to have positive effects. Some merit pay programs also have been shown to improve student outcomes.<sup>23</sup>

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These findings indicate that salary effects are not universal, so they do not support across-the-board salary policies. Allowing individual preschool leaders to determine pay would ensure that the best teachers are rewarded and that funding is allocated where it is most needed.

## Minimum Hours

Another harmful universal preschool mandate is minimum hours of instruction. For example, to qualify for participation in universal preschool under the Build Back Better Act, every preschool would have had to offer at least 1,020 annual hours of instruction. That is more hours than most

states require for children in K–12. In Pennsylvania, Oregon, Massachusetts, Idaho, New Hampshire, Utah, and Virginia, required hours for high school peak at 990. Some states are even lower.<sup>24</sup>

In 2016, the Office of Head Start (OHS) attempted to mandate 1,020 hours for Head Start programs. The outcome of that effort illustrates some problems with such a mandate. The original rule said that a program had to hit the 1,020-hour threshold for at least 50 percent of its Head Start center-based funded enrollment by August 1, 2019, and 100 percent by August 1, 2021. In 2018, the 2019 deadline was eliminated. In 2020, the 2021 threshold was lowered to 45 percent of Head Start center-based funded enrollment. In changing these requirements, the OHS cited insufficient funding and concerns that the 100 percent requirement was not flexible enough to meet the needs of families.<sup>25</sup>

According to the OHS, as of January 2020, only 30 percent of Head Start center-based programs operated 100 percent of their slots for 1,020 hours or longer per year. Approximately 10 percent of Head Start center-based programs did not operate any of their slots for 1,020 hours per year.<sup>26</sup>

The OHS collected comments in response to a *Federal Register* notice proposing the 1,020-hour Head Start mandate in 2016. Some commenters raised concerns about parents not wanting full-time preschool for their children. In response, the OHS said programs could apply for waivers to meet local needs.<sup>27</sup> But if minimum hours are legislatively mandated, the OHS will not be able to offer similar waivers.

## WHAT DO PARENTS WANT?

Not surprisingly, parents have different wants and needs. Many families prefer having a parent stay home when their children are young. According to a 2019 Gallup poll, 50 percent of mothers with children under 18 would prefer a homemaker role to working outside the home.<sup>28</sup> The survey did not break out results for mothers with younger children, but it seems likely the number wanting to be home with children under age 6 would be even higher.

According to the Bureau of Labor Statistics, about 64 percent of parents with children under 6 years old worked full time in 2020, and nearly 10 percent worked part time. For mothers with children under 6, only 46 percent worked full time, and another 14 percent worked part time.<sup>29</sup>

Families with no parent at home are more likely to want full-time preschool. But that does not mean that they want the center-based or public-school models of preschool that will be most successful at navigating the mandates and restrictions of a universal preschool plan.

A December 2020 poll by the Bipartisan Policy Center found that parents have a wide variety of preferences when it comes to childcare, including preschool.<sup>30</sup> As shown in Figure 1, only 13 percent of parents surveyed chose secular center-based care. About 14 percent preferred a faith-based childcare center. About 10 percent preferred home-based childcare, and another 9 percent preferred a part-time pre-K program. A federally regulated universal program would likely have mandates attached to it that would make it very hard for religious and home-based providers to participate. Minimum hour requirements would prevent part-time programs from participating.

Interestingly, nearly half—49 percent—of parents in the survey said that they would prefer having some combination of themselves, a spouse/partner, a relative, or a friend care for their children. These families would lose out under a federal plan because they would be paying their own way while also subsidizing other parents' childcare arrangements.

Concerning private childcare providers, the Build Back

Better Act pays lip service to “support[ing] a mixed-delivery system” and calls on states to distribute preschool seats “equitably among child care (including family child care), Head Start, and schools within the State.” But the mandates around hours, teacher training, and salaries would have made it difficult for private providers to participate in the program, which would have made it hard for states to distribute slots equitably among providers. A future universal preschool proposal with similar provisions would have the same problems.

