

School Reform News

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THE MONTHLY NEWSPAPER FOR SCHOOL REFORMERS

Vol 8 No 1 January 2004

NAEP Provides Acid Test for NCLB

by Robert Holland

The 2003 National Assessment of Educational Progress (NAEP) showed modest gains in the mathematical prowess of fourth and eighth graders but little or no progress in their reading skills.

Last year's test marked the first time all 50 states participated in NAEP, which began in 1969 as a voluntary gauge of American children's mastery of reading, writing, math, U.S. history, geography, and other subjects.

Under the federal No Child Left Behind Act of 2001, NAEP now becomes a mandatory audit of the results of each state's annual testing of students in grades 3-8 in reading and mathematics.

NAEP p. 4

Private Schools Safer for Teachers and Students

by Joe McTighe

According to a new government report, the rate of violent crime against students is almost twice as high in public schools as in private schools. Similarly, teachers in public schools are twice as likely as teachers in private schools to be threatened or physically attacked by students. For student and teacher alike, if schools are not safe, they cannot be places of learning.

Federal responsibility for measuring and reporting on school crime and safety lies

SAFER p. 8

Voucher Victory in School Boardroom

*While court battle rages,
voters decide to move on*

by Dan Njegovir

It was the kind of news neither friends nor foes of the school choice movement had expected anytime soon—banned across the front page of a local newspaper the day after the November 4 school board election in Colorado Springs, Colorado: "Reformists take charge in D-11; Voucher supporters win majority."

A day later, the education establishment still was catching its breath as the

VICTORY p. 16

Colorado Voucher Program Dealt "Temporary Setback"



William "Chip" Mellor (L) and Clint Bolick (R) of the Institute for Justice remain confident parents will prevail in the battle over the Colorado voucher program.

Opponents hail ruling, but supporters quickly file appeals

by George A. Clowes

Denver District Court halted Colorado's fledgling voucher program on December 3, ruling the provision of "Opportunity Contract" scholarships for children to attend private schools violated the right of public

school districts under the state constitution to exercise "local control" over instruction. While voucher supporters were dismayed by the decision, the ruling was applauded by the National Education Association (NEA), which took credit for successfully blocking the new law.

"This decision is a victory for the children of Colorado, the state of Colorado, and all of public education," NEA President Reg Weaver said.

Although the NEA and the Colorado Education Association sponsored the suit,

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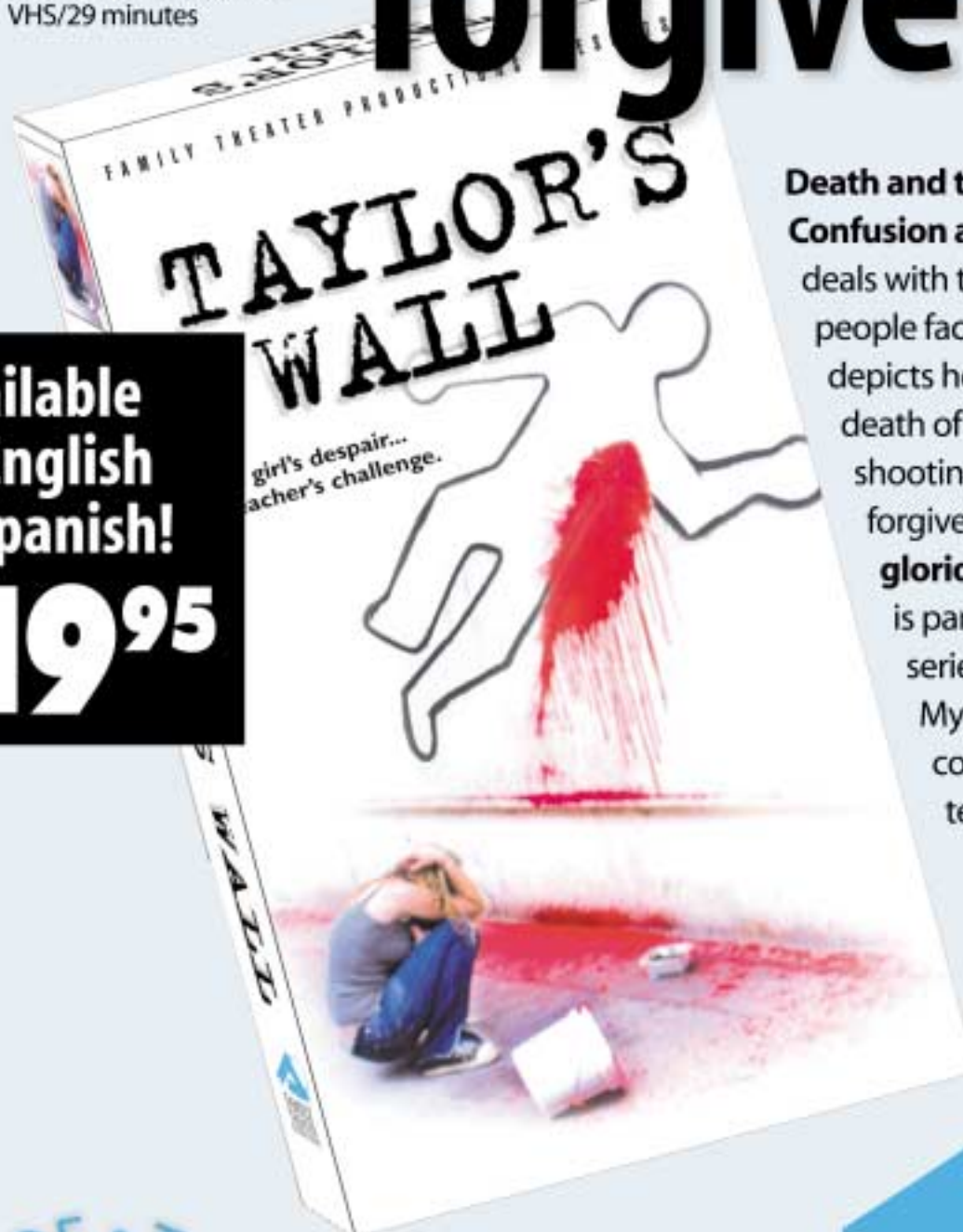
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CAPITOL HILL BEAT

DC Vouchers in Limbo, IRS Probes NEA

by Don Soifer

DC Vouchers in Limbo

As most Members of Congress headed home for Thanksgiving, President George W. Bush's voucher plan for families in the District of Columbia remained stalled, one substantial step away from final passage.

House and Senate negotiators completed work on the plan in November and inserted it into their enormous, \$300 billion omnibus spending bill. Under Congressional rules, the omnibus bill must be approved by each chamber before it is sent to the White House for the President's signature. House leadership approved the measure during a special session on December 8.

Senate leaders returned December 9, but at press time it was unclear if the Senate would get to vote on the omnibus

bill then, or if it would wait until January. Any delays could jeopardize the chances the vouchers could be used for the 2004-2005 school year.

The legislation instructs the U.S. Department of Education to select an organization to administer the voucher program. That administrator would then be responsible for selecting which schools and families may participate, in accordance with the law's requirements.

Under the terms reached by negotiators, most of the \$13 million voucher program would be converted to \$7,500 scholarships that District families could use for their children to attend the private or parochial school of their choice.

New Rules for Disability Testing

In early December, the U.S. Department of Education finalized an important new rule that changes how disabled students are treated under the No Child Left Behind Act's testing provisions.

Termed the "One Percent Rule," the new language gives states and school districts new flexibility to address the special needs of children with severe disabilities by permitting alternate tests for up to 1 percent of their students. States and school districts will also be permitted to go above that threshold if they can demonstrate they have a larger population of severely disabled students.

The new rule comes as a response to concerns raised by parents and educators about how NCLB's testing requirements will work for students whose disabilities are too severe to permit them to participate productively in standardized tests.

"The rule means schools around the country will not be unfairly identified by

states as needing improvement when those schools make accommodations for students with the most severe disabilities, who are unable to take the same tests as their peers," said House Education Committee Chairman John Boehner (R-Ohio).

John Boehner (R-Ohio)
House Education
Committee Chairman

NEA Subject of New IRS Probe

In November, the National Education Association acknowledged it was under investigation by the Internal Revenue Service. According to an NEA spokesman, the audit did not single out any particular aspect of the union's activities.

But in a separate statement, NEA President Reg Weaver asserted, "Our members are parents, taxpayers, citizens, and educators, and they have a right to be involved in politics."

As previously reported (see, for example, "Teacher Union Accused of Tax Evasion," *School Reform News*, November 2003), the Virginia-based watchdog group Landmark Legal Foundation submitted a 2001 complaint to the IRS, in which it documented significant disparities concerning the union's political expenditures.

As a tax-exempt organization, the union is required to disclose all of its political activities on its annual Form 990 federal tax return. According to Landmark, recent tax returns indicate the NEA has reported no such political expenditures in its federal filings.

Landmark cites evidence of the NEA regularly engaging in political activities. The complaint cites millions of dollars in NEA political expenditures, including participation by both the NEA and several of its state affiliates in a "coordinated campaign with the Democratic National Committee and other political groups in order to elect targeted candidates."

Another review of the NEA's tax filings, conducted by the Associated Press, showed the union "had spent millions of dollars to help elect pro-education candidates, produce political training guides, and gather teachers' voting records."

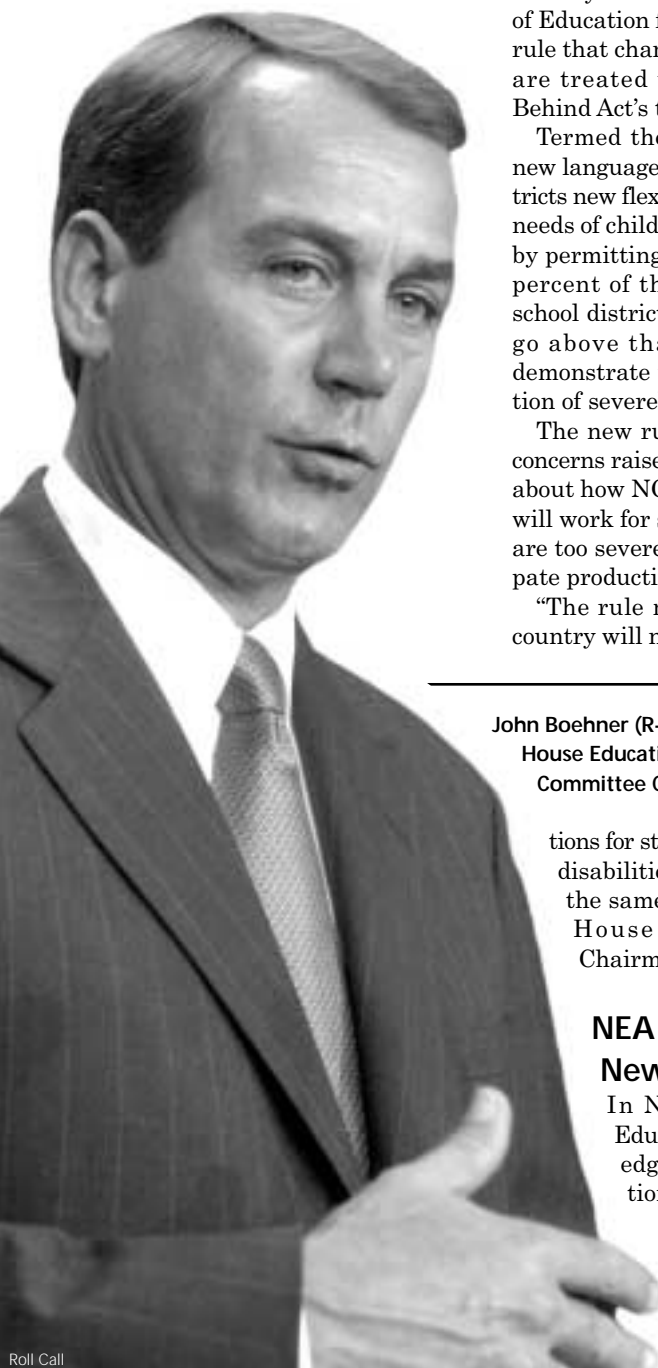
Good Nutrition Gives "Smart Start"

Also in November, President Bush signed a six-month extension of several child nutrition programs that were set to expire. Improving those programs is a top priority for House Education Reform Subcommittee Chairman Mike Castle (R-Delaware).

The extension allows Congress to undertake a thorough review of the programs as part of its scheduled 2004 reauthorization. The National School Lunch and Breakfast Program and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) are among the programs up for review.

"Safe, affordable, and nutritious food is absolutely essential to ensuring a smart start in school for all our children," said Castle. "Children who receive the nutrition they need are better able to pay attention in school and participate in classroom discussions."

Don Soifer is executive vice president of the Lexington Institute. His email address is soifer@lexingtoninstitute.org.



Roll Call

Correction: A comma was incorrectly inserted in the Pledge of Allegiance after the words "one nation" in the article on the Pledge in last month's issue. *School Reform News* regrets the error.

NAEP

Continued from page 1

NCLB requires testing of those two subjects but allows each state to choose its own tests and set its own standards.

As Abigail and Stephan Thernstrom note in their new book, *No Excuses*, NCLB contains much that is good in prodding for results and giving parents a modicum of choice, but it suffers from a definitional “squishiness” in accountability.

With the new tests going on line, NAEP may show if states are inflating their scores to make their schools look better than they are. As one activist put it, NAEP could provide a “truth serum” for the states.

Between now and the 2013 deadline NCLB optimistically sets for all children to be “proficient” in reading and math, state policymakers will have to decide if proficiency means the exacting standard embodied in NAEP or something softer—perhaps more on the order of NAEP’s “basic” redefined by states as “proficient.”

Basic vs. Proficient

Scored on a 500-point scale, NAEP ranks student performance at basic, proficient, or advanced levels.

“Proficient” is the desired standard of grade-level achievement. For instance, students who read proficiently on the NAEP “have demonstrated competency over challenging subject matter, including subject-matter knowledge, application of such knowledge to real-world situations, and analytical skills appropriate to the subject matter.”

“Basic” means only partial mastery, below grade level.

But a comment by an official of the nation’s second-largest teacher union, the American Federation of Teachers (AFT), may foreshadow a coming effort to equate basic with proficient.

“It’s important for people to understand,” said the AFT’s Bella Rosenberg, “that ‘basic’ is a pretty high standard—and ‘proficient’ is a very high standard.”

