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Catholic Schools, Charter Schools, and Urban Neighborhoods

Margaret F. Brinig† & *Nicole Stelle Garnett*††

INTRODUCTION

This Article addresses previously unstudied implications of two dramatic shifts in the American educational landscape. The first shift is the rapid disappearance of urban Catholic schools. More than 1,600 Catholic elementary and secondary schools, most of them located in urban neighborhoods, have closed during the last two decades.[1] The Archdiocese of Chicago alone (the subject of our study) has closed 148 schools since 1984.[2] Since the economic and demographic realities underlying urban Catholic school closures persist, this trend likely will continue and even accelerate in coming years. The second shift is the rise of charter schools. In 2010 more than 1.7 million children were enrolled in 5,400 charter schools in the United States.[3] During the 2009–10 school year, there were

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1 See Richard W. Garnett, *Treasure A.C.E.*, Natl Rev Online (Sept 10, 2008), online at http://www.nationalreview.com/articles/225595/treasure-c-e/richard-w-garnett (visited Oct 21, 2011). See also Peter Meyer, *Can Catholic Schools Be Saved?*, 7 Educ Next 12, 16 (Spring 2007); Sol Stern, *Save the Catholic Schools!*, 17 City J 74, 74–76 (Spring 2007); Mary Ann Zehr, *Catholic Schools' Mission to Serve Needy Children Jeopardized by Closings*, 26 Educ Wk 16–17 (Mar 8, 2005).

2 Paul Simons, *Closed School History: 1984–2004* *2 (Office of Catholic Schools Archdiocese of Chicago 2004), online at http://www.illinoisloop.org/cath_closed_school_84_04.pdf (visited Oct 21, 2011).

3 *All about Charter Schools: Quick Facts* (Center for Education Reform 2011), online at http://www.edreform.com/issues/choice-charter-schools/facts/ (visited Oct 21, 2011).

104 charter schools in the city of Chicago,[4] 24 of which opened during the period of our study.[5]

Although we are intrigued by the questions raised by the extensive literature on Catholic and charter schools' strengths as *educational institutions*,[6] we do not address them here. Instead, we raise new questions about how Catholic and charter schools function as *community institutions*. These questions are important ones. Catholic schools are vanishing from the urban neighborhoods where they have operated for decades—in some cases, for over a century—and are being replaced by educational institutions that did not exist anywhere in the United States two decades ago.[7] Yet virtually nothing is known about the impact the transition will have on urban neighborhoods, many of which already struggle with disorder, crime, and poverty.

This is the third in a series of papers exploring the effects of Catholic school closures on urban neighborhoods. In previous studies, we linked Catholic school closures to increased disorder and crime,

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4 Illinois Network of Charter Schools, *Illinois Public Charter Schools: Profiles* 1 (2010), online at http://incschools.org/docs/INCS_SchoolProfiles2010_Final.pdf (visited Oct 21, 2011).

5 See Office of New Schools, *2009–2010 Charter and Contract Schools Performance Report* (Chicago Public Schools 2010), online at http://www.cps.edu/NewSchools/Documents/2009-2010_PerformanceReport.pdf (visited Oct 21, 2011).

6 Numerous scholars have demonstrated that Catholic schools tend to outperform their public counterparts, especially at the challenging task of educating underprivileged minority students. See, for example, Andrew M. Greeley, *Catholic High Schools and Minority Students* 108 (Transaction Books 1982); James S. Coleman, Thomas Hoffer, and Sally Kilgore, *High School Achievement: Public, Catholic, and Private Schools Compared* 143–46 (Basic Books 1982). Scholars are divided about whether charter schools outperform traditional public schools. See Julian R. Betts and Y. Emily Tang, *Value-Added and Experimental Studies of the Effect of Charter Schools on Student Achievement: A Literature Review* 26 (Washington Bothell 2008), online at http://www.crpe.org/cs/crpe/download/csr_files/pub_ncsrp_bettstang_dec08.pdf (visited Oct 21, 2011); *Multiple Choice: Charter School Performance in 16 States* 1 (Stanford June 2009), online at http://credo.stanford.edu/reports/MULTIPLE_CHOICE_CREDO.pdf (visited Dec 31, 2011). The available evidence suggests charter schools in Chicago do outperform Chicago public schools. See *Achievement and Attainment in Chicago Charter Schools* 21 (RAND 2009), online at http://www.rand.org/content/dam/rand/pubs/technical_reports/2009/RAND_TR585-1.pdf (visited Oct 21, 2011) (comparing data from Chicago public schools and Chicago charter schools and concluding "as with [high school] graduation and college enrollment, results suggest that, for the average charter eighth-grader, attending a charter [high school] may have positive effects on ACT scores"); Caroline M. Hoxby and Jonah E. Rockoff, *Findings from the City of Big Shoulders: Younger Students Learn More in Charter Schools*, 5 Educ Next 52, 58 (Fall 2005) (comparing Chicago's public and charter schools and concluding that "among students who enter in a typical grade, attending a charter school improves reading and math scores by an amount that is both statistically and substantively significant").

7 Chester E. Finn Jr, Bruno V. Manno, and Gregg Vanourek, *Charter Schools in Action: Renewing Public Education* 18 (Princeton 2000).

and decreased social cohesion, in Chicago neighborhoods.[8] This Article turns to two questions left unanswered in our previous investigations. *First*, because we have focused exclusively on school closures, we remain uncertain whether our results reflect the beneficial effects of *open* Catholic schools rather than the negative effects of school *closures*. *Second*, since we have thus far focused only on Catholic schools, we cannot know whether other kinds of schools generate similar positive externalities. In this Article, we begin to answer these questions by comparing the effects of *open* Catholic and charter schools on crime rates. Relying on police-beat-level data provided in Chicago, we find that that police beats with open Catholic schools have lower rates of serious crime than those without them, and that open charter schools appear to have no statistically significant effect on crime. All of these findings hold true even after we control for numerous demographic variables that would tend to predict neighborhood decline.

Our findings—that the presence of a Catholic school in a police beat appears to suppress crime and the presence of a charter school does not—are important for two related reasons. *First*, charter schools are not only growing at an exponential rate but, as the Catholic school sector contracts, they are coming to replace Catholic schools as the schools of choice in urban neighborhoods. In many cases (including fourteen schools in this study), charter schools also are *physically* replacing Catholic schools by operating in closed Catholic school buildings. *Second*, in education-reform debates, charter schools frequently are cited as a means of capturing the benefits of school choice without enlisting private schools through voucher and tax-credit programs, which arguably threaten both to drain public school resources and to undermine public values.[9] Our findings, in contrast, suggest that charter schools may be imperfect substitutes for "complete" school choice. Charter schools may fill the educational void left by Catholic schools' disappearance from our cities—a possibility about which we remain dubious—but, at least thus far, they do not appear to replicate Catholic schools' positive community benefits. A more complete menu of school-choice options might help preserve these benefits by stemming the tide of Catholic school closures.

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[8] See Margaret F. Brinig and Nicole Stelle Garnett, *Catholic Schools, Urban Neighborhoods, and Education Reform*, 85 Notre Dame L Rev 887, 953 (2010); Margaret F. Brinig and Nicole Stelle Garnett, *Catholic Schools and Broken Windows*, 9 J Empirical Legal Stud *49 (forthcoming 2012), online at http://ssrn.com/abstract=1564254 (visited Oct 21, 2011).

[9] See David Brooks, *The Quiet Revolution*, NY Times A35 (Oct 23, 2009).

