



Two Decades of Wins for Liberty in Education

Looking back on the anniversary of Cato's Center for Educational Freedom

This year marks the 20th anniversary of Cato's Center for Educational Freedom (CEF), a voice for liberty in education from pre-kindergarten to college. Those two decades have been marked by an incredible degree of policy success as states have adopted and expanded upon K-12 measures including education savings accounts, vouchers, scholarship tax credits, and liberalization of private schooling and homeschooling. The federal government has pulled back from the K-12 control it exerted through the No Child Left Behind Act and Race to the Top, and there is an increasingly widespread recognition that federal student aid for college has huge unintended consequences, fueling rampant tuition inflation. Throughout this time, the CEF has helped to hold the line against major federal intrusions into early childhood education.

The Center's work has been especially centered on freedom in elementary and secondary education, and as the announcement of the Center's creation in 2002 put it, the CEF would "push to make the case that free markets have much to offer in the way of providing better options to students looking for something more than what traditional public schools deliver." That case has been overwhelmingly successful and continues to rack up new wins every year.

From a small start with a few pilot programs, inspired in part by a proposal originating from Nobel laureate and libertarian economist Milton Friedman, school choice policies have now come to encompass hundreds of thousands of students. Arizona recently adopted the most sweeping school choice program in the country, making all students eligible to participate in the state's scholarship funds.

Despite massive resistance from public school employee unions, the issue continues to garner some degree of bipartisan support, including from urban minority voters who are among the most poorly served by failing government monopoly schools. "Fund students, not systems," coined by former CEF policy analyst Corey DeAngelis, has become a mantra for many choice supporters. The year 2021 was the best for school choice to date, with 19 states creating or expanding a total of 32 educational freedom programs.

Victories have come in the courts, too. Dating back to the years of harsh anti-Catholic bigotry in the 19th century, many states added so-called "baby Blaine" amendments to their state constitutions, emulating a failed federal proposal championed by Sen. James G. Blaine of Maine. On a spurious separation of church and state argument, these policies excluded "sectarian" schools—



code for Catholic— from eligibility to participate in any state funding for education, while public schools were typically de facto Protestant. In *Espinoza v. Montana Department of Revenue* (2020), the Supreme Court deemed such policies, which in recent decades came to include all religious schools, unconstitutional, amounting to discrimination against religious institutions and parents. This year, the Court affirmed and strengthened that ruling in *Carson v. Makin*.

These rulings affirmed that allowing the free choice of parents does not violate the First Amendment’s Establishment Clause, just as using federal loans and other state aid to attend a college or university with a religious affiliation has long been accepted.

One perspective Cato has brought to the issue is an emphasis on how government-run schools inevitably fuel fracturing social conflict, as people with diverse values and needs must fight to determine how their assigned public schools will be run and what should be in the curriculum. This has included tracking and documenting more than 3,000 values and identity-based conflicts on the CEF’s Public Schooling Battle Map, as well as speaking out when culture warriors on both the left and right try to make state-run schools into a political battleground.

The CEF has also focused on what is arguably the biggest problem in higher education over the past 20 years: extraordinary price inflation. The Center has particularly focused on the inflationary effects of federal student aid programs such as student loans and Pell Grants that are supposed to make college more affordable. Of course, student aid is not given in a vacuum; when colleges know students can pay more, they raise their prices. At the same time, students demand nicer—and more

expensive—things from colleges, including the profusion of on-campus waterparks often highlighted by the Center.

When the CEF started working on this, its scholars often heard that the idea that aid helps fuel tuition inflation had been thoroughly disproven. Today it is almost universally accepted, because the evidence is powerful and the CEF and others have pressed the case. And now the battles have changed to “free” college and mass student debt cancellation. CEF scholars are fighting those too.

Finally, the CEF has acted whenever Washington politicians have threatened to expand government’s reach into early childhood education. For instance, CEF scholars have explained that assertions such as “for every dollar invested in high-quality pre-K, we get seven dollars back” are based on old, microscopic, hyperintensive programs that cannot be replicated at scale. The CEF has consistently injected reality into debates whenever federal pre-K expansion has been proposed.

Today, Cato’s CEF scholars under the leadership of director Neal McCluskey are among the most widely cited and interviewed experts on the topics of school choice, college costs, and early childhood education and regularly produce some of Cato’s most widely viewed events and content. It has been an incredible two decades for educational freedom in the United States, but there are still many battles to be won to free children and families from government monopoly schools and taxpayers from forced expenditures on programs that make matters worse, not better. Thanks to the CEF, Cato’s principled approach to freedom for all will continue to be an important contribution to the national debate. ■