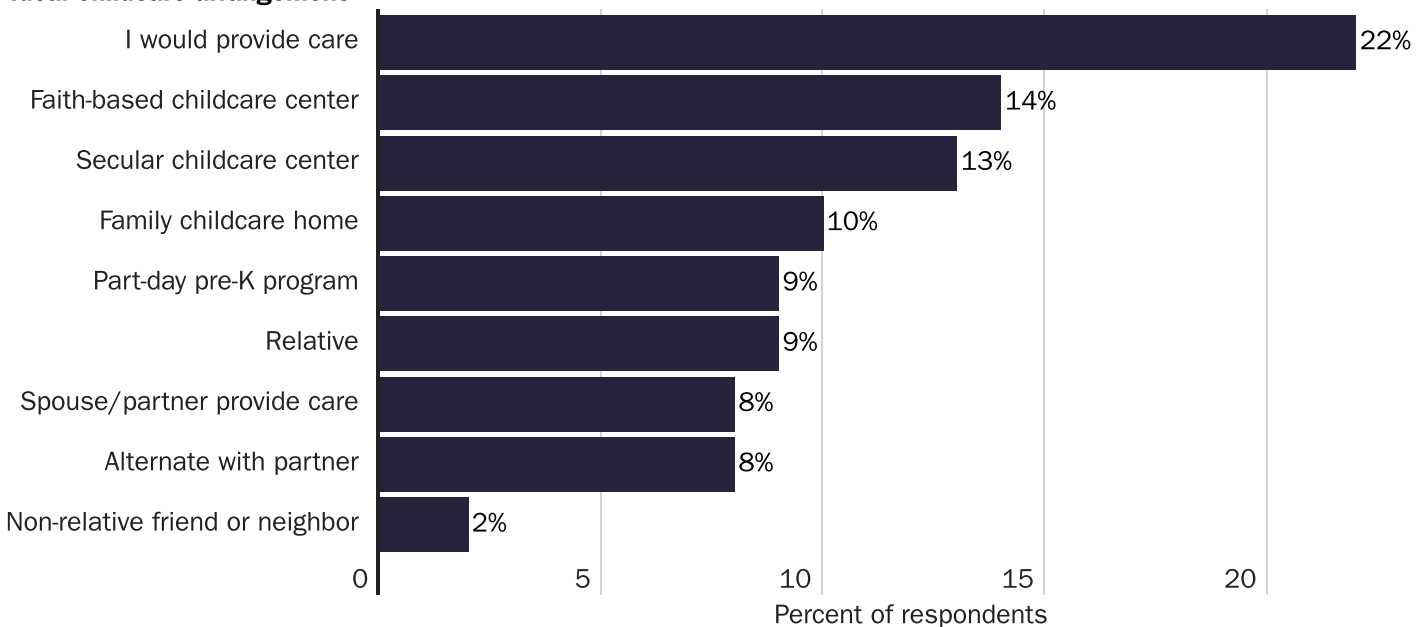
An equitable distribution mandate could force some parents into options they would not otherwise choose because those could be the only slots available. For example, if 45 percent of children in an area prefer family childcare but only 30 percent of new slots were allowed to be with those providers, some children would be turned away from the family childcare facilities.

### WHAT ABOUT FAITH-BASED OPTIONS?

Federally mandated and funded universal preschool risks leaving faith-based providers out in the cold. If providers are funded directly, they could be treated as recipients of federal financial assistance for the purpose of federal law, triggering

Figure 1

#### Ideal childcare arrangement



Question: Thinking back to January 2020, if all types of arrangements were equally priced and equally accessible to your family, what would have been your ideal childcare arrangement for your youngest child?

Source: “Parent Child Care Preferences: Are They Changing?,” Bipartisan Policy Center, January 22, 2021, p. 32, <https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2021/01/January-2021-Parent-Survey-Webinar.Final-Slides.pdf>.

compliance with certain federal regulations without current religious exemptions. This is specifically how providers would have been treated in the Build Back Better legislation.

## Head Start Rules

The Head Start law prohibits discrimination based on sex, creed, and beliefs, among other characteristics; it does not include any exemption for sincerely held religious beliefs.<sup>31</sup> This would prevent religious providers from only hiring teachers who share their faith.

## Children with Disabilities

The Americans with Disabilities Act (ADA), a federal law that prohibits discrimination against individuals with disabilities, exempts religious entities from mandates around handicap accessibility.<sup>32</sup> The Build Back Better legislation stipulates that any program or activity that receives funds from the program must comply with ADA provisions. This would have been cost-prohibitive for many religious preschools.

## Title IX

The Build Back Better Act states that any program or activity that receives funds under the plan would be subject to Title IX, which prohibits sex discrimination in educational institutions that receive federal funding.<sup>33</sup> It did not mention Title IX's religious exemption. It is unclear how widely this would have been interpreted, but it could have been very problematic for religious organizations. For example, the Department of Justice has directed federal agencies to include sexual orientation and gender identity when enforcing Title IX, but this runs counter to many religious teachings.

Since Title IX rules cover all operations of an organization that receives funds, the lack of a specific religious exemption could affect other programs. If a church, synagogue, or mosque wanted to participate in a universal preschool plan, its other offerings—such as marriage preparation programs or men's and women's ministries—could be subject to Title IX. Those organizations could even be prohibited from having exclusively male and female restrooms for staff or students.