I. PREVIOUS INVESTIGATIONS

In our previous studies, we sought to measure the effects of Catholic school closures on perceived disorder, perceived social cohesion, and crime in Chicago neighborhoods. In our initial study, we relied upon survey data collected for the Project on Human Development in Chicago Neighborhoods (PHDCN) to measure the effects of Catholic school closures on perceived disorder and perceived social cohesion in Chicago neighborhoods.[10] In 1994 and 1995, the PHDCN surveyed approximately four thousand Chicago residents about perceived levels of neighborhood crime, disorder, and social cohesion.[11] After matching each of the 130 Catholic elementary schools that closed in the city of Chicago between 1984 and 1994 to the PHDCN data, we estimated the effects of a Catholic-school closure using two-stage least squares regression analysis, a method that enabled us both to control for numerous demographic variables and to employ variables predicting school closures unrelated to demographics.[12] Our analysis linked school closures to neighborhood social cohesion and increased neighborhood disorder.[13]

In our second study, we conducted a latent growth analysis of effects of Catholic-school closures between 1990 and 1996 on the rate of serious crime in police beats between 1999 and 2005.[14] While crime decreased across the city of Chicago during this period, our analysis suggested that Catholic-school closures affected the *slope of the decline*.[15] That is, "crime decreased more slowly between 1999 and 2005 in police beats where Catholic schools closed between 1990 and 1996."[16] As in our initial study, we incorporated a variable—the parish leadership characteristics that we describe briefly below—to disaggregate school-closure decisions from neighborhood demographics.[17]

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10 See Brinig and Garnett, 85 Notre Dame L Rev at 902 (cited in note 8).

11 See Robert J. Sampson and Stephen W. Raudenbush, *Systematic Social Observation of Public Spaces: A New Look at Disorder in Urban Neighborhoods*, 105 Am J Soc 603, 619–20, 637 (1999).

12 See Brinig and Garnett, 85 Notre Dame L Rev at 923 (cited in note 8).

13 Id at 924–28.

14 Brinig and Garnett, 9 J Empirical Legal Stud at *1–6 (cited in note 8).

15 Id at *3.

16 Id.

17 Id at *13–17.

II. CATHOLIC SCHOOLS AND CHARTER SCHOOLS: A BRIEF OVERVIEW

Before turning to the empirical questions at the heart of this investigation, we provide a brief overview of the two distinct institutional forms we study—Catholic schools and charter schools.

A. Urban Catholic Schools

Traditionally, almost all Catholic elementary schools (the subject of our study) were "parochial." That is, they were operated by a Catholic parish led by a Catholic priest, known as the pastor, who is the chief operating officer for all parish operations, including the school.[18] In the late nineteenth century, Catholic bishops, responding to widespread nativism and Protestant indoctrination in the public schools, began to demand that every parish build and support a school and that all parish members enroll their children in it.[19] As a result, by the middle of the twentieth century, most major American cities were densely blanketed with Catholic schools. As political scientist Gerald Gamm has demonstrated, urban Catholics' attachments to their parishes and schools fostered a strong geographic "rootedness" that caused them to suburbanize later, and to resist racial integration more strenuously, than other white urban residents.[20]

By the late 1960s, however, shifting urban demographics and labor-force realities began to threaten the viability of the parochial school model, at least in urban areas.[21] Historically, parochial schools were entirely funded by the parish and staffed almost entirely by religious sisters (nuns) who labored for little more than what one commentator has called a "token wage."[22] In the 1960s, however, religious vocations plummeted at the same time that Catholics suburbanized en masse, causing parochial schools to experience dramatic increases in labor costs just as collection revenues declined precipitously.[23] Gradually, schools built to educate working-class Catholic children began to assume the role of educating poor, and

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18 See Anthony S. Bryk, Valerie E. Lee, and Peter B. Holland, *Catholic Schools and the Common Good* 148–65 (Harvard 1993).

19 Id at 23–33.

20 Gerald Gamm, *Urban Exodus: Why the Jews Left Boston and the Catholics Stayed* 129, 237–47 (Harvard 1999).

21 See John T. McGreevy, *Parish Boundaries: The Catholic Encounter with Race in the Twentieth-Century Urban North* 236 (Chicago 1996).

22 Id at 10, 236.

23 Id at 234–40.

frequently non-Catholic, children.[24] Dioceses were forced to take on more of the financial burden of operating urban parish schools at the same time they were obligated to build new schools to serve suburbanizing Catholics. At a more retail level, some priests began to view schools as an unnecessary burden, especially as the non-Catholic student population increased.[25] The urban parochial model began to unravel, and dioceses began to close schools in large numbers.[26]

Between 1984 and 2004, the Archdiocese of Chicago closed 130 elementary and 18 secondary schools.[27] In some cases, several schools closed in the same neighborhood—not surprisingly, given the density of schools that historically served different ethnic populations.[28] Despite the many closures, the Archdiocese still operates the largest nonpublic school system in the country, with 218 elementary schools and 40 high schools enrolling over 96,000 students.[29] Most of the elementary schools continue to be operated by parishes, although the Archdiocese retains supervisory authority over them and substantially subsidizes many of them, either directly or through a private philanthropic organization known as the Big Shoulders Fund.[30]

B. Charter Schools

Although charter schools have roots in a number of older reform ideas, they have existed in their current form for less than two decades,[31] and the first charter schools in Chicago opened in 1997.[32] Charter schools are public-private hybrids.[33] Charter schools resemble public schools since they are open to all who wish to attend, tuition free, and secular. Charter schools also are more

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24 Id at 241–42. See also Bryk, Lee, and Holland, *Catholic Schools* at 52 (cited in note 18).

25 See McGreevy, *Parish Boundaries* at 236–40 (cited in note 21).

26 See Brinig and Garnett, 85 Notre Dame L Rev at 892–903 (cited in note 8).

27 See Simons, *Closed School History* at *2 (cited in note 2).

28 See id.

29 See Office of Catholic Schools, *Facts about the Catholic Schools in the Archdiocese of Chicago* (Archdiocese of Chicago 2009), online at http://schools.archchicago.org/public/factsheet.shtm (visited Oct 21, 2011).

30 See *Facts & Accomplishments* (Big Shoulders Fund 2010), online at http://www.bigshouldersfund.org/content/?s=477&s2=484&p=491&t=Facts-&-Accomplishments (visited Oct 21, 2011).

31 See Finn, Manno, and Vanourek, *Charter Schools in Action* at 13–22 (cited in note 7).

32 See Office of New Schools, *2008–09 Charter and Contract Schools Performance Report* 1 (Chicago Public Schools 2009), online at http://www.cps.edu/NewSchools/Documents/2008-2009_PerformanceReport.pdf (visited Oct 21, 2011).

33 Id at 5.

accountable than private schools and, arguably, even more than traditional public schools, because underperforming charter schools are more likely to be closed.[34] Charter schools also have attributes of private schools. They are created by private entrepreneurial action—the request of a private entity (the charter "operator") for permission to open a school from a governmental entity (the charter "sponsor"). Like private schools, charter schools also enjoy operational autonomy from local school officials (although the precise extent of the autonomy depends upon state law).[35] And, like private schools, they are schools of choice—that is, parents select them for their children much as they would a private school.[36]

While many charter schools focus on values or character education, and some are structured around cultural themes with religious overtones,[37] an important legal feature distinguishing charter and private schools is that charter schools are secular.[38] Despite this restriction, a number of Catholic dioceses have, or are considering, "converting" Catholic elementary schools to secular charter schools rather than closing them.[39] Since many states prohibit charter schools from being operated by, or being affiliated with, religious institutions, and a handful expressly prohibit the conversion of all private schools to charter schools,[40] dioceses must create or contract with secular charter operators to operate the "converted" schools.[41] Although the Archdiocese of Chicago has not intentionally

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34 See Andrew J. Rotherham and Richard Whitmire, *Close Underperforming Charter Schools, Reward Those That Work*, US News & World Rep (June 17, 2009), online at http://www.usnews.com/opinion/articles/2009/06/17/close-underperforming-charter-schools-reward-those-that-work (visited Oct 21, 2011).