An analysis by Rosalind Rossi, education reporter for the *Chicago Sun-Times*, showed significantly fewer Illinois students scored as proficient on the first NAEP required of all states than scored at that level on Illinois’ homegrown test. For instance, while just 29 percent of Illinois eighth-graders scored proficient on NAEP math, 53 percent met the proficient mark on Illinois’ own math test.

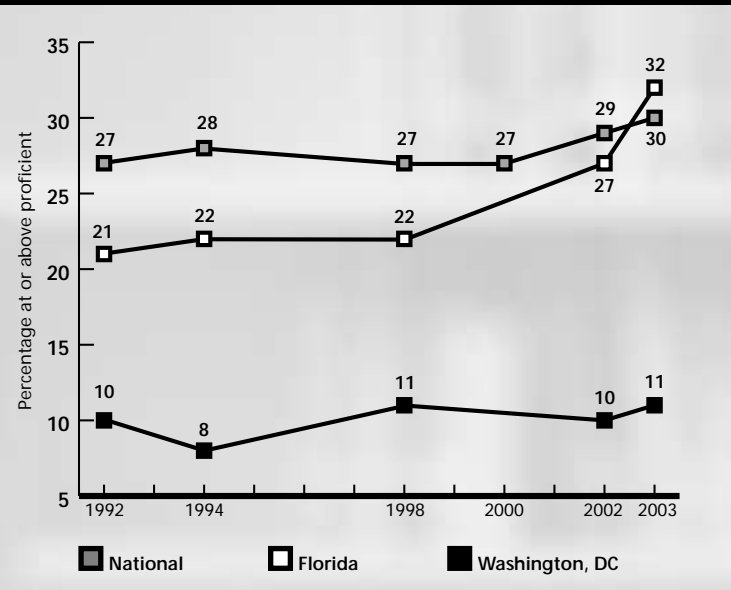
Illinois was by no means unique. The pattern of state-test scores being markedly higher than NAEP scores held true in at least two-thirds of the states.

NAEP Trends

Looking at near-term NAEP trends alone, U.S. Secretary of Education Rod Paige was uncharacteristically ebullient about the math scores, calling them “stellar.”

On NAEP’s 500-point scale, fourth-graders scored an average of 234, marking a 10-point gain since the math test was last given in 2000. There was also a significant increase in the proportion of fourth-graders scoring at or above proficient in math—up from 22 percent in 2000 to 31 percent in 2003.

4th Grade NAEP Reading Achievement Levels



The improvement is encouraging, but the fact remains more than two-thirds of students still are scoring below the level—*proficient*—that is deemed the desired benchmark. It’s true the NAEP levels have not yet been proven to be valid, but most education reformers and apologists alike consider them the best nationwide gauge of student knowledge currently available.

Members of the National Assessment Governing Board, NAEP’s nonpartisan overseer, also drew encouragement from

“The improvement is encouraging, but the fact remains more than two-thirds of students still are scoring below the level—*proficient*—that is deemed the desired benchmark.”

big rises in minority youngsters at least reaching the basic level in math over the past three years.

Black fourth-graders attaining basic in math rose from 36 percent to 54 percent, while Hispanic children reaching basic in fourth-grade NAEP climbed from 42 percent to 62 percent. Those gains bolstered confidence about eventually closing the achievement gap for racial/ethnic minorities, one of NCLB’s prime objectives.

However, possible controversy looms

over whether NAEP assesses the kind of analytical math advocated by the National Council of Teachers of Mathematics since the NCTM’s release of standards in 1989 that are derided by critics as “fuzzy” or “rainforest” math. The concern is that NAEP may be too heavily influenced by the NCTM standards, which de-emphasized drill, memorization, and computation in favor of conceptual understanding and students even constructing their own knowledge. Thus, students may still be short on computational skill even though the NAEP math scores are rising.

Scores Jump in Florida

Meanwhile, the latest NAEP reading scores are not bragging material. Because an NAEP reading test had been given just last year, National Center for Education Statistics administrators had said few gains should be expected. And indeed, only one of the 50 states showed a one-year improvement in fourth-grade reading scores: Florida, where scores jumped 4 points to 218.

Under Governor Jeb Bush’s A+ program, parents in failing schools have the right to transfer their children to better-performing private or public schools. In addition, corporate tax credits provide thousands more children with privately funded scholarships to seek improved educational opportunities.

Nationally, fourth-graders scored an average 218 on the NAEP reading test, a statistically insignificant 1-point decline from the 2002 test. More significantly, when the NAEP’s “main assessment” in reading first was given in 1992, the aver-

age score was 217; thus the average has barely budged in more than a decade.

In the wake of this dismal result, officials offered such explanations as the rise in limited-English-proficient students and the drag on reading development exerted by cultural influences outside of school, including homes. A prime intent of NCLB is to dispense with the excuses and teach all children English.

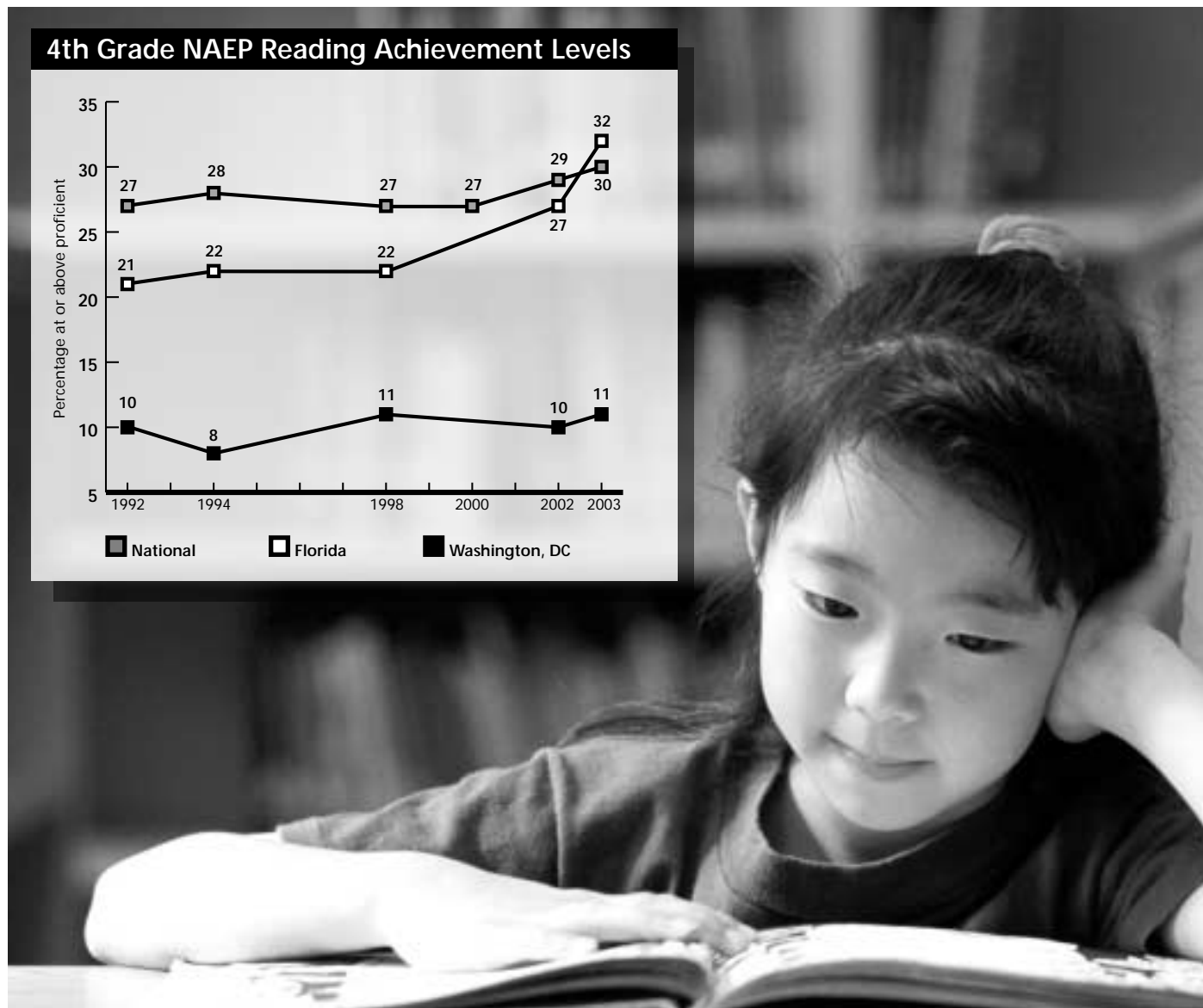
Perhaps the most dismal news came from the nation’s capital, where only 11 percent of DC fourth-graders and 10 percent of eighth-graders scored proficient in reading. Nine in 10 Washington DC public school students are not able to read well enough to handle grade-level material.

Despite this huge systemic failure, opposition in the U.S. Senate continued to stall a bipartisan plan backed by President George W. Bush, DC Mayor Anthony Williams, and others to offer private school vouchers to students in some of the worst DC public schools and to prod deficient public schools to improve.

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INTERNET INFO

The full set of reading and math results is available on the NAEP Web site at <http://www.nces.ed.gov/nationsreportcard>.



Congressional Leaders Call for Head Start Probe

Financial improprieties alleged at some centers

by Krista Kafer

Congressional leaders have asked the General Accounting Office (GAO), the investigative agency of Congress, to inspect the financial controls and monitoring practices of the Head Start program before Congress acts to reauthorize the preschool program.

The request, from the U.S. House Representatives and Senate chairmen of committees with jurisdiction over the Head Start program, is in response to allegations of fraud and other financial improprieties by Head Start centers, as reported recently by the *Kansas City Star*, *Honolulu Star-Bulletin*, *Charleston Post and Courier*, *San Antonio Express-News*, *Chicago Sun-Times*, and other newspapers.

The allegations include:

- Excessive salaries, with some administrators being paid up to \$300,000 a year;
- Millions in unaccounted-for grant funds;
- "Ghost" children and other irregularities.

Calling for the probe were chairman of the House education committee John Boehner (R-Ohio), chairman of the Senate education committee Judd Gregg (R-New Hampshire), Sen. Lamar Alexander (R-Tennessee), and Rep. Michael Castle (R-Delaware). Boehner said the Head Start establishment had "a growing credibility problem."

In a *New York Times* interview, the president of the National Head Start

Association, Sarah Greene, described the Congressional effort as "a smoke and mirrors campaign" to discredit the program. The Association strongly opposes legislation recently passed by the House.

Congress has been working to reauthorize the 38-year-old program. Currently funded at \$6.6 billion, the Head Start program provides health, social, educational, and mental health services to more than 900,000 three- to five-year-old low-income children at a cost of almost \$7,000

"Since its inception, Head Start has enrolled more than 21 million children at a cost to taxpayers of more than \$66 billion."

per pupil. The Department of Health and Human Services directly funds the program's 19,000 centers, which are operated by community and faith-based organizations and local public schools.

The program was created to address the school readiness gap between poor children and their middle-class peers. Since its inception, Head Start has enrolled more than 21 million children at a cost to taxpayers of more than \$66 billion. Although research shows the program may provide short-term cognitive benefits, there is little evidence of long-term impact and the school readi-

ness gap remains stubbornly large. In general, poor children enter kindergarten a step behind their middle-class peers and never catch up.

Attempt at Reform

In response to Head Start's perceived failure, the House of Representatives in July 2003 passed the School Readiness Act (H.R. 2210) by a vote of 217 to 216. The bill emphasizes cognitive development and school readiness and also improves accountability. Building on the 1998 reauthorization, the House bill sets standards for language skills, pre-reading knowledge, counting and other pre-mathematics knowledge, cognitive abilities, social development, and progress in language among non-English-speaking children. The standards are meant to correct a lack of academic goals in some Head Start programs.

"[W]hen you look at where Head Start has been in the last few years, they've been bending over backwards to avoid literacy skills..." noted Nicholas Zill, vice president of the Westat research firm. "The ironic thing is that most Head Start parents want their kids to learn those skills."

Additionally, the House bill would bring the Head Start program into conformance with Title VII of the Civil Rights Act by guaranteeing the right of faith-based organizations to hire people of the same faith. At present, providers may not hire staff according to their religious principles—a right Congress has guaranteed faith-based organizations operating many other federal social service programs.

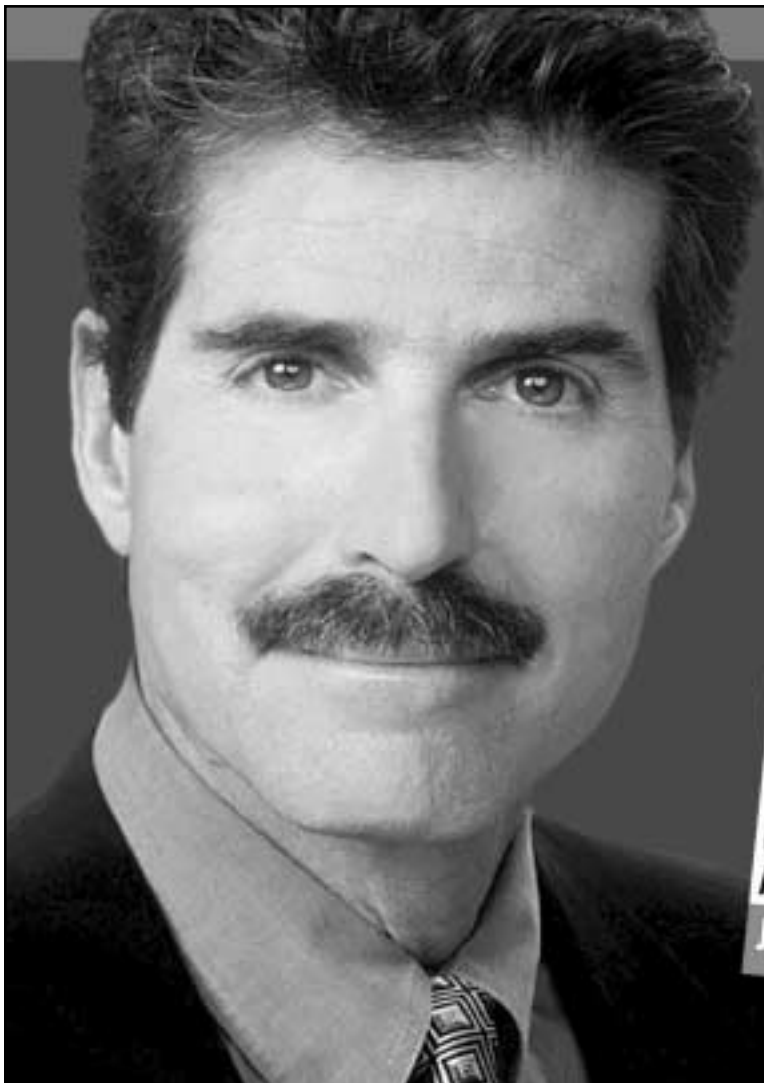
The bill also establishes a small pilot program to allow eight states to integrate and improve Head Start programs. Under current law, states have no authority to work with or improve Head Start programs. This lack of coordination has resulted in "overlapping programs and duplication of services at the state and local level" and "under-enrollment in Head Start programs and gaps in services," according to the Department of Health and Human Services.

