



BUILDING A VIBRANT SCHOOL CHOICE ECOSYSTEM IN MONTANA

JULY 2023 WHITE PAPER

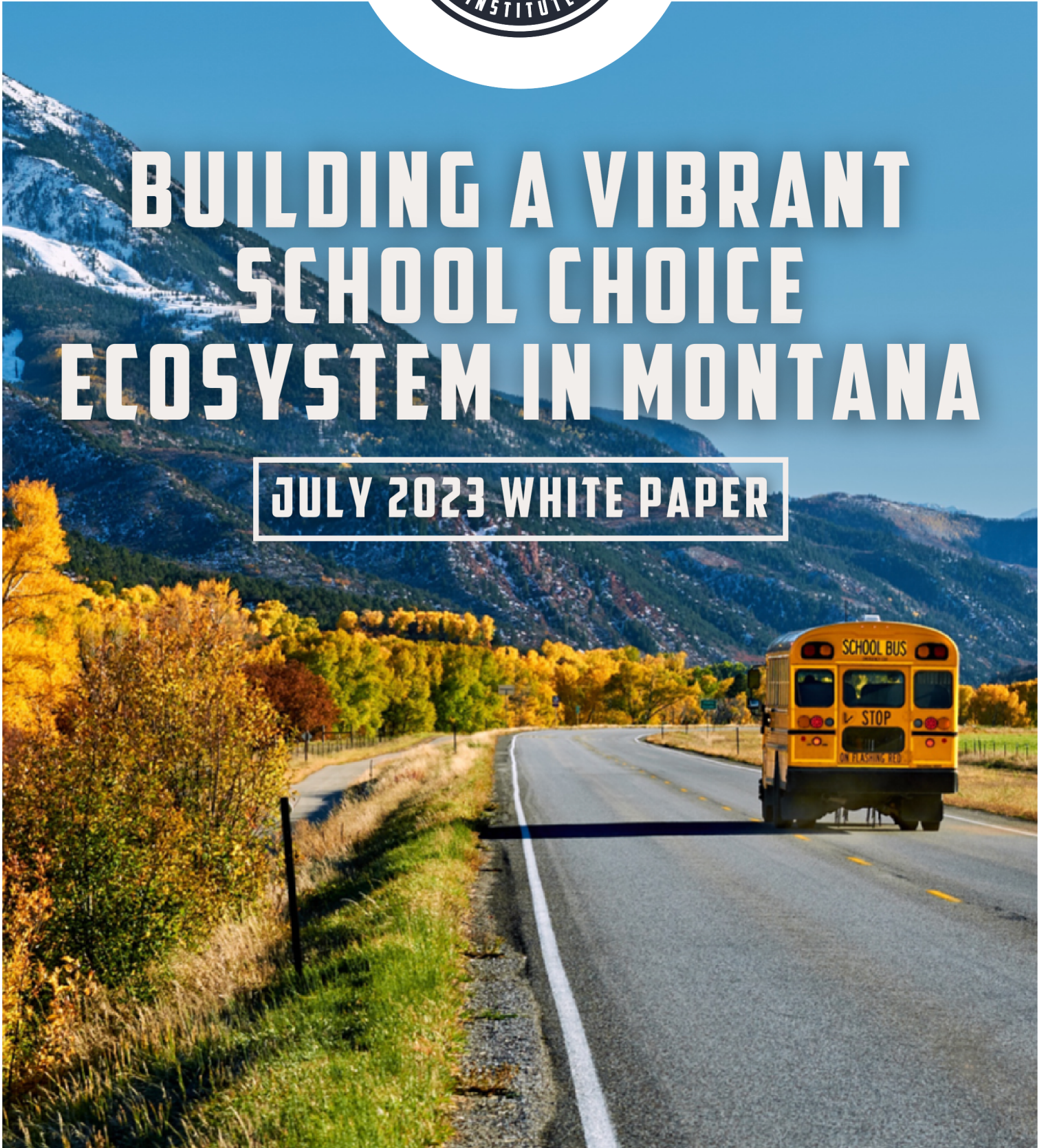


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NATIONAL CONTEXT

As recently as 60 years ago, most American students were enrolled in elementary and secondary schools by system assignment, not by family choice. Today, the national landscape is quite different. In the present post-COVID climate, 63.3 percent of U.S. school-age parents report that they are actively considering exercising their choice of schools.¹ These options include charter schools, private faith-based and secular schools, homeschooling, online hybrid learning, open enrollment within and across districts, magnet and innovation schools, and micro-schools.

It used to be that household income largely determined whether students could attend schools of choice – families with the financial means simply moved into well-funded, reputable school districts or paid tuition for private schools. Today, the landscape of PK-12 education offers considerably more choices for families across the socioeconomic spectrum. But these advances have been uneven with much greater strides forward in some states and communities than others.

Much progress remains to be made. According to the Nation's Report Card and other measures, student achievement declined sharply during the Pandemic as many school districts discontinued in-person learning for well over a year.² In fact, according to one June 21st article by Kevin Mahnken writing for *The 74*, "'Nation's Report Card' shows math skills reset to the level of the 1990s, while struggling readers are scoring lower than they did in 1971."³

By contrast, some high performing charters, faith-based schools of choice, and district schools stayed open to in-person learning while 100's of new micro-schools and learning pods were organized by small groups of families partnering with entrepreneurial educators

in communities across America. The families served by these many schools of choice benefited accordingly as indicated by student engagement, health and learning growth.⁴

Those brick-and-mortar schools that remained open through the Pandemic took practical precautions to protect all school members from contracting COVID-19. Such precautions included installing classroom partitions, increasing spacing between desks, conducting single-file transitions through hallways and utilizing special air filtration systems.

Sadly, Pandemic conditions had a disproportionately negative impact on districts with a large concentration of high-poverty students and on special education students.^{5,6} What do these achievement declines tell us about the prevailing state of K-12 education? Put simply, these losses demonstrate that, across far too many K-12 systems, students' learning needs took a back seat to adults who felt uncomfortable reporting into schools during the Pandemic.