35 See Finn, Manno, and Vanourek, *Charter Schools in Action* at 127–47 (cited in note 7).

36 Minnesota enacted the first charter school law in 1991. See id at 18–22.

37 For examples of such schools, see generally National Heritage Academies, *Our Approach* (2011), online at http://www.nhaschools.com/About-Us/Pages/Our-Approach.aspx (visited Oct 21, 2011); Great Hearts Academies, *Great Hearts Academies*, online at http://greatheartsaz.org (visited Oct 12, 2011).

38 See Benjamin Siracusa Hillman, Note, *Is There a Place for Religious Charter Schools?*, 118 Yale L J 554, 560 (2008). See also Sarah Lemagie, *ACLU Settles with State, School Sponsor: TiZA, A Charter School Accused of Promoting Religion in Violation of the Constitution, Has Not Reached an Agreement with the ACLU*, Star Trib 1B (Feb 8, 2011); Abby Goodnough, *Hebrew Charter School Spurs Florida Church-State Dispute*, NY Times A1 (Aug 24, 2007).

39 See, for example, *God and Times Tables*, Economist 38 (May 15, 2010); *Catholic Schools Get Final OK to Become Charters*, Indianapolis Bus J Online (Apr 8, 2010), online at http://www.ibj.com/catholic-schools-get-final-ok-to-become-charters/PARAMS/article/19166 (visited Oct 21, 2011); Javier C. Hernandez, *City Tries New Tactic to Convert Catholic Schools to Charter Schools*, NY Times A22 (Apr 22, 2009); Bill Turque, *7 Catholic Schools in D.C. Set to Become Charters: Funding Sources Are Still Unclear*, Wash Post B01 (June 17, 2008).

40 See, for example, Hernandez, *City Tries New Tactic*, NY Times at A22 (cited in note 39).

41 See Andy Smarick, *Catholic Schools Become Charter Schools: Lessons from the Washington Experience* 9–14 (Seton Education Partners 2009), online at http://

converted any of its schools to charter schools, a number of Chicago charter schools do operate in buildings that formerly housed Catholic schools, fourteen of which are included in our study.[42]

During the 2009–10 school year, there were 104 charter schools (or, technically, 38 charters school operating on 104 campuses) in Chicago.[43] Twenty-eight of these schools opened during the period of our study.[44] These schools are institutionally diverse. They include elementary schools, junior high schools, and secondary schools, as well as nontraditional age groupings (for example, grades 6–12).[45] At least two are single-sex schools,[46] and several have themed curricula.[47] Charter schools enroll a higher proportion of African American students (65 percent)[48] than does the district as a whole (45 percent),[49] and a smaller proportion of Hispanic, white, and Asian students.[50] Chicago's charter schools also enroll a slightly higher proportion of low-income students (85.6 percent)[51] than does the Chicago Public Schools as a whole (83.3 percent).[52] The Chicago Public Schools reports that 63.4 percent of charter school students are "from the neighborhood."[53]

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www.setonpartners.org/Seton_DC_Case_Study_FINAL.pdf (visited Oct 21, 2011); Dana Brinson, *Turning Loss into Renewal: Catholic Schools, Charter Schools, and the Miami Experience* 3 (Seton Education Partners 2010), online at http://publicimpact.com/publications/Seton_Miami_Case_Study.pdf (visited Oct 21, 2011).

42 See Peter Meyer, *Catholic Ethos, Public Education: How the Christian Brothers Came to Start Two Charter Schools in Chicago*, 11 Educ Next 40, 43–45 (Spring 2011).

43 Illinois Network of Charter Schools, *Illinois Public Charter Schools: Profiles* at 1 (cited in note 4).

44 See id at 2–17.

45 See id.

46 See id at 15, 17.

47 See, for example, Illinois Network of Charter Schools, *Illinois Public Charter Schools: Profiles* at 12, 15 (cited in note 4) (describing Prairie Crossing Charter School as "an environmentally themed school" and Springfield Ball Charter School as having "a theme of literacy and numeracy").

48 See id at 1.

49 See Office of New Schools, *2009–2010 Charter and Contract School Performance Report* at *2 (cited in note 5).

50 Compare Illinois Network of Charter Schools, *Illinois Public Charter Schools: Profiles* at 1 (cited in note 4), with Office of New Schools, *2009–2010 Charter and Contract School Performance Report* at *2 (cited in note 5).

51 See Julie Woestehoff and Monty Neill, *Chicago School Reform: Lessons for the Nation* *39 (Parents United for Responsible Education 2007), online at http://pureparents.org/data/files/Final%20report.pdf (visited Oct 21, 2011).

52 See Office of New Schools, *2009–2010 Charter and Contract School Performance Report* at *2 (cited in note 5).

53 See Office of New Schools, *2008–09 Charter and Contract Schools Performance Report* at 5 (cited in note 32).

III. CHARTER SCHOOLS, CATHOLIC SCHOOLS, AND CRIME

In this Part, we turn to two questions raised, but unanswered, by our previous findings. First, we seek to understand whether—as we strongly suspect—*open* Catholic schools suppress neighborhood crime or, alternatively, whether the negative effects of Catholic school closings result from the *loss* of a community institution. This distinction is an important one. A finding that an *open* Catholic school is associated with lower crime rates in a police beat would support our suspicion that Catholic schools generate social capital. It would also provide concrete evidence that Catholic schools behave differently for neighborhoods than public schools, since other scholars have demonstrated a link between open public schools and increased crime.[54] Alternatively, if our findings reflect loss effects we might tend to suspect that that the losses of other kinds of community institutions might also erode neighborhood social controls. In order to test the effects of open Catholic schools on crime rates, we use regression analysis to compare the rates of crime in police beats with Catholic schools to those without them.

Second, we seek to begin to understand whether we have been finding "Catholic school effects" rather than simply "school effects." Here, we add charter schools to our analysis, for several reasons. Charter schools are imperfect proxies for public schools, especially in Chicago, where many charter schools function as neighborhood schools.[55] In contrast to traditional public schools, moreover, charter schools are not present in many police beats, making a comparison between beats with and without schools possible. Moreover, charter schools drive Catholic-school closures both because they compete with Catholic schools,[56] and because, as Archdiocesan officials emphasized in our discussions, the revenue from leasing Catholic school buildings to charter operators incentivizes some pastors to lobby for school closures.[57] Charter schools are frequently offered by some as an alternative to school choice programs that might stem the tide of Catholic-school closures. Finally, charter schools fill the educational void left when Catholic schools close—and they also

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54 See Dennis W. Roncek and Antoinette LoBosco, *The Effect of High Schools on Crime in Their Neighborhoods*, 64 Soc Sci Q 598, 609–10 (1983). See also Dennis W. Roncek and Donald Faggiani, *High Schools and Crime: A Replication*, 26 Sociological Q 491, 501 (1985).

55 See Finn, Manno, and Vanourek, *Charter Schools in Action* at 17 (cited in note 7).

56 See Samuel G. Freedman, *Lessons from Catholic Schools for Public Educators*, NY Times A17 (May 1, 2010).

57 Interview with Sister Mary Paul McCaughey, Superintendent of Catholic Schools, Archdiocese of Chicago (Mar 20, 2009) ("McCaughey interview") (on file with authors).

frequently fill the physical space once occupied by closed Catholic schools. For example, a spokesperson for the Archdiocese of Detroit recently estimated to one of us that approximately 90 percent of the Archdiocese's closed Catholic-school buildings are currently occupied by charter schools.[58]

Our analysis tends to confirm our suspicion that we are finding a "Catholic school effect" on neighborhood health. We find that beats with Catholic schools have consistently lower rates of serious crime and, in contrast, that charter schools are not correlated in a statistically significant way with crime rates in either direction.