The Senate's bill, which passed out of the Health, Education, Labor, and Pensions Committee, contains neither civil rights protections for faith-based providers nor the pilot program. In response to reports of excessive pay, it does, however, cap Head Start employee salaries at the level of the Secretary of Health and Human Services, which is \$171,900.

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INTERNET INFO

The Heritage Foundation's October 29, 2003 *Background* No. 1701 by Krista Kafer, "What Congress Can Do to Get a Better Head Start," is available from the Foundation's Web site at <http://www.heritage.org/Research/Education/BG1701.cfm>.

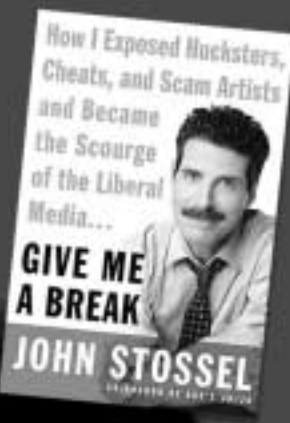


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Colorado

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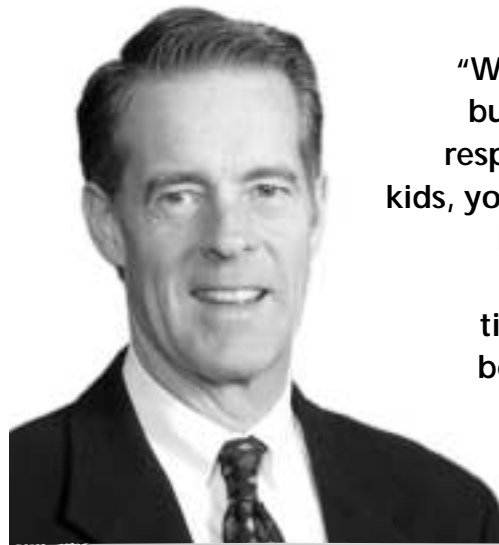
Colorado PTA v. Owens, ostensibly to defend local control of education in Colorado from state-approved vouchers, the NEA defended state control of education from locally approved vouchers in Pennsylvania five years ago. When the Southeast Delco School Board approved district-based vouchers in 1998, it was the NEA that took the lead in mounting a lawsuit to block the board's exercise of local control.

Colorado Senate President John Andrews (R-Centennial) remained convinced the Opportunity Contracts program was constitutionally sound as well as educationally necessary.

"When you try to move a giant bureaucracy and make it more responsive to the needs of poor kids, you're going to have setbacks," he said. "I'm optimistic the bill will be upheld by a higher court in time for these scholarships to begin on schedule next year."

The Institute for Justice (IJ), which is representing 12 Colorado families in the case, vowed to appeal the decision. The Washington DC-based public interest law firm has been defending school choice nationwide since the creation of the Milwaukee voucher program in 1990 and is working with Colorado Attorney General Ken Salazar to protect the Opportunity Contracts program.

"This is a temporary setback in the battle to provide equal educational opportunity and expand access to good schools for



JOHN ANDREWS (R-CENTENNIAL)
COLORADO SENATE PRESIDENT

"When you try to move a giant bureaucracy and make it more responsive to the needs of poor kids, you're going to have setbacks. I'm optimistic the bill will be upheld by a higher court in time for these scholarships to begin on schedule next year."

Colorado's low-income schoolchildren," said Chip Mellor, the Institute's president and general counsel. "We are confident Opportunity Contracts will be found constitutional on appeal."

Within a week of the ruling, the families represented by IJ asked the state supreme court for an expedited review. In addition, IJ and Attorney General Salazar both filed motions on December 9 asking the district court to stay the order and allow the program to continue while on appeal.

"Public schooling is failing my two daughters, and I am afraid of what stopping this program may mean for their future," said Colorado mother Angelia Teague, who was beginning to evaluate private schools for her twin daughters. "All I want is the same right to choose

good schools for my children that more affluent parents enjoy."

The Program

The Colorado Opportunity Contract Pilot Program, enacted in April 2003 and scheduled to start up in the fall of 2004, made publicly funded vouchers available to low-income, under-achieving students in 11 Colorado school districts. Initially open to about 3,300 children, the program could expand to 20,000 by 2007.

Nonpublic schools are approved for participation in the program by the local board, which makes an administrative determination if a nonpublic school meets the program's statutory standards. These standards include providing "a description of the school's educational philosophy and curriculum," prohibiting the teaching of "hatred of a person or a group," and administering statewide assessments.

Although the plaintiffs in the suit made a number of arguments against the voucher program, the only argument District Court Judge Joseph E. Meyer III found convincing was the one asserting the school choice program violated the state constitution's provisions regarding local control of education.

Article IX of the Colorado Constitution requires the General Assembly to provide for "a thorough and uniform system of free public schools throughout the state." Section 15 of the article provides for the establishment of school districts and boards of education with elected directors who "shall have control of instruction in the public schools of their respective districts."

"I see no way to interpret the voucher program statute in a way that does not run afoul of the principle of local control embodied in section 15," declared Meyer.

According to the Colorado Supreme Court, "local control provides each district with the opportunity for experimentation, innovation, and a healthy competition for educational excellence." That local control is brought about by financing part of the cost of public schools with local property taxes.

Previous Decisions

In reviewing previous Colorado Supreme Court decisions, Meyer found section 15 had been interpreted as requiring local boards to have significant control over the funding of instruction for district students. In a 1999 summary of its own decisions on section 15, the state supreme court concluded, "control of instruction requires substantial discretion regarding the character of instruction that students will receive at the district's expense."

In reviewing the new voucher program, Meyer found its goals "laudable" and admitted it may be an effective means of addressing educational disparities.

"However, even great ideas must be implemented within the framework of the Colorado Constitution," he concluded. "By stripping all discretion from the local district over the instruction to be provided in the voucher program, the General Assembly has violated Article IX, Section 15."

Locally Approved Vouchers

In March 1998, Pennsylvania's Southeast Delco School Board adopted a locally initiated voucher plan. The aim of the plan was to promote parental choice, reduce overcrowded schools, and save taxpayer dollars by avoiding having to build additional schools for students who increasingly were transferring from non-district schools to district schools. Although district residents were generally supportive of the plan, the NEA and other parties filed a challenge to the program, claiming it exceeded the school board's authority.

In late December 1999, the Commonwealth Court of Appeals ruled 7-0 that the Southeast Delco School Board lacked authority under Pennsylvania state law to implement a district-funded voucher plan. The ruling suggests that, in Pennsylvania at least, the state legislature needs only to modify the State School Code to give local school districts the authority to institute their own voucher programs.

George A. Clowes is managing editor of School Reform News. His email address is clowes@heartland.org.

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INTERNET INFO

The December 3, 2003 ruling of the Denver District Court on Colorado's Opportunity Contracts program is available online at http://www.courts.state.co.us/exec/media/cases/voucher_03CV3734.pdf.

The December 23, 1999 ruling of the Commonwealth Court of Appeals on the Southeast Delco voucher program is available online at <http://dpg-law.com/opinions/pa-cmwlt/9912/4517-giamucci.html>.

A November 1998 report on "School District Based Vouchers" by David W. Kirkpatrick is available online at http://www.schoolreport.com/schoolreport/articles/schooldistrictbasedvouchers_11_98.htm.

A May 20, 2003 summary report for Congress from the Congressional Research Service, "Education Vouchers: Constitutional Issues and Cases," by David M. Ackerman, is available online at <http://www.the-memoryhole.org/crs/RL30165.pdf>.

Texas Voucher Program Benefits All Children

Choice lifts achievement for students left behind

by Krista Kafer

School choice produces benefits not only for students who make use of the voucher to transfer to a private school, but also for students who remain in the public school system, according to a new study on the outcomes of the HORIZON Program, a privately funded scholarship program in San Antonio, Texas.

Established in the 1998-99 school year by the Children's Educational Opportunity Foundation, HORIZON ambitiously offered every child in the predominantly poor, Hispanic Edgewood Independent School District a voucher to attend private school. In the new study, Teach for America teacher Jennifer O. Aguirre and Children First America Vice President Matthew Ladner analyze the impact of the program from three different perspectives:

- For students who transferred out of the Edgewood district, what were the academic effects?
- For students who remained in the Edgewood public schools, what were the apparent academic effects?
- For the Edgewood Independent School District, what were the systemic effects resulting from the HORIZON program?

Voucher Students

In other studies, researchers have evaluated a voucher program's impact by comparing students who used scholarships with those who applied for scholarships but did not receive them. Such studies show voucher students often achieve at a higher level at their new schools, with their test score gains being attributable to two components: voucher students staying near grade level, and their peers in the public schools falling further and further below grade level.

In the HORIZON program, such a comparison with a control group is not possible because all students who sought vouchers received them. However, voucher students made strong annual learning gains on Stanford 9 tests in all subjects except science. That progress, the study authors note, makes for "a stark contrast" with the generally declining scores of low-income students in public schools and suggests voucher students "make significant academic gains."

District Students

Benefits to students who remained in district schools also were noted. The passing rate on the Texas Assessment of Academic Skills (TAAS) exam for public school students prior to the implementation of HORIZON was 15.7 points below the state average. Two years later, the district had increased the passing rate by 20.2 percent or 12.5 points, bringing the district to within 5.4 points of the state average. Students improved throughout Texas, but they improved at

a faster rate in Edgewood.

The higher rate of improvement found in Edgewood after implementation of the universal voucher program also has been identified in other communities by Manhattan Institute researchers Jay Greene and Greg Forster. Their 2002 study, "Rising to the Challenge: The Effect of School Choice on Public Schools in Milwaukee and San Antonio," shows how voucher programs spurred improvement in the public schools in those two cities.

Systemic Effects

With regard to HORIZON's impact on the Edgewood school district, Aguirre and Ladner found the school district received more money and teachers received higher salaries after implementation of the voucher program. Those developments counter the often-voiced criticism that vouchers deplete funds from school districts.

Former Superintendent Noe Saucedo told journalists three years ago that the HORIZON program had cost the district an estimated \$5 million. "[W]ith that kind of decrease," she warned, "we can't attract and retain quality staff."

"[V]oucher students made strong annual learning gains on Stanford 9 tests in all subjects except science."

But Aguirre and Ladner show that from 1997-98 to 2002-03 the Edgewood district experienced an *increase* in spending of more than \$1,000 per pupil after implementation of HORIZON—despite a decline in enrollment from the voucher program and other factors. In addition, teacher salaries increased more than 23 percent during the same period, rising from below the state average to above the state average.

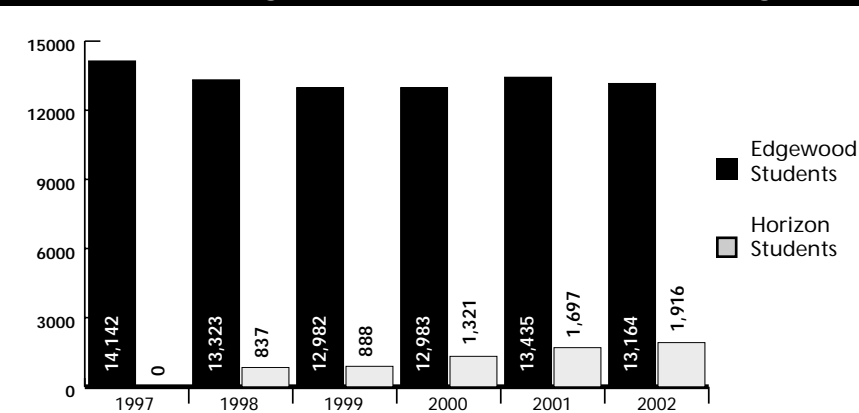
Implications

The evidence of the impact of HORIZON on Hispanic students, both participants and non-participants, is "exceedingly important to state legislatures as well as the national debate over school choice as public policy," the study's authors argue. The program's positive results show the enactment of school choice policies to be particularly promising for Hispanic children, who face high dropout rates and low college participation rates.

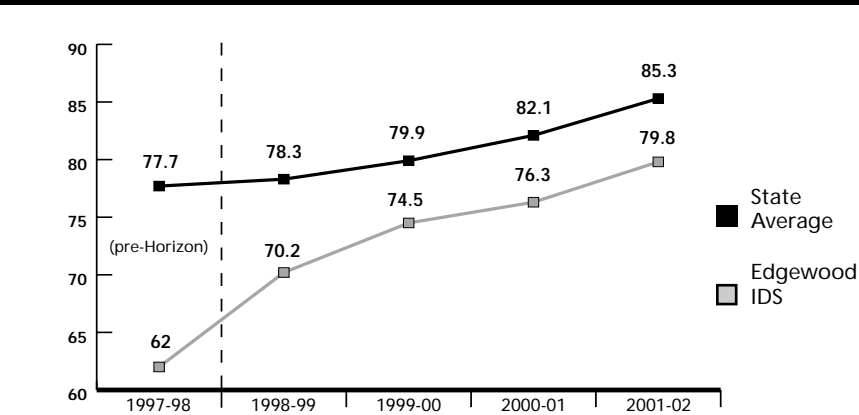
Given the failure of other measures to improve achievement among that population of students, the authors conclude, "[T]he time has come to embrace bold reform."

Krista Kafer is senior policy analyst for education at The Heritage Foundation. Her email address is krista.kafer@heritage.org.

Enrollment in Edgewood ISD and the Horizon Program



Percentage of Students Passing All TAAS Exams



INTERNET INFO

The November 4, 2003 report from the Children's Educational Opportunity Foundation, "Choice, Change & Progress: School Choice and the Hispanic Education Crisis," by Jennifer O. Aguirre and Matthew Ladner, is available online at <http://www.childrenfirstamerica.org/research/choice/CEORreportRevised10-28-03.pdf>.