For the purposes of this paper, "schools of choice" are defined as those schools that only receive per-pupil funding based on voluntary family enrollment – where the funding follows the child into or out of the schools.

Schools of choice include charter schools, tuition-based private schools, micro-schools and other schools funded on per-pupil enrollment. By contrast, most school districts remain insulated from family choice because these systems receive taxpayer funding in a manner that insulates schools from enrollment gain or loss. While the entrepreneurial leaders of schools of choice know that they only get funded when students succeed and parents are satisfied, that is frequently not the case for school districts, which saw their operating budgets grow substantially due to special Covid Stimulus funding from the Federal government.

The time is now for Montanans to ensure access to quality schools of choice that are the right fit for every learner. The purpose of this white paper is to examine how the state of Montana can best utilize the 2023 passage of the Community Choice Schools Act and the Students with Special Needs Equal Opportunity Act to increase access and equity for all students, families and communities. These two new laws build on the Montana Tax Credits for Contributions to Student Scholarship Organizations, a state program enacted in 2015 to extend tuition support to families that choose private schools. The objective of this paper is to begin to cast a 21st Century vision and set the groundwork for a statewide initiative to elevate PK-12 education.

CASTING A VISION

What are we building? Is this a community school choice ecosystem or a charter school ecosystem? The answers to these questions have a direct bearing on how vibrant, transformational, and virtuous the Montana PK-12 ecosystem can become in the short- and long-term, by embracing schools of choice for students, families and communities.



*In nature, an **ecosystem** consists of all the organisms and the physical environment with which they interact, which are linked together through nutrient cycles and energy flows.*

As the Community Choice Schools Fact Sheet illustrates, the Community Choice Schools Act allows for many new schools of choice to open in Montana based upon felt community needs, entrepreneurial educator expertise and family preferences.⁷ Under the Community Choice Schools Act, the non-governmental schools that open can be marvelous centers of learning with the following organizing principles.