A. Data

We rely on multiple sources of data. The Archdiocese of Chicago provided information on closed and open Catholic schools, including their location, name, and parish affiliation. For detailed information about parish and school leaders, we relied upon *The Official Catholic Directory*.[59] Information on clergy abuse came from an official Archdiocesan report,[60] from a "victims' rights" organization that collects accusations (including unsubstantiated ones),[61] and from newspaper accounts. Data on charter schools came from the Chicago Public Schools' Office of New Schools and from the Illinois Network of Charter Schools.[62] To parallel our information on Catholic schools, we restricted our analysis to charter elementary schools located in the city of Chicago proper. We excluded high schools as well as freestanding middle schools. Demographic information comes from the 2000 census, and the Chicago Police Department provided data on the incidence of six major crimes (aggravated assault, aggravated

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58 See also Marisa Schultz, *DPS Schools Get New Life as Charters: But Critics Say Their Lure Costs District Money*, Detroit News A6 (Oct 2, 2010); Michelle Martin, *Charter Schools Not "Catholic,"* Catholic New World (May 27, 2001), online at http://www.catholicnewworld.com /archive/cnw2001/052701/charter_052701.html (visited Oct 21, 2011).

59 *Official Catholic Directory* 1999–2005 (P.J. Kenedy & Sons 2005) (providing yearly updated archdiocesan entries approved by each archdiocese).

60 *Archdiocesan Priests with Substantiated Allegations of Sexual Misconduct with Minors* (Archdiocese of Chicago 2011), online at http://www.archchicago.org/c_s_abuse/report_032006 /list.pdf (visited Oct 21, 2011).

61 *BishopAccountability.org: Documenting the Abuse Crisis in the Roman Catholic Church* (2011), online at http://www.bishop-accountability.org/Who_We_Are/ (visited Oct 21, 2011).

62 See *Office of New Schools* (Chicago Public Schools 2011), online at http://www.cps.edu /newschools/Pages/ONS.aspx (visited Oct 21, 2011); Illinois Network of Charter Schools, *Alphabetical Directory* (2011), online at http://incschools.org/charters/find_a_charter_school /full_list (visited Oct 21, 2011).

battery, murder, burglary, robbery, and aggravated sexual assault) at the police-beat level from 1999–2005.[63]

B. Explaining School Closures and Openings

We recognize the obvious endogeneity problem we face—that is, the same factors that predict the location of charter and Catholic schools also might affect crime rates. In order to separate demographics and school locations, we sought in our previous studies to identify variables predicting Catholic-school closures that were unrelated to neighborhood demographics (or other things closely associated with crime).[64] To do so, we began by asking Archdiocesan officials what factors drove school closures. While school-closure decisions are complex, the superintendent of Catholic Schools, Sister Mary Paul McCaughey, emphasized that, for struggling schools, the most important factor predicting whether a school closed was the support of the pastor.[65] As she explained, while school-closure decisions are centralized, the Archdiocese tends to defer to the pastor's wishes.[66] Pastors who wish to "unload" a school often get their way,[67] and pastors who rally to the school's defense often are given a second chance to save it. We therefore directed our attention to the pastors of the parishes with elementary schools and found, as she predicted, that certain parish leadership characteristics were strongly connected with school closings—more so than neighborhood demographics.[68]

We do not employ these variables here, however, since we cannot identify similar variables explaining charter schools' locations. We assume that charter schools open for many reasons

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63 These are all serious (Part I) crimes collected yearly by the Department of Justice and published as Uniform Crime Reports. See National Atlas of the United States, *Summary of the Uniform Crime Reporting Program* (2011), online at http://www.nationalatlas.gov /articles/people /a_crimereport.html (visited Oct 21, 2011). See also Federal Bureau of Investigation, *Uniform Crime Reports* (Department of Justice 2011), online at http:// www.fbi.gov/about-us/cjis/ucr/ucr (visited Oct 21, 2011).

64 See Brinig and Garnett, 9 J Empirical Legal Stud at *13–15 (cited in note 8).

65 See id at *12–13.

66 See id.

67 Id at *13.

68 These include irregularity in parish leadership, meaning that the pastor had been replaced with a temporary administrator or that a priest at the parish had been accused of sex abuse. The other characteristic predicting closings was the pastor's age, although this factor just missed statistical significance for later closures. Since neither parish "irregularity" nor age would seemingly have anything to do with demographics or neighborhood crime, we were comfortable concluding that the parish leadership variables are an appropriate way to address the endogeneity problem. See Brinig and Garnett, 9 J Empirical Legal Stud at *11–16 (cited in note 8); Brinig and Garnett, 85 Notre Dame L Rev at 912–20 (cited in note 8).

and that some charter-school operators intentionally locate in poor urban neighborhoods where crime is more prevalent. To avoid comparing apples to oranges, we chose not to employ the previously identified school-closure variables (although they remain predictive of closures here). This choice limits the strength of our findings, making it impossible to demonstrate causation—although we emphasize our regression analysis does control for neighborhood demographics.

C. Catholic- and Charter-School Effects on Crime

In controlling for demographics, we include the same characteristics found by a host of other researchers to explain crime in Chicago.[69] We then matched schools, census tracts, and police beats using ArcGIS—a mapping program.[70] As Table 1 indicates, in 2004, there were Catholic schools in eighty-four distinct police beats and charter elementary schools in twenty-eight distinct police beats. Fourteen charter schools were located in closed Catholic schools.

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69 See, for example, Andrew V. Papachristos, Tracey L. Meares, and Jeffrey Fagan, *Attention Felons: Evaluating Project Safe Neighborhoods in Chicago*, 4 J Empirical Legal Stud 223, 240 table 1 (2007).

70 The number of census tracts in each beat varied from three to twenty-three, with an average of more than ten per beat. Visual inspection of these tract-beat matches revealed that it was nearly impossible to choose a majority or typical tract for many beats, so we included them all to eliminate subjectivity. One beat (3100) had no people living in it, so the data was simply excluded, leaving us with 2,902 tract/beat observations for which there were both crime and census information. Beat 1611 had two Catholic schools but was entered only once for each tract. Beat 922 had two charters located in one closed school, but again it was entered only once for each tract.

TABLE 1. DESCRIPTIVE STATISTICS

	N	Minimum	Maximum	Mean	Standard Deviation
Charter school (28 distinct police beats/tracts as of 2004)	2902	0.00	1.00	0.0096	0.09777
Charter school located in closed Catholic School (14 distinct police beats/tracts as of 2004)	2902	0.00	1.00	0.0048	0.06930
Open Catholic school (as of 2004, 84 distinct police beats/tracts)	2902	0.00	1.00	0.0283	0.16573
Total population (2000)	2900	0	15359	3597.01	2671.046
Share of population that is white (2000)	2900	0.0000	1.0000	0.387388	0.3447462
Share of population that is nonwhite (2000)	2900	0.0000	1.0000	0.612612	0.3447462
Share of population that is foreign born (2000)	2900	0.0000	0.7388	0.174533	0.1760852
Share living in same household 5 years (2000)	2900	0.0000	1.0000	0.537996	0.1638469
Percent in labor force (2000)	2900	0.0000	1.0000	0.590173	0.1396101
Percent below poverty line	2900	0.0000	0.9269	0.219373	0.1599469
Percent ages 15–25	2900	0.0000	0.7047	0.150064	0.0668530
Percent living in rental housing (2000)	2900	0.0000	1.0000	0.578107	0.2260260
Percent female headed households (2000)	2900	0.0000	1.0000	0.429929	0.2108200
Percent linguistically isolated (2000)	2900	0.0000	.6667	0.092068	0.1149682
Median income (2000) ($)	2893	0	127221	37142.81	17830.074
Percent households on public assistance (2000)	2900	0.0000	1.0000	0.094825	0.1099266
Share of population that is black (2000)	2898	0.0000	1.0000	0.438765	0.4357780
Share of population that is Hispanic (2000)	2898	0.0000	1.0000	0.221450	0.2837054
Total crime 1999	2815	0.00	599.00	286.5805	106.73678
Total crime 2000	2829	0.00	546.00	273.8996	99.65107
Total crime 2001	2829	1.00	543.00	260.1467	101.41132
Total crime 2002	2829	40.00	555.00	235.3241	94.63097
Total crime 2003	2829	36.00	568.00	221.8271	93.57419
Total crime 2004	2829	24.00	550.00	221.7236	95.05772