The October 2002 Civic Bulletin No. 27 from the Manhattan Institute for Policy Research, "Rising to the Challenge: The Effect of School Choice on Public Schools in Milwaukee and San Antonio," by Jay P. Greene and Greg Forster, is available online at http://www.manhattan-institute.org/cb_27.pdf.

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Safer

Continued from page 1

with the Bureau of Justice Statistics and the National Center for Education Statistics. In October they released their sixth annual report, covering grim issues like homicide, suicide, fights, hate speech, and theft—topics most would prefer not to associate with schools.

According to the report, for the school year ending June 30, 2000, 22 students nationwide lost their lives in school-associated homicides (16) or suicides (6). But those grievous statistics tell only a small part of the story. Away from school, 2,124 children ages 5-19 were homicide victims during school year 1999-2000, and 1,922 children ages 5-19 died by suicide during calendar year 2000.

For nonfatal serious violent crimes—including rape, robbery, sexual assault, and aggravated assault—students were also more likely to be victims away from school (290,000 incidents in 2001) than at school (161,000). And for school crime in general, the report notes that between

“According to a new government report, the rate of violent crime against students is almost twice as high in public schools as in private schools.”

1995 and 2001, the percentage of students who reported being a crime victim at school fell from 10 percent to 6 percent, a promising trend indeed.

For some measures of crime and safety, the report presents data by school type. In 2001, a higher percentage (1.9 percent) of public school students reported they had been victims of violent crime during the previous six months than private school students (1.0 percent). The same is true of theft victims (4.4 percent public versus 2.5 percent private).

But for victims of bullying, the type of school they attended didn't matter. The report notes, “no differences were detected between public and private school students' reports of being bullied in 2001.” Eight percent of public school students ages 12-18 said they had been bullied sometime during the previous six months, compared to 7.3 percent of private school students, a difference so small it is apparently not statistically significant.

Associated with being bullied is being the victim of hate-related words. Public school children (12.7 percent) were more likely to be targets of such language than private school children (8.2 percent). More specifically, the report says, “public school students were more likely to report exposure to hate words related to their race, ethnicity, or disability.” Students in public schools (37.3 percent) were also more apt to see hate-related graffiti at school than their counterparts in private schools (16.8 percent).

Students have a sense of whether or not their school is a safe place to be. The report



What Dangerous Schools?

Under the No Child Left Behind Act, parents whose children are in “persistently dangerous” public schools are allowed to transfer their children to a safer learning environment at the district’s expense. With federal reports indicating 1 in 50 public school students are victims of violent crime at school, and 1 in 15 public school students saying they were afraid of being attacked or threatened at school, this transfer option might be expected to have great appeal to many parents.

However, the option isn’t available to most parents because state-level rules have classified fewer than 50 schools nationwide as having a “persistently dangerous” atmosphere, according to state reports filed last September. Only six states—Nevada, New Jersey, New York, Oregon, Pennsylvania, and Texas—have “persistently dangerous” schools, with 28 in Pennsylvania alone.

The dangerous schools list is “a joke,” according to Kenneth S. Trump, president of the Cleveland-based National School Safety and Security Services. He’s concerned school administrators will under-report violence at their schools to avoid the stigma of appearing on the list.

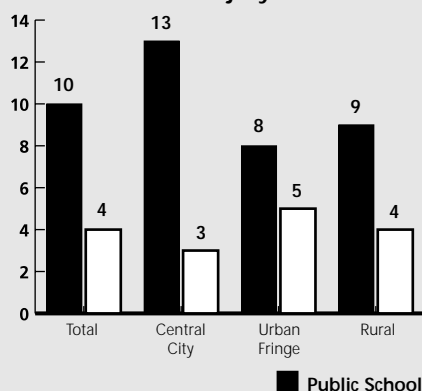
“Parents are getting a very misleading message, which creates a false sense of security about the safety of their child’s school,” Trump told *state-line.org* reporter Pamela Prah.

— G.C.

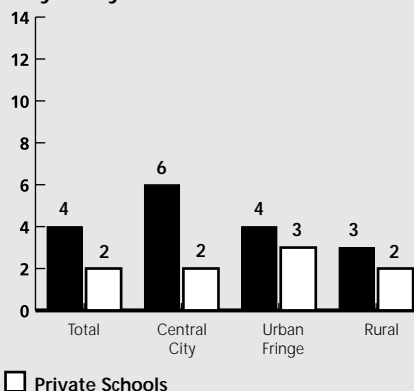
How Safe Are America's Teachers?

Percentage of Teachers who in 1999-2000 reported that during the previous 12 months they had been:

Threatened with injury



Physically attacked



Source: *Indicators of School Crime and Safety: 2003*. U.S. Department of Education and Justice. October 2003

touches on factors that help form that impression. For example, in 2001, 21.6 percent of public school students and 4.9 percent of private school students ages 12-18 said street gangs were present at school. For students in urban public schools, the figure jumped to 31.9 percent, compared to 5.0 percent for their peers in urban private schools.

When asked whether they were afraid of being attacked or threatened at school, or on the way to or from school, 6.6 percent of public school students and 4.6 percent of private school students said they were afraid sometimes or most of the time. Public school students (4.9 percent) and private school students (2.0 percent) reported they avoided one or more places in

school for fear of being attacked.

Attacks on Teachers

School violence is not only directed at students. Teachers can be victims as well, and they more than likely consider their personal safety when deciding where they want to teach. Teacher risk varies by type of school. (See accompanying graph.)

“Public school teachers were more likely than private school teachers to be victimized by students in school,” notes the report, referring to a survey of teachers taken during the 1999-2000 school year that showed 10 percent of public school teachers had been threatened with injury, compared with 4 percent of private school teachers.

“Likewise, 4 percent of public school

INTERNET INFO

Indicators of School Crime and Safety: 2003 is published by the National Center for Education Statistics and is available online at <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2004004>.

A list of public schools rated as “persistently dangerous” has been compiled by The Associated Press and is available at <http://www.cnn.com/2003/EDUCATION/09/25/unsafe.schools.glance.ap>.

teachers and 2 percent of private school teachers had been physically attacked by students,” the report continues. “Among teachers in central city schools, those at public schools were four times more likely to be targets of threats of injury than their colleagues in private schools (14 vs. 3 percent) and about three times more likely to be targets of attacks (6 vs. 2 percent).”

Joe McTighe is executive director of the Council for American Private Education (CAPE), a coalition of national associations serving private K-12 schools. CAPE’s Web site is at <http://www.capenet.org>. A version of this article was first published in the November 2003 issue of CAPE’s monthly newsletter, Outlook.

School Choice Saves a Life in Washington, DC

by M. Royce Van Tassell

Although she'd already raised two children on her own, Virginia Walden Ford found her youngest son William to be more than a handful. An ear infection as a baby had left him with some hearing loss and although he did learn to talk, his mom was the only one who could really understand him.

When he started school in the District of Columbia, his teachers diagnosed him with a learning disability and tried to place him in special ed classes. Knowing William was a bright boy struggling with hearing loss, Virginia argued his real need was speech therapy.

She managed to keep him out of special ed classes, but by the end of 2nd grade he was not keeping up with his classmates. She asked the school to hold him back. Instead, he was promoted. After he completed the 5th grade, she again asked that he be held back. Again he was promoted.

The problems continued. Every year she found herself wrangling, unsuccessfully, with the school district over one issue or another. William attended three different elementary schools. At one, a teacher even suggested she needed to

"get him out of this school."

She did as much as she could to help him with his school work at home, but as a single mom working long hours, by the end of the day she was exhausted. At some point, she says, "I just got tired of fighting the school district."

As William got older, his rambunctious friends at school were becoming insolent, even violent. The school often called for her to come in, sometimes three times a week. Then, in 8th grade, he began skipping school, sometimes disappearing for two or three days. Fearing he would drop out, Virginia confronted him. His reply was simple, and searing.

"They don't care if I come," he said, "so why should I go?"

Matters came to a head the following year when Ben, one of William's classmates, began participating more actively in class. William's friends, thinking Ben was trying to make them look bad, beat him up, leaving him bloody and paralyzed on the gym floor.

Virginia began looking at more drastic measures to get William out of that unsafe environment. She put him on the waiting list at two other schools in the district and even started looking at

"A stranger, Bob Lewis, moved into the neighborhood and recognized William's potential: He wasn't a bad kid; he was just making the best of a bad hand."

whether he could live with her parents in Arkansas. Unless something changed, William was destined to become another of the district's dismal failures.

Then, unlike too many students in D.C. and around the country, William got lucky. A stranger, Bob Lewis, moved into the neighborhood and recognized William's potential: He wasn't a bad kid; he was just making the best of a bad hand. Bob offered to pay the \$6,000 tuition so William could attend Archbishop Carroll, a Catholic high school in northeast Washington.

Now, five years later, with high school and a year of college at Montgomery



Virginia Walden Ford

County Community College under his belt, William is a Marine stationed in California. Two of his former school friends, who didn't have their own Bob Lewis to get them on track, are in jail.

Virginia only hopes the new D.C. scholarship program will give other students what Bob Lewis gave her son—a little choice, a little hope, and a good education.

Royce Van Tassell is executive director of Education Excellence Utah. His email address is royce@edexutah.org.

A GUIDE FOR SCHOOL REFORMERS

LET'S PUT PARENTS BACK IN CHARGE!



JOSEPH L. BAST &
HERBERT WALBERG, PhD

THE HEARTLAND INSTITUTE

Let's Put Parents Back in Charge!

A GUIDE FOR SCHOOL REFORMERS

by Joseph L. Bast & Herbert J. Walberg, Ph.D.

At its root, the campaign for parental choice in education is about relying on *capitalism* to educate our children. Opponents demonize parental choice in education by tapping the public's confusion about competition, profits, and prices. The anti-choice campaign is really a thinly veiled anti-capitalism campaign. To counter this, we must educate millions of Americans about what capitalism is, how it works, and why it should be trusted in education.

Joseph Bast and Herb Walberg, president and chairman, respectively, of The Heartland Institute, make the case for parental choice in education by explaining and defending capitalism. *Let's Put Parents Back in Charge!* is the first effort to join these two subjects in one book since Milton Friedman proposed vouchers in *Capitalism and Freedom* in 1962.

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The Friedman Report

The Milton and Rose D. Friedman Foundation is a nonprofit, 501(c)(3) organization established in 1996 by Milton and Rose Friedman. The origins of the foundation lie in the Friedmans' long-standing concern about the serious deficiencies in America's elementary and secondary public schools. The best way to improve the quality of education, they believe, is to enable all parents to have a truly free choice of the schools their children attend. The Friedman Foundation works to build upon this vision, clarify its meaning to the general public, and amplify the national call for true education reform through school choice. Contact us at <http://www.friedmanfoundation.org> for more information.

The Milton & Rose D. Friedman Foundation
One American Square #1760
Indianapolis, IN 46282

Troy Williamson of Educate New Mexico

School Choice = Positive Parental Involvement

by Laura J. Swartley

Troy Williamson—a father of three, former teacher, and dedicated advocate of education reform—thinks of his job as director of Educate New Mexico as providing irrefutable proof that positive parental involvement is the most important element in a child's education career.

"Without question the greatest influence on my life has been my parents—my sister, my brother, and I were always their top priority, that was never in question," he said from his office in Albuquerque. "I want to do the same for my children. ALL children should be so lucky. The thing that keeps me going is that Educate New Mexico is able to help a few parents who have the same passion for their children."

He believes giving parents more say over the education of their children is the way to increase parental involvement, and the most effective way to do that is via school choice. He disagrees with choice opponents that low-income parents are the least involved in the education of their children. He contends they would be much more involved if they were given the opportunity to participate in making meaningful decisions about their child's education. All too often, though, he hears school officials question the ability of low-income families to make sensible choices—asking, for example, "How do parents know what's good?"

The purpose of Educate New Mexico is two-fold: The first and most important goal is to assist a small number of parents with private donation-funded scholarships. The second goal is to serve as a demonstration school choice program that clearly shows the benefits of school choice to individual children and their parents.

"Our long-term goal is to be instrumental in helping enact school choice legislation in the state of New Mexico," said Williamson. Although Educate New Mexico has been funding private K-12 scholarships for four years now, the second goal is proving more elusive and school choice leg-

islation has yet to pass in New Mexico. The public schools in New Mexico are among the most culturally and socioeconomically stratified in the nation, with particularly poor outcomes for minority children. For example, Hispanic students perform well below their white counterparts on standardized tests, and their graduation rates follow suit.

During the 2003-04 school year, Educate New Mexico will provide 410 students with more than \$450,000 in tuition assistance, with scholarship recipients attending nearly 100 different private and parochial schools across the state. The scholarships are valued at \$1,000 a year for grades K-6 and \$1,500 a year for grades 7-12. All scholarship funds are raised from private sources.

Williamson's own school choice odyssey began as a public school teacher in Colorado. During his 11 years in the public school system, his views increasingly diverged from those of the teacher union as he came to see that "vouchers and school choice just made good sense."

"I was frustrated with the stagnation of the public school system; the union's protection of really poor teachers; the practice of tenure; and new 'reforms' each year that were largely ignored by Christmas time," said Williamson. "All of this can be very discouraging, no matter how idealistic you are in the beginning."

During his master's studies in Arkansas, Williamson became aware of CEO America's efforts to provide private funding for vouchers and school choice in the form of scholarships for low-income families. He was immediately attracted to their mission and went to work for them.

"That was about six years ago," he said, "and I've been in the school choice business ever since."

Laura J. Swartley is former communications director for the Milton and Rose Friedman Foundation in Indianapolis, Indiana.



"I was frustrated with the stagnation of the public school system; the union's protection of really poor teachers; the practice of tenure; and new 'reforms' each year that were largely ignored by Christmas time,"

School Choice Roundup

COLORADO

"Educate Me. I Want to Be Free"

While voucher opponents argued against Colorado's fledgling school choice program inside the Denver City and County Building on November 12, Dan Haley of the *Denver Post's* editorial board was outside covering a rally by voucher supporters, and realized something had changed. As Denver lawyer Dale Sadler addressed the group of mostly blacks and Hispanics, two young black children held up a sign saying, "Educate me. I want to be free."

"[I]t was at this rally, not inside the courtroom," Haley later wrote, "that the public face of vouchers finally changed from the primarily white conservative law-makers who have touted them for years to the people who would benefit the most."