COMMUNITY CHOICE SCHOOL REQUIREMENTS:

- 1. They must be non-profit organizations headquartered in Montana;**
- 2. They are subject to all federal laws but exempt from Montana Title 20, the state public school code, which allows them to operate as non-governmental employers;**
- 3. They must organize locally elected school boards and operate as a public education entity authorized by the state public education commission.**

Community choice schools are widely considered to be subject to the U.S. Constitution's Establishment Clause, which separates church and state, thus providing a secular public education. However, they can engage in volunteer associations with facilities landlords, before and after care programs, childcare providers, and other faith-based organizations that deliver value-added services and wrap-around benefits to their students and families.

More broadly, there is a powerful opportunity to build K12 schools of choice with identity, purpose, affinity networks and affiliations with civil society that fall largely outside government or business. As defined in this paper, *civil society* refers to the collection of social organizations and voluntary associations of citizens acting together to advance common interests, care for each-others' well-being, provide education and training, practice faith and strengthen

community flourishing. Presently, the U.S. Department of State estimates that there are 1.5 million such non-governmental organizations in the United States including private colleges and universities, churches and faith-based institutions, youth programs, community organizations, tutoring and childcare centers, workforce training programs, charities and social service organizations.⁸ Within a vibrant ecosystem that seeks to foster civil society, we can engage partner organizations of many kinds in expanding schools of choice beyond the government sphere.

For instance, colleges and universities can sponsor schools that extend the quality of education that they provide from the collegiate years down to primary and secondary education.

Pastoral educational leaders can be encouraged to start faith-based programs or provide wrap-around services that are fundamentally miss-ional and virtuous in their orientation. The heads of independent non-profit organizations, such as the Boys and Girls Clubs and the YMCA/YWCA, can donate facilities space, host athletic events, or deliver childcare and extended day care programs to enrolled families. Organizations of retired business professionals, such as SCORE and Social Venture Partners, can contribute volunteer expertise to organizing new schools and retaining second-career leaders.^{9,10}

LEARNING ECOSYSTEM



Children and youth are formed through many influences acting on their upbringing, first and foremost the family, faith institutions and peer relationships.

These schools need not be embroiled in politically driven culture wars, but rather, can concentrate on serving families, educating students and anchoring communities in a manner that instills and spreads moral, ethics and civic virtues. Such a broad growth of schools of choice could go a long way towards moving Montana beyond partisan politics and preoccupation with mass and social media towards affirming strong family and civic values conducive to human flourishing. Thus, the emphasis can be on building a broad school choice ecosystem that ensures Montana's vibrancy for all residents and communities statewide – in a manner that affirms parents' freedom to choose how to educate and form the character of their children as their guardians, caregivers and first teachers.

KEY ELEMENTS OF A THRIVING CHOICE ECOSYSTEM

Schools are complex institutions with many interdependencies that cannot succeed on an island. As such, they are heavily dependent on contributing systems, affiliated providers and structured supports, which determine their effectiveness and sustainability. Thus, the state of Montana must foster a robust ecosystem for schools of choice to take root, thrive and have a transformative impact. Without feeding, care, stewarding and robust systems of support, a charter school or two may open, but they will not change the prevailing expectations, quality and responsiveness of the larger PK-12 ecosystem.