	N	Minimum	Maximum	Mean	Standard Deviation
Total crime 2005	2829	33.00	569.00	253.7656	99.82036
Crime rate 1999	2785	0.00	2685.71	26.2389	110.71567
Crime rate 2000	2799	0.00	3100.00	25.3433	112.12574
Crime rate 2001	2799	0.00	1892.86	18.1555	81.02117
Crime rate 2002	2799	0.28	1671.43	17.1429	71.25692
Crime rate 2003	2799	0.36	1514.29	16.1274	68.99457
Crime rate 2004	2799	0.32	1992.86	14.9863	66.69850
Crime rate 2005	2799	0.19	1864.29	14.9499	66.25297
Crime rate (1999–2005)	2750	2.84	15500.00	152.6250	656.99935
Natural logarithm of crime rate (1999–2005)	2750	1.05	9.65	4.0445	1.10275
Valid *N* (listwise)	2743				

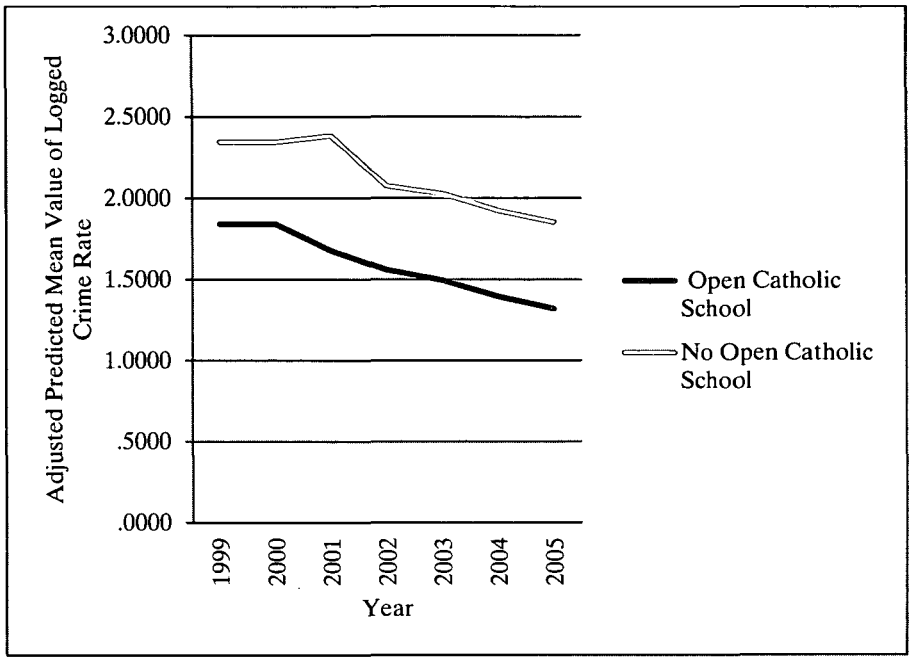
Prior work indicates that the relationship between crime rates[71] and other characteristics is best represented by taking the natural logarithm of the crime rates.[72] For some equations, the demographic variables were reduced to three factors.[73] In others, they were each entered separately. While crime was declining in Chicago between 1999 and 2005, the crime rate, controlling for demographic factors, was lower in each year in those beats with Catholic schools than in those that did not include them.

71 That is, crime divided by the census-tract population. To keep the logarithms positive, this quotient was multiplied by one hundred.

72 See, for example, Brinig and Garnett, 9 J Empirical Legal Stud at *26 (cited in note 8); Papachristos, Meares, and Fagan, 4 J Empirical Legal Stud at 245–46 (cited in note 69) (using "[t]he log of the beat-level homicide rate" in order to "improve model fit and account for nonlinearity" in a study attempting to evaluate the impact of "Project Safe Neighborhood" initiatives on neighborhood-level crime rates in Chicago); Sampson and Raudenbush, 105 Am J Soc at 621 (cited in note 11).

73 The technique, called principal component analysis, uses regression results to reduce a large set of possibly correlated variables into a subset of uncorrelated variables. Because there are fewer variables, the coefficients for the different types of schools are larger, though statistical significance and direction do not change. The same technique has been used on Chicago crime data in earlier work. See Sampson and Raudenbush, 105 Am J Soc at 621–23 & n 19 (cited in note 11).

FIGURE 1. COMPARISON OF POLICE BEATS WITH AND WITHOUT OPEN CATHOLIC SCHOOLS



To produce Figure 1, we first separated the data into the police beats where there were and were not open Catholic schools. Then we used regression analysis to predict the average crime rate for each of the seven years. In effect, we held constant the presence or the absence of a charter school (located or not in a closed Catholic school), plus the computed composite-socioeconomic Table 1 details. The coefficients are displayed as Model 1 in Table 2; the mean adjusted predicted values for each year make up the points in Figure 1. The other two models of Table 2 are very similar, and graphing them would produce nearly identical results. Model 2 displays regression coefficients, standard errors, and statistical significance for an equation where instead of grouping the demographic characteristics, the characteristics are broken out into original census data for each police beat and tract combination. Figure 1 used the variables from Model 1 from Table 2 below for each of the seven years of crime rate data, comparing results for cases in which there was and was not an open Catholic elementary school. The difference between Model 2 and Model 3 is that the former uses individual race characteristics while the latter groups them together.

TABLE 2. REGRESSION RESULTS: CRIME RATES AND PRIVATE SCHOOLS

	Model 1	Model 2	Model 3
	Beta (Standard error)	Beta (Standard error)	Beta (Standard error)
Constant	4.036 (.028)***	5.870 (.164)***	5.750 (.167)***
Open Catholic school	-0.264 (.109)*	-0.120 (.068)*	-0.160 (.069)*
Charter school	0.154 (.210)	-0.015 (.130)	0.026 (.133)
Charter in Catholic	0.045 (.282)	0.140 (.175)	0.181 (.179)
PCA1 (deprivation)	0.470 (.018)***	---	---
PCA2 (immigration)	-0.162 (.018)***	---	---
PCA3 (stability)	-0.220 (.018)***	---	---
Total population 2000	---	0.000 (.000)***	0.000 (.000)***
Share nonwhite 2000	---	---	0.926 (.060)***
Share foreign born 2000	---	-0.397 (.161)*	-0.395 (.147)**
Same household 2000	---	-0.399 (.108)***	-0.198 (.109)
Percent in labor force	---	-0.709 (.157)***	-0.624 (.161)***
Percent below poverty line	---	-1.163 (.144)***	-1.064 (.147)***
Percent renter	---	0.202 (.087)**	0.183 (.088)*
Percent female head 2000	---	-1.186 (.119)***	-1.143 (.119)***
Percent linguistically isolated 2000	---	-0.301 (.218)	0.218 (.214)
Median income 2000	---	-5.233E-6 (.000)***	-5.855E-6 (.000)***

	Model 1	Model 2	Model 3
	Beta (Standard error)	Beta (Standard error)	Beta (Standard error)
Percent households with public assistance 2000	---	1.875 (.176)***	1.696 (.180)***
Percent Black 2000	---	0.987 (.064)***	---
Percent Hispanic 2000	---	0.978 (.067)***	---
R2 (adjusted)	.259	.714	.702
F	240.812	428.332	.432

Note: *** signifies p < .001, ** signifies p < .01, and * signifies p < .05.

In other words, regardless of how we account for demographic variables that generally predict crime, an open Catholic elementary school in a beat is associated with a statistically significant decrease in the rate of crime.[74] Although the percentage difference varied by year, the crime rate in police beats with Catholic schools was, on average, at least 33 percent lower than police beats without them. Charter schools appear to have no statistically significant effect on crime in either direction, although, in a few years, regressions for individual crimes suggest a statistically significant link between charter schools and elevated rates of aggravated assault and aggravated battery. To the extent we can note anything about the

[74] In the simplest model of all, looking at the correlation between open Catholic elementary schools and the logged crime rate, the coefficient is −.086 at p < .001. A model that simply considers race and income generates an adjusted R^2 of .141 (F=119.934), with the coefficients as follows. The effect of the Catholic school being open, standardized, is almost exactly the same as the effect of income.