The case for vouchers was being made by black and Hispanic leaders like Sadler, a member of the Black Alliance for Educational Options. They said they were tired of seeing their children at the bottom of the achievement gap, stuck in low-skill jobs, or in prison because of public schools that did not support them.

"We want the choice to send our children to schools ... with a track record of sending kids to college," said Sadler. "We're tired of second-class citizenry."

Denver Post
November 13, 2003

Confusion Reigns After Court Halts Voucher Program

When a Denver judge halted Colorado's new voucher program on December 3, his decision came in the midst of preparations to implement the program for the start of the 2004-05 school year. Eleven school districts had started mailing nearly 70,000 voucher applications to students in low-income families. Some 3,300 children could have participated in the program, with potential expansion to 20,000 children by 2007.

In response to the judge's ruling, the State Board of Education told the 11 districts it was dropping the plan indefinitely and cancelled more than 70 appeals from private schools that were not approved for participation in the program. However, the Colorado attorney general's office announced it was filing an appeal to overturn the injunction and would fight for the program all the way to the state Supreme Court.

More than 100 private schools had been preparing to admit voucher students and officials at many of these schools were upset at the sudden halting of the program.

"This law was supposed to open up more opportunities for these kids," Colorado Christian School principal Wilford Ottey told *The Rocky Mountain News*. "It basically tells children in Denver and surrounding areas that, if you're needy, you can't change schools."

Rocky Mountain News
December 4-6, 2003

CONNECTICUT

Want Integration? Try Vouchers

With non-Hispanic white students making up only 1,291 of Hartford's 22,264 public school students, the best level of integration the city's schools could achieve would be 94 percent minority—"horribly segregated," according to Jay P. Greene, a senior fellow at the Manhattan Institute for Policy Research. Hartford's suburbs, on

the other hand, are almost “as overwhelmingly white as the city’s schools are black and Hispanic.”

“How can we get students to cross these political boundaries and produce racially integrated schools?” asks Greene. With coercion having little appeal, and with magnet schools unable to make much of a dent in segregation, Greene suggests offering parents vouchers to attend private schools anywhere in the Hartford area, pointing out that vouchers have helped produce better-integrated schools in Cleveland and in Milwaukee.

“Neither of these voucher programs have produced ideal integration, but they have made big steps in the right direction,” he notes.

Hartford Courant
November 30, 2003

ILLINOIS

Black Columnist Endorses School Choice

Black columnist Mary Mitchell had this to say to politicians after talking to U.S. Rep Danny Davis (D-Illinois) about what could be done about the plight of the black male and after seeing a two-page ad in the *Chicago Defender* taking U.S. Senator Dick Durbin (D-Illinois) to task for opposing school vouchers: Give parents a choice.

“While Chicago Public School officials mock the ‘No Child Left Behind Act’ as being too burdensome, young African-American males are indeed being left behind,” she wrote. There is an all-girls charter in Chicago, she noted, but “the closest thing to an all-boys high school is the juvenile detention center.”

With “alarming statistics” showing nearly half of Chicago’s 20- to 24-year-old black men out of work, “the black race is losing a generation of children to illiteracy, prison, and poverty,” wrote Mitchell. Some parents are able to save their children from “this terrible fate” by sending them to private or parochial schools—which is what 41 percent of elected officials in Congress do.

“[I]f public schools aren’t good enough for the children of politicians like Dick Durbin, Jesse Jackson, and members of the state and national teachers union, why are they good enough for poor black children” asked the ad in the *Defender*. These are “tough questions,” said Mitchell, who suggested politicians could at least give a choice to parents who valued education.

Chicago Sun-Times
October 21, 2003

LOUISIANA

Broussard Wins Seat on State Board

Polly Broussard, executive director of the Associated Professional Educators of Louisiana and a supporter of vouchers, was elected to the Baton Rouge-based seat on the state Board of Elementary and Secondary Education with a decisive 62 percent to 38 percent victory over her opponent, Buddy Bel, in the election on November 15. However, in a much closer gubernatorial contest, where the vote was just 52:48, another voucher supporter, Republican Bobby Jindal, was defeated by Democrat Kathleen Blanco.

Broussard is open to the use of publicly funded vouchers to allow students in failing schools to attend private or religious schools. She also is a strong backer of the state’s accountability program, where students have to pass tests to be promoted to the next grade and where schools that don’t improve are threatened with punishment. Bel, an Amite City Council member, opposes vouchers and was supported by the state’s two teacher unions, the Louisiana Association of Educators and the Louisiana Federation of Teachers.

Jindal said he would push vouchers if elected governor, saying “children and parents should have more choices.” Blanco dubbed vouchers “disaster relief,” saying they should be put off for several years while the public school system was made stronger. Some of Jindal’s supporters say he should have responded more vigorously to what one called “a barrage of negative ads” from Blanco during the final week of the campaign.

Baton Rouge Advocate
October 24, 2003
November 16, 2003

MICHIGAN

National Heritage Academies Makes Inc. 500 List for Third Year

For the third consecutive year, the charter school operator National Heritage Academies, Inc. (NHA) has been named one of the fastest-growing private companies in the nation by *Inc.* Magazine, which annually issues its *Inc. 500* list of America’s entrepreneurial growth leaders. Based in Grand Rapids, Michigan, NHA saw enrollment in its schools grow by 23 percent last year, and now operates 39 public schools with more than 20,000 students in Indiana, Michigan, New York, North Carolina, and Ohio. It began the 2003-04 school year with a waiting list of 5,700 students.

NHA opened its first charter school in Grand Rapids in 1995. The company’s revenues have grown from \$12.4 million in 1998 to \$126 million for the fiscal year ending June 30, 2003. The number of company employees has grown from 11 in 1996 to more than 1,700 in 2002. NHA’s vision is to create 200 of the nation’s finest K-8 schools, with challenging academics, a safe and disciplined environment, a commitment to the teaching of virtues, and partnering with parents to ensure the success of their child.

According to a survey conducted by Wirthlin Worldwide, 95 percent of all NHA parents are satisfied with the education their children are receiving, with 96 percent saying the company delivers on its promise of academic excellence.

National Heritage Academies
News Release
October 13, 2003

MINNESOTA

Minneapolis Public Schools Respond to Competition

In the past five years, the Minneapolis public school district has lost 5,500 students—1,800 in the last year alone—to competition from charter schools and surrounding school districts through open enrollment. Projections show the district could drop from its current 41,004 students to 32,504 in 2008. Since the state provides district funding on a per-pupil basis, that decline has prompted the board and superintendent to look at how they do business so they can “recapture” students. They want to know what is driving parents’ choices.

“What is it that parents, collectively, want? What part of it are we willing to compete for, and what part of it aren’t we willing to compete for?” interim superintendent David Jennings said to the *Star-Tribune*.

District officials will be receiving budget forecasts plus the results of a survey of Minneapolis residents and parents, asking why they choose certain schools. According to a district spokesperson, the survey shows parents perceive the city’s schools as lacking quality academic programs, and as chaotic, with discipline problems.

Minneapolis Star-Tribune
November 5, 2003

NEW JERSEY

Opposition to Vouchers Called “Racist”

The New Jersey Education Association’s (NJEA) opposition to school vouchers and its failure to support options for urban children is racist, according to Peter Denton, a South Jersey businessman speaking in New Brunswick at the third annual conference of Excellent Education for Everyone (E3), a local advocacy group for school choice.

“This is the 21st century civil rights issue,” he said, “and the NJEA is on the wrong side of it.”

Also speaking at the event was the Rev. Reginald Jackson, pastor of the St. Matthew AME Church in Orange and leader of the Black Ministers Council of New Jersey. He said vouchers would improve the public schools through competition.

“We are not against public education,” he said. “We are against a system that says your child has no option.”

Although vouchers are attracting increased support in Newark and Camden, more support is needed in Trenton, where votes on voucher legislation are cast. However, few legislators have been willing to buck the NJEA’s position on school choice. That’s why E3 is turning its attention to the 2004 and 2005 elections—as is the NJEA. Voucher advocate Cory Booker predicted, “it will be an ugly fight.”

Trenton Star-Ledger
October 19, 2003

VERMONT

Anti-Racism Group Calls for School Choice

In October, the Vermont Anti-Racism Action Team approved a resolution asking the state legislature to make funds available for school choice so that a child who has been racially harassed may readily transfer to another school. The state already has a limited school choice program for high school students.

“The reason we are going for school choice is we have been knocking our heads against a stone wall: the refusal of the education administration to own up to the fact that racism exists,” the group’s volunteer director, Pajj Wadley-Bailey, told the *Boston Globe*. “We can’t just sit by and do nothing,” she added. “If one child is harassed in the schools, that is one too many.”

Libby Sternberg, executive director of Vermonters for Better Education, applauded the resolution, telling the *Globe* that children who had been harassed “shouldn’t have to wait while the school tries to fix the problem.”

The Northeastern Vermont Abenaki Nation issued a statement expressing support for the efforts of the anti-racism group to expand school choice in Vermont, noting that the poorest families more often than not “have been left with most inadequate schools without any alternatives or options.”

“We need to do more to enable disadvantaged families to break the cycle of poverty and to shape their own education according to their own needs,” said the statement from Chief Spirit Water. “It is offensive to our notions of equal justice and equal protection that we can continue, in this day and age, to leave some students with no choices and no options in schools with an atmosphere of hostility or where racial harassment is pervasive.”

Boston Globe
October 18, 2003
The Vermont Education Report
October 27, 2003

BOOK REVIEW

The Language Police: Fahrenheit 451 With a #2 Pencil

The Language Police: How Pressure Groups Restrict What Students Learn, by Diane Ravitch (Knopf, 2003; 272 pages; \$24, ISBN: 0375414827)

review by George A. Clowes

In the world described by Diane Ravitch in her new book, *The Language Police*, censorship is implemented not with fire and destruction, as Ray Bradbury imag-

ined in *Fahrenheit 451*, but with an editor's much-less-intimidating #2 pencil.

The Language Police would be disturbing enough if it were a science fiction novel like Bradbury's, about a possible future where the authorities in power censor reading materials and indoctrinate the young with a strictly limited set of ideas about the world.

However, Ravitch's book is even more disturbing than science fiction because

it is a history book about what has already happened in America—not one hundred years ago, but over the past two decades as children have been subjected to a narrower and narrower range of ideas in the censored textbooks they use in school.

To avoid offending various interest groups, publishers have removed words, passages, stories, and pictures from the pages of their textbooks—in effect, cen-

soring anything that would be objectionable to any group, however small and unrepresentative, that could create controversy during the textbook adoption process. Publishers operate from a detailed set of “language police” guidelines that tell writers and illustrators what they must not say or depict.

For example, textbook writers are told to avoid the following portrayals and topics:

- women as nurses, teachers, secretaries, or librarians
- girls playing with dolls or kitchen equipment
- boys who are confident and decisive problem-solvers
- men and boys who are larger and heavier than women and girls
- African-Americans as great athletes
- Native Americans depicted in tepees with totem poles
- Asian-Americans as excellent scholars
- older people in nursing homes or dependent on others
- behavior that will lead to dangerous situations
- conflict with authorities (such as parents, teachers, or the law)
- guns
- lying or duplicity
- smoking
- stealing
- unflattering comparisons between the sexes

With almost everything that might offend removed from their pages, textbooks have become dull and boring, lacking “the capacity to inspire, sadden, or intrigue their readers,” writes Ravitch. As a consequence of their being “untouched by enduring and inspiring literature, the students are left to be molded by the commercial popular culture.”

Ravitch, who is research professor of education at New York University and was an assistant education secretary in the George H.W. Bush administration, offers a three-fold strategy for ending the reign of the Language Police: competition, sunshine, and educated teachers.

■ Open up the textbook market to competition by ending the state adoption process. Ravitch says states should publish their standards and then let schools and teachers decide what to buy.

■ Expose the censorship process to sunshine by getting every publisher and every state to publish their bias guidelines, along with the names of the people who serve on their bias and sensitivity review panels.

■ Require better-educated teachers, i.e., teachers who have content knowledge, particularly in English and history.

“[I]n our society,” writes Ravitch, “the role of authorities is not to get rid of wrong opinions, but to protect the expression of opinion and the free exchange of ideas. A free society is not free unless it tolerates offensive words and unpopular opinions.”

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Class-Size Reduction Brings Mixed Results

Bottom line: A very costly reform

by Lisa Snell

Two recent studies of student achievement for students enrolled in class-size reduction programs in Wisconsin and California offer mixed results and call into question the cost effectiveness of large-scale programs with mandatory class-size caps.

Class-size mandates are a growing national trend. At least 20 states have some form of class-size reduction legislation, and smaller classes remain a popular school reform with parents and teachers. In 2002, Florida voters passed a statewide class-size reduction law through the initiative process, and advocacy groups and parents recently lost a battle for mandatory class-size reduction in New York City.

Wisconsin Results

In "Class Size Reduction in Wisconsin: A Fresh Look at the Data," Arizona State University education researchers at the Education Policy Research Unit (EPRU) re-evaluate the effectiveness of Wisconsin's Student Achievement Guarantee in Education (SAGE) program. SAGE is a statewide effort to increase the academic achievement of children living in poverty with an intervention plan that includes reducing the student-teacher ratio in grades

components of the SAGE intervention—has had little effect on student achievement in the Golden State.

In 1996, California enacted SB 1777, which provided a substantial incentive for school districts to reduce their class sizes from an average of roughly 30 students per class to 20 or fewer. As a result of SB 1777, nearly \$1 billion in education funds was provided to districts in 1996-97 to reduce class size in grades K-3. The program currently provides more than \$1.7 billion a year to schools for class-size reduction.

RAND researchers examined the standardized test scores over five years for pupils in 2,892 schools across the state. Some children had spent only their second- and third-grade years in smaller classes. Others had been in small classes for the first, second, and third grades. All other factors being equal, the researchers found getting the extra year of small classes in first grade did not result in significant test-score gains.

Nevertheless, California's class-size reduction program did have consequences—unintended ones. Qualified teachers in urban areas fled to higher-performing schools in the suburbs, where class-size reduction meant new teaching positions opened up. Urban schools were faced with huge shortages of classroom space and qualified teachers. As a result, many less-experienced teachers were hired. Since student achievement tends to be more strongly correlated with teacher quality than with small class size, many urban students were actually worse off after the class-size reduction program took effect.