Since 1990, school choice advocates and movement builders have learned, sometimes the hard way, that many factors support vibrant school operating conditions. When these factors are in place,

school choice can become beneficial to students and families statewide – over time strengthening state citizenry, elevating workforce talent and animating communities. The following is a list of eleven key contributing factors:

- 1. Identification of Need/Opportunity.** Community analysis must be done to identify unmet family preferences and community demands for schools of choice with varying program designs, leadership strengths and individualized offerings.
- 2. Community Partnerships.** Robust outreach and promotion is essential to engage a wide range of institutions and networks, including churches and faith-based institutions, youth programs, local employers, chambers of commerce, before/after school care providers, childcare centers, tutoring programs, recreation centers and other partners.
- 3. Authorization.** Effective charter authorization abides by the fundamental trade-off between autonomy and accountability essential to schools of choice. Rigorous, sophisticated authorization weeds out bad actors, especially low-quality entrants from other states.
- 4. Equitable Funding.** Schools of choice must have equitable access to their fair share of local, state and federal funding to support ongoing school operation.
- 5. Venture Funding.** Planning, startup and growth financing is essential to equipping founding groups with the resources and tools to design and develop new schools that are strong from the get-go.

- 6. Early-Stage Supports.** Incubation of founding groups, leaders and organizations seeking to launch new schools assists with navigating learning curves, developing teams, building capacity, completing strategic business planning and setting strong performance standards.
- 7. Human Resources.** Talent sourcing and placement pipelines must be extended to communities statewide, programs like AmeriCorps,¹¹ Teach for America,¹² the New Teacher Project,¹³ Education Pioneers,¹⁴ CRU¹⁵ and New Leaders,¹⁶ or the Christian Teacher Training Association.¹⁷
- 8. Regulatory Help.** School founders need assistance navigating local and state regulatory bodies and decision-making processes such as municipal, county, district and state agency policies and code requirements.
- 9. Brick-and-Mortar.** Structured support is needed with real estate search and facilities acquisition, financing, construction, adaptive reuse and ongoing operation.
- 10. Transportation.** Families and schools – particularly in rural or semi-rural communities – need assistance with carpooling, bussing and/or car-share options for families.
- 11. Performance.** Independent, accurate, timely reporting on school performance must be made accessible to parents, donors, policymakers and other stakeholders to inform decision-making on applicant approvals and charter renewals.

Without an overarching plan that encompasses these factors, the ideals associated with school choice may not live up to the transformational potential for Montana. Over time, the efficacy of taking a choice-based approach to PK-12 education may erode due to incumbent protectionism. Greater regulation, consolidation and mediocrity are likely to follow.

ENCOURAGING INSTITUTIONAL ACTORS

For Montana's school choice ecosystem to thrive, a wide variety of leaders and organizations must be engaged in varying capacities. Here are ten examples of the specific actors that can be formed for Montana to foster a robust school choice climate.

- **School Choice Grantmaking.** Donors and foundations step forward to provide planning, startup and growth assistance for new school and program formation.
- **New School Incubator.** A center is designed and delivered to develop interested founders into entrepreneurial leaders with the wherewithal to open new schools.
- **Facilities Support Organization.** Frequently, founding school groups lack the resources to acquire real estate, finance facilities and manage construction or adaptive reuse in the open market. Thus, a facilities support program is critical.
- **State Authorizing Commission.** Charter schools must be authorized by an independent commission that abides by the basic charter covenant, which is increased institutional autonomy in return for clear accountability for performance.
- **Policy & Political Advocacy Center.** An influential state organization must engage in electioneering and advocate for policy changes to protect and advance school choice.
- **Organizing & Mobilization Coalition.** At the grassroots levels, parents and community members must be organized and mobilized to represent a constituency that is seeking school choice and advocates for the efficacy of schools of choice.
- **Research & Performance Evaluation.** One or more independent centers must be established to produce market analyses of educational need, evaluate school performance and inform parents of the options available to them.

- **State Education Quarterbacks.** In some states, such as Idaho, New Mexico, Arkansas and Oklahoma, non-profit state organizations have been formed that specialize in breaking down barriers, resourcing and equipping qualified founders to launch strong new schools.
- **Cross-Sector Leadership & Coordination.** Key leaders from all of the actors mentioned above can meet periodically – especially in the early years – to coalesce around a state vision, confront challenges, devise solutions and work together to build a vibrant choice ecosystem.