Variable	Beta	Standard Error	Beta (standardized)
Constant	3.603***	.100	---
Open Catholic school (as of 2004)	-0.371***	.113	-0.058
Percent black in census tract (2000)	0.987***	.074	0.399
Percent Hispanic in census tract (2000)	0.591***	.097	0.156
Median income (2000)	-3.749E-6***	.000	-0.059

Dependent variable: log crime rate; p < .001 for all coefficients.

charter schools operating in closed Catholic schools, the direction of the coefficients is not encouraging (that is, crime seems to increase).

We cannot at this point say that opening a new Catholic school (or re-opening a closed one) would decrease crime. We also cannot say whether individual charter schools—including, perhaps especially, charter schools that mimic the educational program of Catholic schools—suppress crime, or whether charter schools will, as they become established, have the same positive effects as Catholic schools. We also cannot say whether "converting" Catholic schools to charter schools will maintain Catholic schools' positive effects—although our findings here suggest that simply operating a nonsectarian charter in a closed Catholic school does not.

IV. EXPLAINING CATHOLIC SCHOOLS' POSITIVE EXTERNALITIES

Our findings suggesting that charter schools do not suppress crime are not inconsistent with previous studies linking *public schools* with disorder and crime.[75] Our research suggests, however, that urban Catholic elementary schools have the opposite effect—that is, that they suppress disorder and serious crime. We can, at this point, only speculate about possible explanations for Catholic schools' positive externalities.

A. The "Night Watchman" Explanation

One study linking public schools and crime found that public *elementary* schools appeared to generate *more crime* than public high schools. The authors speculated that unsupervised playgrounds may serve as recreational hangouts for teenagers or staging areas for illicit activities.[76] Perhaps, therefore, Catholic school facilities simply are more secure than charter schools. Or perhaps Catholic schools are more likely to generate what Jane Jacobs famously termed "eyes upon the street."[77] In most parishes, for example, the pastor lives on-

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[75] See, for example, Lisa Broidy, Dale Willits, and Kristine Denman, *Schools and Neighborhood Crime* *6–12 (Justice Research Statistics Association 2009), online at http://www.jrsa.org/ibrrc/background-status/New_Mexico/Schools_Crime.pdf (visited Oct 21, 2011); Caterina Gouvis Roman, *Schools as Generators of Crime: Routine Activities and the Sociology of Place* *111–18 (National Criminal Justice Reference Service 2002); Roncek and Faggiani, 26 Sociological Q at 501 (cited in note 54); Roncek and LoBosco, 64 Soc Sci Q at 609–10 (cited in note 54).

[76] See Paula M. Kautt and Dennis W. Roncek, *Schools as Criminal "Hot Spots": Primary, Secondary, and Beyond*, 32 Crim Just Rev 339, 349–53 (2007).

[77] See Jane Jacobs, *The Death and Life of Great American Cities* 34–35 (Random House 1961).

site and may serve a "night watchman" function.[78] Catholic schools also might be more likely to sponsor community activities during after-school hours that draw adults into the neighborhood.[79]

B. The Student-Body Explanation

Our results also might reflect the fact that Catholic and charter schools enroll different types of *students*. A greater degree of institutional diversity existed among charter schools than Catholic schools during the period of our study. Most (but not all) of the Catholic schools in our study enrolled grades kindergarten (or prekindergarten) through eight. Most of the charter schools did not; some extended through fifth or sixth grades; and others were limited to the middle school years (although we excluded these from our analysis). The educational-psychology literature on "school transitions" suggests that students perform better—in terms of behavior, academic achievement, and self-esteem—in K–8 schools.[80] If older students are more likely to generate disorder—and researchers have linked the greater incidence of crime near public middle and high schools with the presence of large numbers of adolescents[81]—then Catholic schools' practice of combining elementary- and middle-school students may generate positive neighborhood externalities.

Moreover, Catholic schools' control over student-body composition is frequently cited as contributing to their relative educational success, as is the fact that better-educated, highly motivated parents are more likely to choose Catholic schools for their children.[82] Both factors may help explain Catholic and charter schools' divergent neighborhood effects. Charter schools exercise far less enrollment discretion than Catholic schools. They generally must conduct a lottery for admissions, although they may give priority to students residing within their attendance boundary (if one is designated).[83] Charter schools may also find it more difficult to expel disruptive students who may "act out" both inside and outside the classroom setting. Moreover, although Catholic school tuition is very

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78 In our study, however, the Archdiocese closed only a handful of parishes, so the pastor remained on-site even after the school was shuttered.

79 Charles W. Dahm, *Parish Ministry in a Hispanic Community* 238–51 (Paulist 2004).

80 See Jonah E. Rockoff and Benjamin B. Lockwood, *Stuck in the Middle: How and Why Middle Schools Harm Student Achievement*, 10 Educ Next 68, 69–75 (Fall 2010).

81 See, for example, Roncek and LoBosco, 64 Soc Sci Q at 601 (cited in note 54).

82 See Bryk, Lee, and Holland, *Catholic Schools* at 16, 46–54 (cited in note 18).

83 See, for example, Office of New Schools, *Lottery Guidelines for Charter Schools* *1 (Chicago Public Schools 2011), online at http://cps.edu/NewSchools/Documents/Lottery GuidelinesForCharterSchools.pdf (visited Oct 21, 2011).

low relative to that of other types of private schools,[84] a decision to send a child to a Catholic school signals a threshold level of parental motivation—and motivated parents may be better able to control their children's behavior before and after school. Catholic schools also frequently place demands on parents that public schools do not or even cannot: many either require parents to volunteer in the school or provide parents with the option of volunteering in order to reduce tuition burdens.[85] These requirements may generate a stable flow of responsible adults in the neighborhood who help keep disorder and crime in check.

That said, it is important not to overstate the explanatory value of these factors. For example, enrollment in a charter school also signals parental motivation. A parent selecting a charter school must opt out of the traditional public school system and choose among a range of alternatives.[86] Furthermore, most urban Catholic schools provide significant financial assistance, which enables them to enroll students from disadvantaged backgrounds. Indeed, the available evidence suggests that the educational benefits of Catholic schools are greatest for the poorest, most disadvantaged students.[87]

C. The Neighborhood-Network Explanation

A third explanation is suggested by William Fischel's defense of local *public* schools.[88] Fischel argues that parent networks at neighborhood public schools enable "community-specific social capital."[89] As Fischel observes, "My approach to social capital formation simply requires that parents get to know other parents.... [A]nd sending your child to a local school does that more effectively than any other means."[90] As he acknowledges, however, the

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84 In 2007–08, the average tuition at a Catholic elementary school was $4,944; the average tuition at a nonsectarian private elementary school was $15,945. See Council for American Private Education, *Facts and Studies* (2011), online at http://www.capenet.org/facts.html (visited Oct 21, 2011).

85 See Bryk, Lee, and Holland, *Catholic Schools* at 306–08 (cited in note 18).

86 Jack Buckley and Mark Schneider, *School Choices, Parental Information, and Tiebout Sorting: Evidence from Washington, DC*, in William A. Fischel, ed, *The Tiebout Model at Fifty* 101, 104 (Lincoln Institute of Land Policy 2006).

87 See Greeley, *Catholic High Schools* at 107–08 (cited in note 6); Coleman, Hoffer, and Kilgore, *High School Achievement* at 143–46 (cited in note 6).

88 See William A. Fischel, *The Homevoter Hypothesis: How Home Values Influence Local Government Taxation, School Finance, and Land-Use Policies* 154–55 (Harvard 2001).