Stanford's Eric Hanushek provides some insight into the discrepancy in findings between the SAGE report and the RAND report. In *The Class Size Debate* (Economic Policy Institute, 2002, Lawrence Mishel and Richard Rothstein, eds.), he points out the issue is not that class-size reduction is *never* effective.

"Surely class-size reductions are beneficial in specific circumstances—for specific groups of students, subject matters, and teachers," Hanushek writes. Instead, the issue is whether broad reductions in class size across all schools, subject matters, and grades is effective—especially considering the cost compared to other reforms.

Hanushek points to the history of class-size reduction in the United States as strong evidence of the failure of that reform to yield increases in student achievement. Between 1960 and 1995, average student-teacher ratios in U.S. schools fell by one-third. Yet student achievement trends on both the SAT and the National Assessment of Educational Progress (NAEP) showed a general decline in test scores and achievement even as class-size fell during that period.

"If past declines in class size have not

INTERNET INFO

The paper by Phil Smith, Alex Molnar, and John Zahorik of Arizona State University's Education Policy Research Unit, "Class Size Reduction in Wisconsin: A Fresh Look at the Data," is available online at <http://www.asu.edu/educ/epsl/EPRU/documents/EPRU-0309-29-RW.pdf>.

The RAND study by Brian M. Stecher, Daniel F. McCaffrey, and Delia Bugliari, "The Relationship between Exposure to Class Size Reduction and Student Achievement in California," has been published by the Education Policy Analysis Archives and is available online at <http://epaa.asu.edu/epaa/v11n40/>.

Eric Hanushek's chapter, "Evidence, Politics, and the Class Size Debate," from the book *The Class Size Debate* (Economic Policy Institute, 2002, Lawrence Mishel and Richard Rothstein, eds.) is available online at <http://edpro.stanford.edu/eah/down.htm#epi>.

Accounts of earlier SAGE results, including online links, are: "Smaller Classes No Remedy for Poor Teachers," *School Reform News*, May 2002, <http://www.heartland.org/Article.cfm?artId=9228> and "Study: Student-Centered Learning Ineffective," *School Reform News*, July 2001, <http://www.heartland.org/Article.cfm?artId=9903>.

had any discernible effect on student outcomes," concludes Hanushek, "why should we believe that future declines would yield any different results?"

Expensive Reform

Class-size reduction also is a very expensive reform. In Florida, for example, lawmakers are struggling to find a way to pay for a constitutional provision that requires the state to give school districts enough money to lower class sizes over the next eight years. The Florida initiative is estimated to cost \$27 billion over eight years—more than double what the federal government spends on Title I education for the entire nation every year.

Other types of school reform may be

more effective at lower cost. The RAND study finds that many of California's standards-based reforms may be more responsible than class-size reduction for any existing student achievement gains.

Meanwhile, many California schools are raising class sizes because of budget constraints. The Elk Grove School district, which Michael Winerip profiled in a positive *New York Times* portrayal of class-size reduction, is being forced by budget constraints to increase kindergarten class sizes to 33 students per teacher.

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"At least 20 states have some form of class-size reduction legislation, and smaller classes remain a popular school reform with parents and teachers."

K-3 to 15:1. SAGE also involves a more rigorous curriculum, before- and after-school activities, and professional development.

The researchers compared the academic achievement of students in SAGE schools to that of students in non-SAGE comparison schools located in SAGE districts. They found SAGE students outperformed non-SAGE students, gaining 25-30 percent of a year's additional growth by the end of first grade, but with no further gain in later grades. Overall, the researchers conclude the SAGE program increases students' achievement, upholds gains through third grade, is most beneficial to African-American students, narrows the achievement gap between African-American and white students, and compensates for poor attendance. They did not attempt to distinguish class-size effects from the effects of other SAGE program elements.

California Results Differ

A new RAND study, by contrast, finds that California's large-scale class-size reduction program—without the other

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AN EXCLUSIVE INTERVIEW WITH JOSEPH L. BAST

Education & Capitalism

by George A. Clowes



Joseph L. Bast

"In most major cities, private schools are just as open to the public as government schools are, sometimes more so, so let's not bias the discussion by confusing 'government' with 'public.'"

Although there are many major players in the school choice movement—and *School Reform News* has interviewed many of them over the past seven years—it was Heartland Institute President Joseph L. Bast who last year was singled out for criticism in the *Wall Street Journal* by Ralph G. Neas, president of People for the American Way (PFAW).

Neas criticized Bast for saying vouchers are the "way to privatize schooling" and that "pilot voucher programs for the urban poor will lead the way to statewide universal voucher plans. Soon, most government schools will be converted to private schools or simply close their doors." This, wrote Neas in "Voucher Veneer," was evidence of The Heartland Institute's "extreme agenda."

In fact, the stated agenda of The Heartland Institute—the publisher of *School Reform News*—is "to help build social movements in support of ideas that empower people." These empowering ideas include parental choice in education, choice and personal responsibility in health care, market-based approaches to envi-

ronmental protection, privatization of public services, and deregulation as a generally preferred strategy. Nobel economist Milton Friedman calls Heartland a "a highly effective libertarian institute."

Bast, who was Heartland's first employee, has overseen the growth of the organization from an annual budget of \$20,000 in 1984 to \$2.15 million in 2004, with a full-time staff of 12 and a growing network of Heartland Senior Fellows. He has assembled a national advisory board of nearly 100 academics and professional economists; built a donor base of more than 1,400 individuals, corporations, and foundations; and overseen the publication of nearly 500 books, commentaries, studies, and other publications.

Bast is the coauthor of five books on school reform, health care reform, economic development, and environmentalism. His latest book, coauthored with Heartland chairman Herbert J. Walberg, is *Education and Capitalism: How Overcoming Our Fear of Markets and Economics Can Improve America's Schools*. He recently spoke with *School Reform News* Managing Editor George Clowes.



Clowes: *What is The Heartland Institute, and how did you become interested in education reform?*

Bast: The Heartland Institute is a 20-year-old national nonprofit organization based in Chicago. We address a wide range of topics, not just education. Our principal audience is state and national elected officials. There are about 8,300 of them nationwide.

The first thing I recall reading about the need for school reform was a chapter in Milton Friedman's *Capitalism and Freedom* as a freshman at the University of Chicago. That would have been in 1976. The first time I edited or published anything on the subject was in 1983, an article by Joe Maxwell, then a graduate student in economics at U of C, which appeared in *Nomos*, a quarterly magazine I helped start.

Heartland began in 1984, and we started addressing education virtually from day one, publishing research on independent schools in Chicago, a plan for property tax credits in 1988, a how-to manual for school reformers in 1991 titled *Rebuilding America's Schools*, and probably a dozen policy studies and shorter pieces since then. And of course, we launched *School Reform News*, in January 1997.

Clowes: *Is The Heartland Institute's aim really to "privatize" K-12 schooling in the U.S.? Do you advocate abolishing public education?*

Bast: First of all, let's get the vocabulary right. It's "government" schools, not "public" schools. In most major cities, private schools are just as open to the public as government schools are, sometimes more so, so let's not bias the discussion by confusing "government" with "public."

Do I want to abolish government schools? Honestly, that's not an easy question to answer. First, you have to separate a straight-forward economic analysis of the issue from the ideology and politics that surround reform proposals, then separate Joe Bast from The Heartland Institute, and finally you need to ask what is politically possible and even desirable.

Clowes: *Okay, so what does economics say about government schooling?*

Bast: No competent economist in America today would tell you that the best way to organize K-12 education is the way we do it now. That is, to allow the government to tax everyone for the service—regardless of whether they have kids, need to hire educated workers, or even have a high school education themselves—and then provide the service through government-owned and -operated schools. That's just an obsolete and failed model. To then discourage competition among public schools and ban any tax aid to private schools just makes the model even more absurd.

So speaking as someone familiar with the economics of education, I would say yes, we need to privatize government schools. Anything less than that will leave a failed model in place.

Clowes: *So that's the economic perspective. What is Heartland's perspective?*

Bast: Heartland has more than a dozen spokespersons, 15 board members, nearly 100 academics and professional economists who serve as advisors, 1,400 donors, and nearly 400 state elected offi-

cials who serve on an advisory board. Our publications serve as a platform for a score of other school reform groups, which often disagree on the best way to move the ball down the field.

So Heartland doesn't speak with a single voice on this or any other topic.

Clowes: *And finally, what is your personal opinion?*

Bast: I think to talk of "abolishing public education" is nonsensical. It can't be abolished. You would have to revise the constitutions of every state, and pass laws forbidding counties and cities from allocating any tax dollars to schools. Not only would such a quest be impossible to orchestrate and fund, but achieving it would be at odds with my libertarian instincts. I believe in federalism, decentralized government, local autonomy, allowing people to choose which types of government they prefer. I'd be opposed to the kind of laws that would be required to "abolish" public education.

Clowes: *Why do you think People for the American Way is singling you out as leading the right-wing conspiracy/campaign to destroy the public—I mean "government"—schools?*

"Thanks to School Reform News, Heartland probably poses a bigger threat to the public school monopoly than any other organization in the U.S. today. That's a big claim to make, but I believe it is true."

Bast: Actually, George, I think it's your fault! *School Reform News* reaches more policymakers and grassroots activists, more often, than any other publication that supports school choice and vouchers. Three-quarters of state elected officials say they read it, and nearly half say it has changed their mind or led to a change in public policy.

Thanks to *School Reform News*, Heartland probably poses a bigger threat to the public school monopoly than any other organization in the U.S. today. That's a big claim to make, but I believe it is true. We don't lobby, and we don't run television or radio ads. We don't appear in the *Washington Post* or *New York Times* very often. But for seven years we've been influencing more elected officials on this subject than any other organization.

Getting back to the actual charges made by People for the American Way, it should be clear that we are neither leading nor being manipulated by some "right-wing conspiracy." There are plenty of differences of opinion among school choice proponents about how to introduce competition and choice into K-12 education. We don't tell other people what to think, we don't tell donors who to fund, and we don't try to "pick winners" or get involved with political campaigns.

The real "conspiracy" in education today is the one between the teacher unions and liberal advocacy groups such as People for the American Way. They are in complete lockstep in their opposi-

tion to school choice and vouchers. Is that a coincidence? I doubt it.

Clowes: *What do you think is the motivation behind privatization? Is it to help children get a better education, or to make money for capitalists? Is there a tradeoff here?*

Bast: Whose motivation are we talking about? My motive is to help kids get a better education, period. A day doesn't pass that I don't think about how many kids are having their lives ruined by not being taught to read and write, being pushed along by an unaccountable government bureaucracy that freezes out parents and all the other stakeholders. It's a tragedy. It's the biggest tragedy in America today.

I believe the same concern motivates other policy analysts and think tank executives and their donors who support school choice. We're all in it for the kids. If we didn't think this would work, we'd be focusing on other issues. There are plenty of other ones out there we could be working on.

There are entrepreneurs and corporations that may be motivated by profit to see greater privatization of schooling. That's exactly as it should be. We want them motivated by self interest, rather than altruism, because as Adam Smith said, relying on people pursuing their own interests is a much more reliable way to achieve the public good than relying on altruists.

Clowes: *Although full privatization may be your preference, what do you hope or expect to see happen in the coming years?*

Bast: I think charter schools, tax credits, and school vouchers will continue to expand and spread as more parents demand choice and elected officials discover that kow-towing to teacher unions is a losing reelection strategy. It is getting more and more difficult for state legislators to say school choice is too risky, or too expensive, or should only be a last resort. The genie is out of the bottle. School choice has become a social movement, and legislators need to lead or get out of the way.

Ten years from now, I think most parents will be able to take their share of education funding and use it to send their children to the public, private, or charter school of their choice. Surveys suggest about two out of three parents would choose a private school if tuition were not a barrier, and that's with today's very limited range of choices. So in 15 or 20 years, I believe fewer than one child in three, maybe one child in four or five, will still be attending government schools. And those government schools, by the way, will be much better than the government schools of today.

Clowes: *Heartland was formed just a year after the publication of A Nation at Risk, so you have seen 20 years of effort to improve the public schools. Why do you think these reforms have produced so little in terms of improved student achievement?*

Bast: That's easy. With the exception of a few pilot programs in Milwaukee, Cleveland, and Florida, no policymakers have embraced market-based reforms such as school vouchers. They are just rearranging chairs on the deck of the Titanic. Until they change the way schools are financed—until the money follows the student, and schools have to compete for those students—nothing else will make much

difference.

Clowes: *Your new book makes that case, doesn't it?*

Bast: Yes. Dr. Herb Walberg and I wrote *Education and Capitalism: How Overcoming Our Fear of Markets and Economics Can Improve America's Schools*. It was just published by the Hoover Institution.

I believe *Education and Capitalism* is the first time since Milton Friedman wrote *Capitalism and Freedom* that the case for capitalism has appeared side-by-side with the case for school choice and vouchers. Our thesis is that you can't persuade someone to rely on private companies to educate their children if they don't know how markets and capitalism work. Most people today simply don't understand capitalism, and people often fear what they don't understand.

Clowes: *What one message would you most like to communicate to policymakers about capitalism and education?*

Bast: "Capitalism" sounds scary and like an ideology, but it's simply an economy that

"A day doesn't pass that I don't think about how many kids are having their lives ruined by not being taught to read and write, being pushed along by an unaccountable government bureaucracy that freezes out parents and all the other stakeholders. It's a tragedy. It's the biggest tragedy in America today."

relies on freedom instead of force to produce and distribute goods and services. We rely on capitalism to provide food, clothing, shelter, transportation, health care—just about everything *except* K-12 schooling. That's weird, and it gets more weird with every passing year as more goods and services get privatized here in the U.S. and in other countries.

Relying on capitalism to educate children worked well in the U.S. for two centuries—from the founding of the first colonies in the 1600s until the mid-1800s. That successful system, composed largely of private schools that competed for students, was abandoned for ideological and political reasons that people today would be ashamed to express. We can and should bring that successful system back, because with all the advances in technology and institutions that have taken place since the 1840s, there's no telling how much more efficient and effective a market-driven school system would be today.

Every month and every year that we delay the adoption of school vouchers and other market-based reforms means millions of kids are denied the education they need to achieve their potential, be good citizens and productive members of society. We're out of time. The answer is right in front of us. All we need are more state legislators with the courage to do the right thing.

Victory

Continued from page 1

Colorado Springs Gazette followed up with another front-pager, "D-11 newcomers are plotting a revolution; Foursome plans to change system."