Without these actors in Montana, the risk is that the development of a school choice ecosystem may be stunted. In a number of respects, the breadth of the resources accessed and the institutions engaged will determine how transformative the impact can be.

WHAT CAN MONTANANS DO?

How many of these actors have to be built from scratch and how many can be established as part of existing institutions?

The answer to this question is that it depends. Many institutions have affiliated themselves so closely with one-size-fits-all school systems that they do not see the landscape apart from incumbent interests. These institutions can stretch to accommodate school choice – especially in the short run when it is novel – but typically return to protecting status quo interests with the first real signs that change will be necessary to accommodate transformative improvement.

With that being said, it never makes sense to ‘reinvent the wheel’ needlessly so the question becomes how to build on existing institutional capacities without compromising what is needed to support the growth of a school choice ecosystem. At enlightened

institutions, leaders recognize that opening schools of choice transforms PK-12 education into a far more dynamic, self-improving sector that is responsive to every student and family. These institutions dedicate themselves to fostering the right conditions because they recognize that is the only way to move from mediocre and complacent to innovative, responsive and high quality.

Here are some examples of existing institutions and social networks that may be able to assume key roles in building a healthy school choice ecosystem:

- **Entrepreneurial educators who deliver services that families want to receive based upon individual student needs and family preferences.**
- **Social service organizations, charities and youth service programs.**
- **The Frontier Institute and other policy think tanks, especially those that specialize in expanding education freedom.**
- **Community, family, independent and corporate foundations.**
- **Philanthropic networks and conveners.**
- **Chambers of commerce, local employers, businesses, and retired business professionals.**
- **Parent networks and family resources, including homeschool cooperatives, parent collaboratives, exceptional education networks, and gifted and talented networks.**
- **Higher education institutions:**
 - **Colleges of business and economics;**
 - **Colleges of public policy;**
 - **Colleges of non-profit entrepreneurship;**
 - **Liberal arts colleges;**
 - **Colleges of education.**

- **Churches, synagogues, and other faith-based institutions and networks.**
- **Military bases and installations as well as veterans' organizations.**
- **Fraternal societies like the Knights of Columbus, Elks Clubs, Rotary Clubs and Optimists Clubs, who can provide volunteer executive talent and business resourcing.**
- **Public school districts with forward-thinking leadership unencumbered by protectionism.**
- **The Montana Board of Public Education and Office of Public Instruction.**
- **Advocacy centers, lobbying firms and lobbyists.**
- **Student scholarship organizations.**

Qualifying these institutions for school choice leadership will require discerning consideration. Some may claim that they are willing to support schools of choice if there are resources at stake, but when push comes to shove, may default to what is easiest – loyalty to the status quo establishment.

HALLMARKS OF SUCCESS

A vibrant state school choice ecosystem will not be built overnight. It requires dedicated leadership, visionary foresight, strategic action and prolific advocacy, outreach, knowledge-sharing, and partnership building. Over time, it becomes clear which existing institutions are prepared to step up to play committed roles with visionary leadership and where new organizations and programs must be developed.

It is important to recognize that, as one of the last states to pass a charter law and one of the first states to legislate a special education ESA program, Montana has the opportunity to build on 33+ years of school choice experience nationally. By drawing on this wealth of experience, Montana can learn from setbacks, build on lessons learned, draw on proven practices and blaze a trail that could transform PK-12 education for generations to come.

To stay true to a vision of school choice, the author recommends that Montanans adopt four hallmarks to guide progress towards building a vibrant PK-12 school choice ecosystem. These hallmarks are set forth below:

- **Empower Entrepreneurial Educators.** Local teachers and school leaders can be empowered and equipped to take ownership for creating new programs and schools that serve the communities they know best.
- **Target Underserved Communities.** Many groups of families can benefit from seeing a wide variety of new schools take root, ranging from programs for students with special needs (i.e. dyslexia, autism, gifted and talented) to schools with distinct models (i.e. classical, International Baccalaureate, Montessori, Expeditionary Learning) to schools that provide unique postsecondary preparation (i.e. Career and Technical Education, STEM, Early College).
- **Measure Learning Outcomes.** The premise of schools of choice is to give operators the freedom to operate autonomously in return for embracing heightened accountability for results. Central to this premise is setting and measuring performance against desired outcomes without prescribing inputs, staffing and delivery.