89 William A. Fischel, *Why Voters Veto Vouchers: Public Schools and Community-Specific Social Capital*, 7 Econ Gov 109, 112–17 (2006). See also Fischel, *The Homevoter Hypothesis* at 142–43, 154–55 (cited in note 88).

90 Fischel, 7 Econ Gov at 116 (cited in note 89).

neighborhood-network benefits of public schools likely are reduced in major cities, where intradistrict public school choice is commonplace. Indeed, given the prevalence of public school choice in Chicago—where more than one-third of all public school elementary students attend a school outside their geographic attendance boundaries—students attending a Catholic school may be *more likely* to live in the surrounding neighborhood than public school students, and Catholic schools may be *more likely* to generate local social capital.[91]

That said, although we suspect that many Catholic schools are neighborhood schools, most of the city's charter schools are as well. Illinois law authorizes the designation of an attendance boundary for charter schools and permits charter schools to give priority to students residing within their boundaries.[92] During the 2008–09 school year, Chicago charter schools, on average, drew approximately 63 percent of their students from the surrounding neighborhood, although the percentage of neighborhood students ranged from a low of 6.7 percent to a high of 100 percent.[93] Despite this fact, however, charter schools do not appear to serve the same social-capital-generation function as their Catholic school counterparts—or, if they do, the social capital does not translate into reduced crime rates.

D. The Longevity Explanation

All of the Catholic schools that remained open during the period of our study had been open since the 1930s (though some of them had received children originally attending other schools closed since 1984). In contrast, none of the charter schools opened before 1997.[94] Over time, as charter schools become more integrated into neighborhoods, they also may produce similar effects. It is also possible that Catholic schools, by virtue of their longevity in a community, will continue to produce positive effects even if they are "converted" to charter schools. We simply cannot speculate, based upon our data, about either possibility.

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91 See Julie Berry Cullen and Brian A. Jacob, *Is Gaining Access to Selective Elementary Schools Gaining Ground? Evidence from Randomized Lotteries*, in Jonathan Gruber, ed, *The Problems of Disadvantaged Youth: An Economic Perspective* 43, 51–52 (Chicago 2009).

92 See 105 ILCS § 5/27A-4(d).

93 See Office of New Schools, *2008–09 Charter and Contract Schools Performance Report* at 5 (cited in note 32).

94 Id at 1.

E. The "Last Vestige of Civilization" Explanation

Our results also might reflect the unfortunate reality that, in some neighborhoods, a Catholic school was one of the last remaining functional community institutions. As a Catholic bishop who served as a priest in the Archdiocese of Chicago (and who attended one of the closed schools in our study) told one of us privately, in some neighborhoods, a Catholic school was the last vestige of civil society.[95] It is hardly surprising, he remarked, that when the school disappeared, the neighborhood rapidly declined.[96]

F. The "Catholic School Effect" Explanation

This fact leaves us to wonder whether our results are suggestive of another possibility—namely, that what goes on *inside* a school does in fact affect what happens *outside* it. That is, we ask whether the human-capital- and social-capital-generating functions of a school intersect. According to James Coleman's classic formulation, social capital "inheres in the structure of relations between actors and among actors," and institutions that foster these relationships are incubators of social capital.[97] Coleman used schools to illustrate this conception of social capital, arguing that successful schools tended to be distinguished by parents' connections to their children's school and to the parents of their children's peers.[98] These connections, he reasoned, "closed the loop" between schools, teachers, and parents, thus guaranteeing the enforcement of appropriate norms.[99] Coleman further argued that these kinds of connections—and the norm-enforcement authority that they enabled—explained Catholic high schools' extremely low drop-out rates.[100] Perhaps they also generate positive externalities beyond the classroom walls. For example, in their influential book, *Catholic Schools and the Common Good*, Anthony Bryk and his colleagues linked Catholic high schools' educational successes to the fact that these schools were intentional communities, with high levels of trust between students, parents, teachers, and administrators.[101] In more

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95 Confidential interview with Catholic bishop who formerly served as a priest from the Archdiocese of Chicago ("Priest Interview") (on file with author).

96 Id.

97 James S. Coleman, *Social Capital in the Creation of Human Capital*, 94 Am J Sociology S95, S98 (1998).

98 See id at S105–08.

99 See id.

100 See id at S114–15.

101 See Bryk, Lee, and Holland, *Catholic Schools* at 307–08, 313–14 (cited in note 18).

recent work, Bryk has argued that neighborhood factors, including the level of collective efficacy and social capital in a community, are critical inputs to urban public schools' success (or failure).[102] Bryk's work suggests that there may be significant feedback effects between what goes on in a school and what occurs in the surrounding community.[103]

That said, many charter schools employ educational strategies that closely approximate the Catholic school formula, including a highly structured school day, traditional curriculum, high levels of parental involvement, and an emphasis on building an educational community between the various school stakeholders.[104] Since our analysis does not distinguish between different charter schools' educational strategies, we cannot say whether schools employing this formula positively impact neighborhoods in the way that our study suggests Catholic schools do—or whether they might come to do so over time.

V. POLICY IMPLICATIONS: THE SCHOOL CHOICE DEBATE

Over the past several decades, questions about school choice have taken center stage in debates about education reform, especially the vexing question of how to reform urban public schools. School choice comes in many forms. For example, 71 percent of central-city school districts offer intradistrict school choice,[105] and 40 percent operate magnet schools (compared to less than 10 percent of districts nationwide),[106] permitting students to attend a public

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102 See Anthony S. Bryk, et al, *Organizing Schools for Improvement: Lessons from Chicago* 177–78 (Chicago 2010).

103 See Bryk, Lee, and Holland, *Catholic Schools* at 282–85 (cited in note 18); Bryk, et al, *Organizing Schools* at 196 (cited in note 102).

104 See White House Domestic Policy Council, *Preserving a Critical National Asset: America's Disadvantaged Students and the Crisis in Faith-Based Urban Schools* 102–04 (Department of Education 2008), online at http://www2.ed.gov/admins/comm/choice /faithbased /report.pdf (visited Oct 21, 2011); Timothy Walch, *Parish School: American Catholic Parochial Education from Colonial Times to the Present* 4 (National Catholic Educational Association 1996) (noting shared values, code of conduct, and emphasis on academics); Greeley, *Catholic High Schools* at 68–69 (cited in note 6) (stating that non-Catholic African Americans are just as successful academically as their Catholic counterparts).

105 Between 1993 and 2003, the percentage of students attending a "chosen" public school increased from 11 percent to 15 percent. National Center for Education Statistics, *Fast Facts* (Department of Education 2011), online at http://nces.ed.gov/FastFacts/display.asp?id=6 (visited Oct 21, 2011).

106 See Buckley and Schneider, *School Choices* at 104 (cited in note 86) (noting that the number of schools available for central-city residents boils down to a number of choices at the household level, without having to move to go to a better school).

school outside their assigned attendance area.[107] As discussed previously, Chicago Public Schools operates a district-wide public-school choice program, which guarantees all children admission into a geographically assigned public school, but also entitles them to apply to more than two hundred magnet programs throughout the city.[108] In addition, the number and diversity of charter schools has exploded in the last few years, including in Chicago.[109]

During the same period marking the rise of charter schools, momentum for private school choice—an idea first proposed by Nobel laureate Milton Friedman in 1955[110]—also gained steam. In 1990, Wisconsin enacted the nation's first school voucher program, enabling poor children in Milwaukee to spend public education funds at private schools.[111] The program was expanded to include religious schools in 1995.[112] Ohio enacted a similar program in 1995, which subsequently overcame an Establishment Clause challenge in the US Supreme Court,[113] clearing the constitutional path for the expansion of private school choice. Today, nine states and the District of Columbia have voucher programs that enable targeted students to spend public funds to attend a private school.[114] In addition, nine states grant tax credits for charitable donations to nonprofit organizations that provide scholarships to attend private schools.[115] During 2010–11, over 190,000 children attended a private school with the assistance of one of these programs.[116] This number is

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107 See James E. Ryan, *Schools, Race, and Money*, 109 Yale L J 249, 310–15 (1999). See also James E. Ryan and Michael Heise, *The Political Economy of School Choice*, 111 Yale L J 2043, 2064–65 & n 96 (2002).