Though the victors in the city's School District 11 race—Willie Breazell, Craig Cox, Eric Christen, and new board President Sandy Shakes—downplay talk of any revolution, their Election Day sweep among a field of 11 candidates represents no less than a sea change. On their announced agenda isn't merely an about-face on the establishment's long-standing hostility to charter schools and vouchers, but also wide-ranging reforms involving school district governance, financial accountability, and parental involvement.

All of which comes on the heels of the Colorado legislature's enactment last spring of the nation's most far-reaching school voucher program. Arguably, this latest development, in one of the state's largest school districts in its second-largest city, is the coup de grâce.

Diverse But United

United by core values the new board members say will guide them in reshaping

district policy, the reform slate draws on diverse backgrounds. As candidates they cooperated on the campaign trail with the help of some like-minded supporters in hopes of electing a new board majority. Yet each comes to the table with distinct concerns.

Shakes is a retired District 11 school teacher and Colorado Springs native who is a political novice but a forceful proponent for shifting the balance of power and funding in a district she served for so long. Drawing upon her decades of experience in the classroom, she is calling for site-based management, moving both money and decision-making authority away from an entrenched district bureaucracy and back to each campus.

The end game promises to be substantial autonomy for each school, in which parents, teachers, and community representatives take the reins on matters ranging from curriculum to budgeting to hiring school administrators. The net effect, as she sees it, will be to put "parents and teachers in charge of the schools our children attend."

Local businessmen Cox and Christen live in the district's rapidly growing northeast expanses, where new subdivisions have strained classrooms even as schools in older, graying parts of the district near downtown experience declining enrollment. Among

Cox's goals is to get the district to rethink the way it now buses children miles from neighborhood schools in the northeast to even out enrollment districtwide. One of Christen's aims, enunciated repeatedly in his campaign, is to make the district better account for its roughly \$200 million budget by way of a comprehensive audit.

Breazell's election comes as vindication for a man who once served as president of the local NAACP and was ousted from that post four years ago because of his support for school vouchers. He'd penned a commentary for *The Gazette's* op-ed page pointing to the potential school choice offered for African-American children trapped in deficient public schools. He was called on the carpet by a national NAACP official and, within weeks, was forced out by his local board.

"All I did was propose [vouchers] as something to be examined by the NAACP leadership," recalls Breazell, who remains a prominent voice in the city's black community.

All four of the new board members say they embrace one another's concerns and want to work systematically toward rectifying each one. Underlying it all is a basic assumption that the district's bureaucracy has grown inefficient and has fallen out of touch with parents and front-line teachers.

Alongside that is a belief that indepen-

dently run charter schools and vouchers are a good thing, with the potential to give the district a sharper edge. They've pledged their support in implementing the state voucher program.

"We're not afraid of the competition," said Cox.

Their first order of business, though, is quelling fears among some district staffers and teachers that the new regime is bent on confrontation. The new board plans extensive outreach efforts, from visiting schools to holding town hall-style meetings.

Such an activist approach to board membership is itself unusual for an entity that long was viewed as more of a civic stepping stone—and a rubber-stamp for district administrators—than a hands-on, policy-making body. Typically, board members used to be vetted by the likes of the teacher union and local PTA chapters.

Now, as some of those same traditional interest groups are suing in court to block the state's new voucher law, a local school district is openly embracing it. Whether or not that constitutes a revolution, it's certainly an end to business as usual.

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Construction Plan for Better Teachers: Deregulation

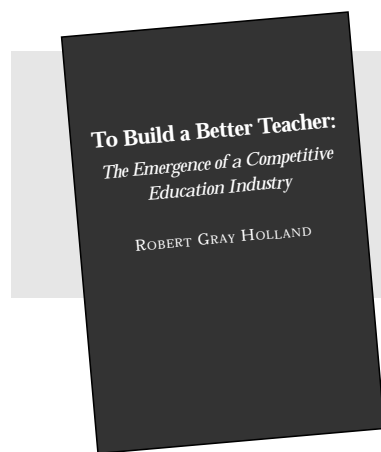
review by George A. Clowes

Getting better teachers is one of Diane Ravitch's recommendations for combatting *The Language Police*, and it's a goal few would disagree with, regardless of their views on multiculturalism or political correctness.

However, when it comes to developing a construction plan to build those better teachers, there's much more disagreement, as Bob Holland explains in his informative new book, *To Build a Better Teacher: The Emergence of a Competitive Education Industry*.

In calm and measured prose illuminated throughout by comments from current teachers, Holland lays out the case for a revolution in education: Changing the way teachers are trained, hired, evaluated, and rewarded. The two key components of his plan are the deregulation of teacher hiring and the use of a value-added approach to identify and reward teachers who are better than others at consistently raising student achievement.

Currently, most teachers are "built" at college schools of education, where they complete a state-approved program of pedagogical training that leads to a degree and qualification as a state-certified teacher. The call for better teachers has led proponents of this training/certification process to propose even tighter regulation of teacher entry by having state schools of education accredited by



*To Build a Better Teacher:
The Emergence of a Competitive
Education Industry*

by Robert Gray Holland
(Praeger Paperback, 2004;
168 pages, \$24, ISBN: 0897898869)

"Holland lays out the case for a revolution in education: Changing the way teachers are trained, hired, evaluated, and rewarded."

a single national agency. A National Board for Professional Teaching Standards (NBPTS) also has been formed to certify "master" teachers.

However, as Holland points out, there's no compelling evidence that the onerous certification process for new teachers actually produces "better" teachers, or that NBPTS-certified teachers are any

better at raising student achievement than those without such certification.

It's not that the contribution of good teachers cannot be measured. Thanks to pioneering work on value-added assessment by William Sanders at the University of Tennessee, the education industry now has a means of measuring how effective individual teachers are in raising the achievement levels of different students over time. The value-added approach can show whether a teacher is raising achievement for all students, for just some students, or for no students. Sanders has shown that good teachers raise student achievement substantially regardless of demographic factors.

"Of all the factors we study—class size, ethnicity, location, poverty—they all pale to triviality in the face of teacher effectiveness," said Sanders.

Holland proposes using Sanders' value-added approach to determine the relative effectiveness of different teachers and to reward better teachers with high-

er salaries. The value-added approach also would identify teachers in need of specific training and those who should be pursuing other careers.

In combination with implementing the value-added tool, Holland also proposes deregulating teacher hiring, allowing school principals to hire the applicants with the most intellectual promise rather than having to screen applicants largely on the basis of the education courses they took in college.

Some small steps already have been taken towards deregulation. For example, in 1984 New Jersey reduced the number of education courses required for certification and provided on-the-job training in applied teaching. There also are alternate certification programs, such as Teach for America and Troops to Teachers.

To better understand why fundamental change is needed to the construction, evaluation, and reward system for teachers in America, *To Build a Better Teacher* is the book to read.

Holland is an award-winning journalist and former op-ed page editor with the *Richmond Times-Dispatch*. He is now a senior fellow at the Lexington Institute in Arlington, Virginia and a contributing editor to *School Reform News*.

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New Yorkers Give Schools Mediocre Grade

Restrictive work rules and thousands of incompetent teachers

by George A. Clowes

Three out of four New Yorkers gave the city's public schools mediocre or failing grades, and the city's poorest residents were the most unhappy with school performance, according to a recent survey of 1,012 respondents conducted by the Community Services Society and released in December.

Just one in four respondents gave the schools a grade of B or higher, and two out of three said that getting a city high school diploma doesn't mean graduates are prepared to get a decent job.

New York Schools Chancellor Joel I. Klein rates the schools higher than that, but not by much. He said in October that at least half of the city's public school students aren't getting a basic education.

"[W]e are not providing at least half of our students with the skills they need to compete in the globalized, service-based economy of the 21st century," he declared in a remarkably candid article in the October 23 *New York Post*.

But this is nothing new, he also admitted, because "we have known that public education has been failing many students" for more than three decades, during which time there has been "constant educational reform resulting in virtually no real change."

With Mayor Michael Bloomberg now in control of the schools, an effort is under way to undo the old system and replace it with one "that all New Yorkers would be proud to have their children attend," he said. The organizational structure has been streamlined, a new curriculum has been implemented, and new leadership is expected from principals.

Union Rules

Even with these changes, school operations still are micro-managed by the rules and regulations embodied in hundreds of pages of union contracts. Current provisions in teacher contracts "mean there is no employee accountability in the system, no meritocracy, and no incentive to take risks or innovate," said Klein, arguing the system must undergo a "radical transformation."

Because of the restrictive work rules:

- The very best and very worst teachers are paid based on length of service, not student performance;
- The least-experienced teachers are disproportionately assigned to the most challenging schools and classes;
- Incentive pay isn't available to attract teachers in shortage areas, like math and science; and,
- It's virtually impossible to remove incompetent teachers in a timely fashion.

Klein admitted there are "several thousand" incompetent teachers in the system but explained it takes years to go through the teacher-removal process, after which an arbitrator could easily put the incompetent teacher back in the classroom.

"No one wants a truly incompetent



Richard B. Levine

New York Schools Chancellor Joel I. Klein (left) said in October that at least half of the city's public school students aren't getting a basic education.

teacher—one who is perpetually late or absent, one who doesn't know grammar or how to spell, one who can't do basic math—teaching his or her child," said Klein. "Yet the fact is that we have quite a few of them in the system today and there is, as a practical matter, very little we can do about it."

But three weeks later, United Federation of Teachers President Randi Weingarten was offering a proposal to streamline the grievance procedure governing teacher removal and reduce it to just two steps. What happened in the inter-

"[W]e are not providing at least half of our students with the skills they need to compete in the globalized, service-based economy of the 21st century."

JOEL I. KLEIN, CHANCELLOR
NEW YORK SCHOOLS

im was that City Councilwoman Eva S. Moskowitz, chairwoman of the Education Committee, exposed details of union work rules in four days of public hearings in early November.

"These rules affect every aspect of the operation of our schools and in many ways these rules have been a mystery to parents and the general public," said Moskowitz.

She provided a separate summary of the key provisions of the hundreds of pages of collective bargaining rules for teachers, principals, and custodians. Among the provisions:

- Seniority, not job proficiency, is the key factor in hiring, and a principal may

receive several new teachers, sight unseen, on the first day of school;

- Middle and high school teachers may not be scheduled to teach more than 3.75 hours a day;

■ Schools must consult with the local union chapter committee before setting the agenda for a faculty conference;

■ Teachers are prohibited from patrol duty in the cafeteria or in the halls;

■ "Adequate supplies will be made available in teacher washrooms in schools," and the Department is required to provide pay telephones and vending machines for teacher use.

Contracts for custodians also contained many restrictions:

■ Seniority is paramount: "The Custodian's skill set, specific experiences and overall performance rating are not directly taken into consideration" in transfer requests;

■ Custodians are responsible for painting one-fifth of their school each year, but are prohibited from painting anything other than "walls to the height of 10 feet or the height of picture molding (whichever is less)";

■ Custodians must replace broken door hinges but may not order the parts;

■ Custodians must replace loose or missing floor tiles, but may not replace more than 75, 150, or 200 tiles per month depending on the size of the school.

"Nobody seems to want to claim authorship for these work rules," commented Klein, while Bloomberg compared the teachers' contract to the way the former Soviet Union had tried to run things.

Weingarten claimed teachers were being "demonized" by Bloomberg and Moskowitz, and asked, "If teaching under this contract is such a cushy job, why do one in four new teachers leave within a year, 40 percent within three years?"

A likely answer to Weingarten's ques-

tion was suggested by Mike Antonucci of the Education Intelligence Agency. Antonucci pointed to the restrictive transfer provisions in the teacher contract:

"Each year, the number of teachers who will be permitted to transfer out of a school hereunder shall be equal to five percent of the teaching faculty of the school on regular appointment; provided, however, that in the junior high schools and the high schools no more than 25 percent of the regularly appointed teachers in the school holding a particular license will be permitted to transfer. When the teaching faculty of the school on regular appointment numbers less than 20, one transfer shall be permitted, and when it numbers 21-39, two transfers shall be permitted. Where 25 percent of the regularly appointed teachers in a particular license would be less than one, then one teacher will be permitted to transfer."

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INTERNET INFO

Joseph Klein's October 23, 2003 article in the *New York Post*, "Unions Vs. Kids," is available through the *Post*'s online edition at <http://www.nypost.com/postopinion/opedcolumnists/8835.htm>.

The hearing transcripts and Education Committee's "Council Notes" summarizing the key provisions of the contracts for teachers, principals, and custodians in New York City are available online at the Web site of Councilwoman Eva Moskowitz at <http://www.evamoskowitz.com/>.

Competition, Choice, and Privatization

Options for parents, including opting out

by George A. Clowes

Let's face it. The average reader—conditioned from previous encounters with books on education or economics to expect dense, jargon-ridden prose and arguments that are barely understandable—is not going to add *Education and Capitalism* to a “Must Buy” or “Must Read” list on the strength of its title. But that would be a big mistake.

This book is written clearly, concisely, and cogently for the lay reader, but it packs such a remarkable range of arguments and exposition in its 362 concentrated pages that it would also readily serve as a rich and challenging college-level text. *Education and Capitalism* is destined to become a modern classic.

The authors explain why reform of K-12 education is necessary but also argue that it's likely to founder unless popular myths about capitalism are challenged. If reformers and the general public do not possess a broader understanding of how and why markets work, the baby steps that are currently being taken towards school reform will not develop into the adult strides required for K-12 education to deliver superior performance.

“Unless popular myths about capitalism are challenged, school reform will stall well short of success,” write the authors, education researcher Herbert J. Walberg and public policy expert Joseph L. Bast.

Walberg, chairman of The Heartland Institute, is a distinguished visiting fellow at the Hoover Institution at Stanford University and a professor emeritus at the University of Illinois at Chicago. Bast,

president of The Heartland Institute, is the author of numerous policy studies and coauthor of five books on topics ranging from school reform to environmentalism.

After detailing the shortcomings of the present K-12 school system, the authors explain how a capitalist school system would work. They then take an extensive detour into economics and capitalism to explain what capitalism is and how its principles would be applied to K-12 education.

A particularly enlightening chapter is devoted to debunking myths about capitalism—after all, don't the rich get richer under capitalism, while the poor get poorer? Walberg and Bast dispose of nine such myths.

They also dispose of many of the arguments against school choice that are raised by opponents. In addition to providing a comprehensive set of guidelines for school choice, they provide a structure for understanding the different ways of privatizing K-12 education.