- **The Rising Tide.** In the early stages, the response to new schools of choice will no doubt be mixed because their presence will affect the conditions for all schools – not always a welcome competitive effect. Over time, as schools of choice become an accepted feature of the ecosystem, all PK-12 schools and programs will elevate their performance and benefit from greater attention to serving every student and family. In this way, building a school choice ecosystem can become the rising tide that lifts all boats.

BEYOND SCHOOL CHOICE

Building a vibrant school choice ecosystem as contemplated by this whitepaper is part of a broader paradigm shift towards education freedom for Montana.

One of the limitations with the way “school choice” has been defined is that it assumes taxpayer funding systems, which are government-provided for 78 percent of school-age students.¹⁸ Such systems are premised in the 19th Century notion that the delivery of K-12 education should be compulsory, uniform in its delivery, standardized, and assigned.¹⁹ No matter how much we modify such systems, the underlying intent, and many of the controlling mechanisms, remain very much the same. School districts are funded, regulated, and operated by a government bureaucracy that cascades from the U.S. Department of Education to State Departments of Education to locally elected school boards with reinforcing laws, policies, and rules at all levels.

Yet our knowledge of what our students and families need to thrive has changed completely over the past forty years. Every child has

unique needs, which reflect individual, household, parent, peer-group, neighborhood, lifestyle and faith realities. We cannot hope to meet these needs within a common system that is, as its basic design, intended to deliver the same thing to every child.

Nor can we hope to meet the unique needs of every learner when most teachers are educated, trained, certified and employed to deliver the same subject matter to a caseload of students every day for 180 days a year. Unfortunately, surprisingly few colleges of education prepare teachers to be entrepreneurial, agile educators ready to serve families in schools of choice.

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A paradigm shift towards education freedom represents a transformation from a top-down system where delivery is pre-determined by central authorities to a learner-up ecosystem

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A paradigm shift towards education freedom requires that we give both families and educators the freedom to interact, cooperate, create and deliver teaching-and-learning to meet the unique needs of every child. Under such a paradigm, different families and children may choose a setting that is brick-and-mortar, digital, home-based, community-centered, college-preparatory, employer-ready...or a new learning medium that has not yet been contemplated. Under such a paradigm, educators gain the freedom to be ingenious, innovative, and resourceful in their design and delivery of education to meet the needs of the children and families they are serving.

As such, a paradigm shift towards education freedom represents a transformation from a top-down system where delivery is pre-determined by central authorities to a learner-up ecosystem where education is driven by a free and virtuous cycle of mutual benefit between families and educators. Building such a robust ecosystem to support schools of choice is an essential means to advance this paradigm but is not an end in-and-of-itself.

CONCLUSION

The opportunity in front of us is to empower and equip a pioneering cross-section of enlightened Montanans to launch and expand vibrant schools for underserved children, families and communities. Armed with a new vision of education freedom, education options will open in remote rural communities where they will function as “one-room schoolhouses” for the 21st Century. Other education options will open in rapidly growing real estate developments where they will cater to distinct residential preferences. Still other education options will become magnets for families from across wide geographic areas seeking access to a unique specialization – students on the Autism spectrum, with Dyslexia, or with particular gifts.

By drawing on lessons learned and failures overcome nationally, the educators, non-profit executives, philanthropists, faith-based communities and parent leaders who build a school choice ecosystem for Montana can benefit from national experience without being limited by it.

ENDNOTES

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ADDITIONAL RESOURCES

Not every source of background research and historical knowledge can be cited to inform a white paper such as this one. The following are additional resources that informed the preparation of this paper.

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