108 See Cullen and Jacob, *Gaining Access* at 51–52 (cited in note 91).

109 See Ryan and Heise, 111 Yale L J at 2073–78 (cited in note 107); *All about Charter Schools* (cited in note 3).

110 See Milton Friedman, *The Role of Government in Education*, in Robert A. Solo, ed, *Economics and the Public Interest* 123, 129–31 (Rutgers 1955). See also James Forman Jr, *The Secret History of School Choice: How Progressives Got There First*, 93 Georgetown L J 1287, 1291–95 (2005) (situating the roots of the school choice movement in the post-emancipation period).

111 See *Jackson v Benson*, 578 NW2d 602, 607–10 (Wis 1998) (summarizing history of the Milwaukee Parental Choice Program).

112 See id at 608.

113 *Zelman v Simmons-Harris*, 536 US 639, 644, 652–54 (2002).

114 See Lindsey M. Burke and Rachel Sheffield, *School Choice in America 2011: Educational Opportunity Reaches New Heights* 1 (Heritage Foundation Aug 17, 2011), online at http://www.heritage.org/research/reports/2011/08/school-choice-in-america-2011-educational-opportunity-reaches-new-heights (visited Oct 21, 2011).

115 See id at 13–14 table 1.

116 See Andrew Campanella, Malcom Glenn, and Lauren Perry, *Hope for America's Children: School Choice Yearbook 2010–11* 24–27 (Alliance for School Choice 2011). Indiana became the eighth state to adopt a school voucher program in May 2011. See Associated Press,

likely to increase dramatically in the near future since three states adopted voucher or scholarship tax credit programs in 2011, including the nation's most ambitious voucher program in Indiana and scholarship tax credit programs in Oklahoma and North Carolina. Additionally, both Wisconsin and Ohio dramatically increased the number of students eligible for their voucher programs.[117]

Proponents argue that school choice will subject public schools to competition, thereby incentivizing needed reforms, or, at a minimum, will enable poor children to exit failing urban public schools for higher performing private schools.[118] Other commentators have urged support for private school choice on equality and religious liberty grounds.[119] Opponents counter that school choice divert needed resources to private schools, "cream skim" the very best students out of public school classrooms, and will undermine civic values.[120] William Fischel, as discussed above, has expressed concern that school-choice programs might erode the community-specific social capital generated by parental networks at neighborhood public schools.[121]

Our data does not speak directly to any of the standard questions raised in the school choice debate, although it tends to undercut Fischel's concern about the negative social-capital effects of private school enrollment. Our findings, however, do contribute in

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Daniels Signs School Voucher Plan into Law, Indianapolis Bus J Online (May 5, 2011), online at http://www.ibj.com/article/print?articleId=26991 (visited Oct 22, 2011).

117 See *Idolizing Indiana*, Chi Trib C24 (Sept 1, 2011); Richard Komer, *School Choice Is Here to Stay; Since the 2010 Elections, the Teachers Union Backlash Has Been Stopped in Its Tracks*, Wall St J A17 (Aug 29, 2011); *State Budget Expands School Voucher Program*, Cath Chron (July 12, 2011), online at http://www.catholicchronicle.org/index.php/Schools/state-budget-expands-school-voucher-program.html (visited Oct 22, 2011) (noting that Ohio has expanded two of its school-voucher programs and created a new school-voucher program for students with special needs); Marion Herbert, *The School Choice Movement Marches Forward in 2011*, District Administration 17, 17 (July 2011).

118 See John E. Chubb and Terry M. Moe, *Politics, Markets, and America's Schools* 185–229 (Brookings 1990).

119 See Richard W. Garnett, *The Right Questions about School Choice: Education, Religious Freedom, and the Common Good*, 23 Cardozo L Rev 1281, 1309–13 (2002); Joseph P. Viteritti, *Choosing Equality: School Choice, the Constitution, and Civil Society* 11–16 (Brookings 1999); John E. Coons and Stephen D. Sugarman, *Education by Choice: The Case for Family Control* 115–30 (California 1978).

120 See Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* 1–7, 231–33 (Harvard 2000); Amy Gutmann, *Democratic Education* 64–70 (Princeton 1987). See also William A. Galston, *Political Knowledge, Political Engagement, and Civic Education*, 4 Ann Rev Polit Sci 217, 231 (2001) ("[P]ublic schools have been regarded as the most appropriate sites for forming citizens, whereas private schools have been regarded with suspicion as sources of separatism, elitism, and antidemocratic principles.").

121 See Fischel, 7 Econ Gov at 113–18 (cited in note 89).

a new and important way to the school-choice debate. In school-choice debates, charter schools are frequently offered as a way to capture the benefits of school choice without enlisting private schools.[122] But, our findings bolster the case for "complete" school choice. We admittedly do not know for certain *why* Catholic schools are good for urban neighborhoods, but we are satisfied that—whatever the reasons—they are. And, regardless of the reasons why this is so, this conclusion speaks directly to important "facts on the ground" in our cities: if education policy continues on its current course, which favors charter schools and disfavors vouchers and tax credits, then Catholic schools will continue to close in our cities. Many Catholic schools will become charter schools, either by design, when dioceses decide to "convert" parochial schools to secular charters, or default, when Catholic parishes lease or sell closed school buildings to secular charter operators.

At this point, we cannot know how charter schools will perform as community institutions over the long haul. But we do know how Catholic schools are performing today and strongly suspect that additional school closures will further erode the social capital they generate. We also suspect that a multipronged approach to school choice, which includes financial assistance to students attending private schools, might stem the tide of Catholic-school closures by increasing their accessibility to students of modest means. This is true for two related reasons. First, many of the students who would participate in school choice programs will enroll in Catholic schools, which are relatively inexpensive and located in urban communities. Second, charter schools, which are free, compete with inner-city Catholic schools, which are not. As Diane Ravitch has observed, "Where charter schools are expanding, Catholic schools are dying."[123] For example, a 2006 RAND Corporation study of Michigan found that "[p]rivate schools will lose one student for every three students gained in charter schools."[124] In contrast, a more recent study in Arizona—a state with one-third more students enrolled in charter schools and that also operates two tuition tax credit programs and two voucher programs—found that charter-school competition had

122 See Brooks, *The Quiet Revolution*, NY Times at A35 (cited in note 9).

123 See Freedman, *Lessons from Catholic Schools for Public Educators*, NY Times at A17 (cited in note 56); Mitchell Landsberg, Doug Smith, and Howard Blume, *An Unplanned Revolution in L.A.'s Public Schools*, LA Times A1 (Jan 10, 2010).

124 Eugenia F. Toma, Ron Zimmer, and John T. Jones, *Beyond Achievement: Enrollment Consequences of Charter Schools in Michigan*, 14 Advs Applied Microecon 241, 250 (2006).

not negatively affected Catholic school enrollment.[125] The author concluded that the private-school-choice programs in Arizona increased Catholic schools' competitiveness.[126]

CONCLUSION

Urban Catholic schools are, it is fair to say, an endangered species. Absent a major shift in education policy favoring school choice, or a decision (by Catholic Church officials or private philanthropists) to invest massive new private resources in them, Catholic schools will continue to gradually disappear from urban neighborhoods. As these schools close, the physical and educational space left open by their departure will be filled—both literally and figuratively—with charter schools. This Article is an early effort to understand what this educational transformation will mean for urban neighborhoods. Although our results are sobering for current residents of Chicago neighborhoods, we cannot know whether, over time, charter schools will come to fill the social void that is apparently left by Catholic schools' departures.

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125 See Matthew Ladner, *The Impact of Charter Schools on Catholic Schools: A Comparison of Programs in Arizona and Michigan*, 11 Cath Educ 102, 110–11 (2007).

126 See id at 110, 113.

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