In the Bipartisan Policy Center poll, 53 percent of families who used center-based care chose religiously affiliated providers.<sup>34</sup> (While the Build Back Better legislation has different provisions for preschool and for childcare generally, the survey included preschools as part of childcare.) Making it impossible for religious organizations to participate in a universal preschool program would leave huge numbers of families in the lurch.

## EFFECT ON EXISTING PROGRAMS

Many states already have taxpayer-funded preschool programs. Florida, Oklahoma, Vermont, and West Virginia have preschool programs that are available to all 4-year-olds and at least some 3-year-olds. None of these programs mandate anywhere close to 1,020 hours for each student. In West Virginia, which has ranked among the top in the nation in the National Institute for Early Education Research's "The State of Preschool 2020," 63 percent of programs provide fewer than 900 hours per year.<sup>35</sup> Florida's program includes 540 instructional hours.<sup>36</sup> Oklahoma, another highly ranked program, has a minimum of 450 hours per year; funding is prorated based on the length of the program day.<sup>37</sup>

## “Federally mandated and funded universal preschool risks leaving faith-based providers out in the cold.”

Each of these programs offers families and providers flexibility. If these states—or other states with existing programs—choose to participate in a federal program, they likely would have to drastically alter their current plans. Since even the states with the most widespread programs would need to double their current offerings for 4-year-olds, and all states would need to start nearly from scratch on programs for 3-year-olds, this would be incredibly complex and expensive.

The Build Back Better Act would have provided 100 percent federal funding through 2024 and then decreased that funding by 10 percentage point increments each year until it reached 60 percent in 2028, with states providing the rest of the funding.<sup>38</sup> The legislation provided no funding after 2028. If a similar plan is eventually passed, any state that decides to

participate will take on a significant new spending obligation. And the families in those states will be left with fewer options and less flexibility for early childhood education.

## ONE SIZE DOES NOT FIT ALL

Public K–12 education is very bureaucratic, with a labyrinth of top-heavy rules and regulations. That is a natural feature of a government-run monopoly. Absent the incentives of a free market, lawmakers and regulators use mandates to encourage accountability. This consistently causes problems because of a simple truth: one size does not fit all when it comes to education. What works for one student, parent, or teacher will not necessarily work for another.

As previously discussed, there is no single definition of high-quality K–12 education. For some families, test scores are a priority. For others, it may be character formation, core knowledge, or hard skills. But in the current system, parents are at the mercy of what their local district decides unless they can afford other options. This holds true for content as well; if parents object to what a public school is teaching, they have little recourse beyond waging a political battle.

Similarly, teachers may prefer a variety of teaching environments and curriculum options. But with limited alternatives beyond public schools, most teachers are locked into whatever the local district offers.

In contrast, the preschool environment today is very diverse. Parents and teachers can choose from full-time programs or a wide variety of part-time programs, including just two or three days a week and full or half days. Some programs are religious; others are secular. Some are center-based; others are in homes. This diversity of options allows parents to choose the environment and times that they prefer. But the increased mandates and regulations that would accompany a federal universal preschool program would likely drive many smaller providers out of business.

## CONCLUSION

America is too large and diverse for a federally mandated universal preschool program to make sense. Indeed, the inability to effectively serve specific communities in a

sprawling, diverse nation is one reason that the Constitution gives Congress no authority over education at all. Unfortunately, the lack of constitutional authority alone is not likely to deter lawmakers from supporting a federal universal preschool program.<sup>39</sup>

While sound bites and slogans about universal preschool may make it seem attractive, it is important to look closer and recognize the harms—Bastiat’s “not seen” effects—that a federal universal preschool plan would have on families and preschool providers.

**“America is too large and diverse for a federally mandated universal preschool program to make sense.”**

Families have a variety of preferences and needs when it comes to early childhood education. Many families prefer having a parent stay home when their children are young. When a parent is not home with the children, families often prefer home-based, religiously affiliated, or relative care. But the restrictions that would be part of a federal universal preschool program, such as the one proposed in the Build Back Better Act, seem likely to prevent many of these providers from participating.

The free market is better equipped to meet these varied preferences and offer a diversity of providers. Lawmakers can best support parents and children by phasing out spending on most federal preschool and childcare programs to make space for private options and in-home care. If subsidies are provided, they should be targeted to individual families that need them. Any subsidies should be legally treated as aid to families, not grants to institutions, enabling parents to enroll their children in private preschool or childcare providers of their choice. And states should be free to create the programs that best meet their residents’ needs, letting the laboratories of democracy work.

We have tried the bureaucratic, top-down approach in K–12 education, and parents are clamoring for more options. There is no reason to expect more mandates and fewer options under a federal universal preschool program to improve opportunities for children.



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