The Communist Economy

Although it isn't used in the book, the late Al Shanker's candid assessment of the K-12 education system is a good starting point for understanding why reform is needed:

“It's time to admit that public education operates like a planned economy, a bureaucratic system in which everybody's role is spelled out in advance, and there are few incentives for innovation and productivity,” said Shanker, who was president of the American Federation of Teachers for many years. “It's no surprise that our school system doesn't improve: It more resembles

Education and Capitalism: How Overcoming Our Fear of Markets and Economics Can Improve America's Schools

By Herbert J. Walberg and Joseph L. Bast
Hoover Institution Press, 2003, 362 pages
ISBN: 8179-3971-7 \$25.00 cloth
ISBN: 8179-3972-5 \$15.00



the communist economy than our own market economy.”

It's not surprising that communism doesn't work, since it lacks all of the factors that Walberg and Bast explain are necessary for capitalism to operate: markets, private property, and the Rule of Law. Instead of relying on centralized planning and decision-making by a ruling elite, capitalism relies on three other features of its operation that are missing from a communist economy: prices, competition, and profits. These send signals to producers to direct resources to where they are most needed and to reward those who can best satisfy the wants of others.

Privatization

Privatization is a way policymakers can introduce some of the beneficial features of capitalism into K-12 education without having to commit to a wholesale conversion to the free market. Privatization means relying more on private institutions than on government for the delivery of needed goods and services. Privatization is a strategy that aims to increase the role of the private sector in an activity or in the ownership of the means of production.

According to a useful classification developed by E.S. Savas a decade ago, goods and services may be *funded* by the public sector or the private sector, and they may be *delivered* by the public sector or the private sector. When this classification is applied to

K-12 education, 10 options emerge, as shown in the accompanying table.

The first two options—public funding—public deliverer—use the public sector for both funding and delivery of the service. The next four options—public funding—private deliverer—use the public sector to fund the service and the private sector to deliver the service. The next option—private funding—public deliverer—is where consumers pay directly for a service delivered by the public sector. The last three options—private funding—private deliverer—have consumers pay for a service that is delivered by the private sector.

Privatization is the process of shifting from public-sector delivery to private-sector delivery and from public funding to private funding. Many activities and services, including airports, prisons, railroads, waterworks, parks, golf courses, and building maintenance, have undergone this shift since 1980.

“Extensive research shows that privatization delivers significant cost savings, greater accountability and responsiveness to consumers or elected officials, and a level of quality equivalent or superior to public-sector delivery,” note Walberg and Bast. They also note that in K-12 education, many privatization proposals have been advanced but few have been tried.

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Privatization Options with Applications to Education

Funder	Public Deliverer	Private Deliverer
PUBLIC FUNDER	A. PUBLIC FUNDER-PUBLIC DELIVERER	
1. Government service	Conventional public school system where government both funds and manages nearly all schools	
2. Intergovernmental agreements (open enrollment)	Public school choice, where pupils attend schools outside their districts and the sending district pays tuition to the receiving district	
PUBLIC FUNDER		B. PUBLIC FUNDER-PRIVATE DELIVERER
3. Grants		Private schools get government grants for some or all enrolled students, perhaps for specialized services or transportation
4. Franchises (contract to manage)		Public school system contracts with education management organization to run local public schools
5. Charters (contract to operate)		Public school system issues charters to private groups to operate schools
6. Vouchers and tax credits		Parents get public assistance to pay for tuition at private nonprofit and for-profit schools
PRIVATE FUNDER	C. PRIVATE FUNDER-PUBLIC DELIVERER	
7. Government vending	Local public school accepts out-of-district pupil and is paid by parents	
PRIVATE DELIVERER		D. PRIVATE FUNDER-PRIVATE DELIVERER
8. Free market		Private nonprofit and for-profit schools compete for pupils without tax subsidies
9. Voluntary service		Charities finance private schools or provide scholarships to needy pupils
10. Self-service		Home schooling: Parents educate their children themselves at home or in partnership with other parents

SOURCE: Adapted from Table 10.1, *Education and Capitalism*, pages 231-232.

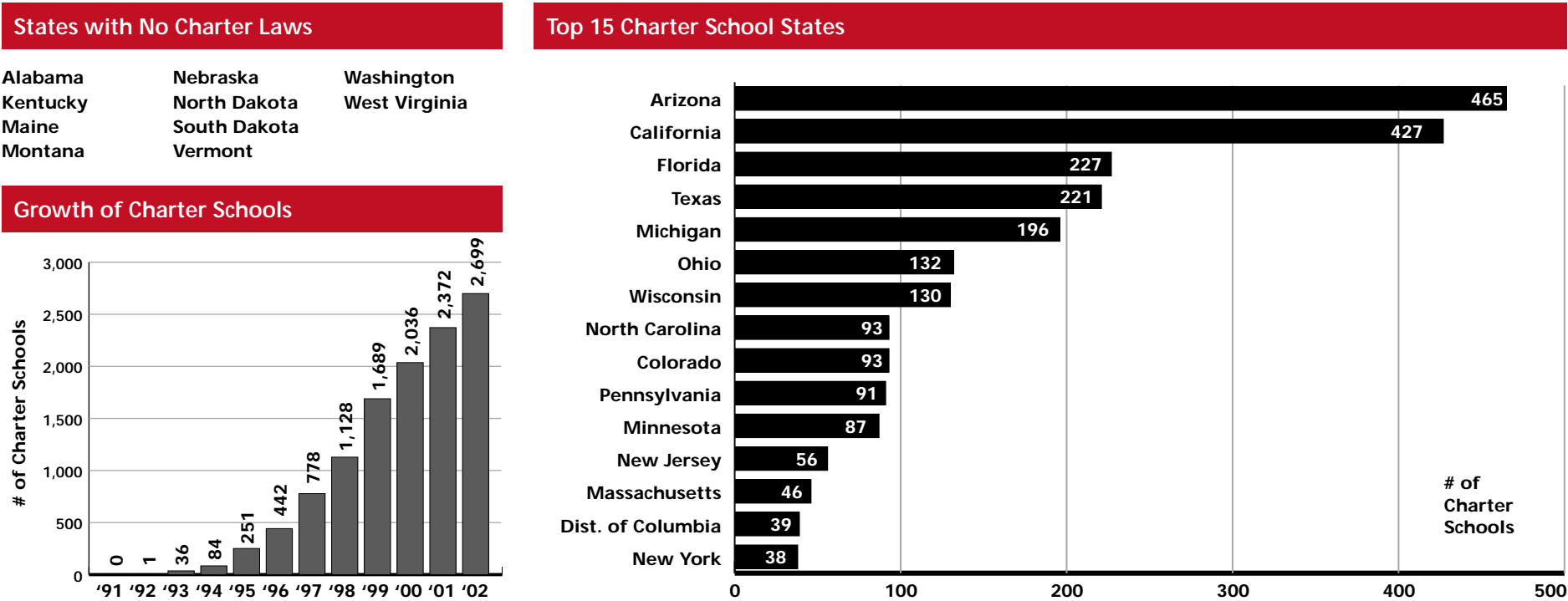
CHARTER SCHOOL LEGISLATION: STATE RANKINGS

The Center for Education Reform has developed a ranking of state charter laws, from strongest to weakest, based on how each law encourages or inhibits the development of autonomous charter schools. CER takes each of 10 criteria conducive to the creation of charter schools and awards each state's specific charter school legislation a score of 0 to 5, based on how well the law meets each

of the criteria (strongly support = 5; strongly restrict = 0). CER defines strong or moderately effective charter laws as those which support, or are likely to support, at least some significant development of autonomous charter schools. Weak or ineffective laws are those that inhibit, or are unlikely to spur, significant charter activity.

About the Grades
“A” (40-50 score): Laws contribute positively to charter school growth and development, and allow for a significant number of schools.
“B” (30-39 score): Laws allow for healthy growth of charter schools but some significant provisions may impede growth.
“C” (20-29 score): Laws allow for a good number of schools, but pose significant

challenges to a healthy charter environment.
“D” (10-19 score): Laws allow conventional education bureaucracies to regulate the establishment and operation of charter schools, which discourages the opening of schools.
“F” (0-9 score): Charter laws in name only, offering no real environment for charter school development.



Ranking of State Charter School Laws																
GRADE	STATE	RANK 2002	Rank 2001	Number of charters Fall 2002 (total 2,699)	Year Law Passed	Total Score	Number of schools allowed	Multiple chartering authorities	Eligible charter applicants	New starts allowed	School may be started without evidence of local support	Automatic waiver from state and district laws	Legal/operational autonomy	Guaranteed full per-pupil funding	Fiscal Autonomy	Exempt from collective bargaining agreement/district work rules
A	Arizona	1	1	465	1994	46.50	4.50	4.50	5.00	4.75	5.00	4.50	5.00	3.50	5.00	4.75
A	Minnesota	2	3	87	1991	45.25	5.00	4.50	5.00	4.75	3.50	5.00	4.50	3.50	5.00	4.50
A	Dist. of Columbia	3	4	39	1996	44.75	4.50	4.00	5.00	4.75	3.00	5.00	4.50	4.50	4.50	5.00
A	Delaware	4	2	11	1995	44.50	5.00	4.00	5.00	4.50	3.50	3.50	4.00	5.00	5.00	5.00
A	Michigan	5	5	196	1993	44.45	4.50	4.50	5.00	4.75	5.00	2.70	5.00	5.00	5.00	3.00
A	Indiana	6	6	10	2001	41.25	5.00	4.50	4.00	4.75	3.00	5.00	3.00	4.00	5.00	3.00
A	Massachusetts	7	7	46	1993	40.30	3.30	3.50	4.30	4.50	4.00	3.00	4.70	5.00	5.00	3.00
B	Florida	8	8	227	1996	39.25	4.00	1.75	5.00	4.50	3.00	3.00	3.50	5.00	5.00	4.50
B	Colorado	9	9	93	1993	39.00	4.50	3.00	5.00	4.50	3.00	3.25	2.75	4.00	4.50	4.50
B	New York	10	10	38	1998	38.30	2.30	4.00	4.00	4.50	4.00	5.00	5.00	2.50	4.00	3.00
B	Ohio	11	14	132	1997	37.50	3.00	4.50	5.00	4.50	5.00	3.00	3.00	3.50	3.00	3.00
B	North Carolina	12	12	93	1996	37.25	3.00	3.00	5.00	4.75	3.00	4.00	3.00	4.50	4.00	3.00
B	Pennsylvania	13	13	91	1997	36.75	5.00	1.75	5.00	4.50	3.50	3.00	3.00	3.00	3.50	4.50
B	Missouri	14	15	26	1998	36.00	2.00	3.50	4.00	3.00	4.00	4.00	3.50	4.00	4.00	4.00
B	California	15	11	427	1992	35.75	5.00	4.00	5.00	4.75	3.00	2.00	2.00	3.00	3.00	4.00
B	Oregon	16	16	25	1999	33.00	3.25	1.50	5.00	3.50	5.00	2.50	3.00	2.50	2.50	4.25
B	New Jersey	17	17	56	1996	32.50	5.00	3.00	4.00	4.50	3.00	1.00	2.00	2.00	5.00	3.00
B	Wisconsin	18	18	130	1993	32.05	5.00	3.50	5.00	4.75	2.50	2.50	2.50	2.00	1.80	2.50
B	Texas	19	19	221	1995	30.75	3.00	3.25	4.25	4.75	3.50	0.00	2.00	3.00	3.00	4.00
B	New Mexico	20	20	28	1993	30.00	3.50	1.75	5.00	4.50	3.00	2.00	2.75	3.00	2.00	2.50
C	Illinois	21	21	29	1996	29.25	1.50	1.75	4.00	4.50	1.00	3.00	3.00	3.00	3.50	4.00
C	Oklahoma	22	23	10	1999	29.00	2.00	1.00	4.00	4.50	5.00	2.50	1.00	2.00	3.00	4.00
C	South Carolina	23	24	13	1996	28.75	5.00	1.75	4.00	4.50	2.00	2.50	2.00	2.00	2.00	3.00
C	Louisiana	24	25	20	1995	26.25	2.00	1.75	3.50	4.50	2.00	2.50	1.00	3.00	4.50	1.50
C	Georgia	25	22	36	1993	25.00	5.00	1.50	5.00	4.50	2.50	0.00	1.00	2.00	2.00	1.50
C	Utah	26	29	12	1998	24.00	1.50	4.00	4.00	4.50	2.50	0.60	1.60	0.30	1.00	4.00
C	Idaho	27	26	13	1998	23.70	2.60	1.30	5.00	4.50	1.00	4.30	0.00	3.00	1.00	1.00
C	Connecticut	28	27	16	1996	23.00	1.50	2.50	1.50	4.50	1.00	2.50	0.50	3.50	3.00	2.50
C	Nevada	29	28	13	1997	23.00	2.00	1.00	2.00	4.50	5.00	2.50	1.50	3.50	1.00	0.00
C	Wyoming	30	30	1	1995	21.75	5.00	1.75	5.00	4.50	2.50	0.50	0.00	1.50	1.00	0.00
C	New Hampshire	31	31	0	1995	21.50	5.00	0.50	3.00	2.00	0.00	4.00	2.00	0.00	0.00	5.00
C	Tennessee	32	N/A	0	2002	20.75	2.00	1.75	4.00	4.00	2.00	0.00	0.00	3.00	1.00	3.00
C	Hawaii	33	33	25	1994	20.00	2.00	1.00	3.00	4.50	2.00	4.50	0.50	1.50	1.00	0.00
D	Alaska	34	32	15	1995	18.80	2.30	1.00	5.00	5.00	1.00	0.00	0.00	3.50	1.00	0.00
D	Arkansas	35	34	8	1995	15.00	2.00	2.50	2.00	4.50	2.50	0.00	0.00	1.50	0.00	0.00
D	Rhode Island	36	35	8	1995	15.00	1.00	1.00	2.50	4.50	0.00	0.50	0.50	3.50	1.50	0.00
D	Virginia	37	36	8	1998	13.10	1.60	1.00	2.00	4.50	2.50	0.50	0.50	0.50	0.00	0.00
D	Kansas	38	37	30	1994	13.00	1.00	1.00	4.50	4.50	1.00	0.50	0.00	0.50	0.00	0.00
F	Iowa	39	N/A	0	2002	6.50	1.00	1.00	0.00	0.00	1.50	3.00	0.00	0.00	0.00	0.00
F	Mississippi	40	38	1	1997	2.30	0.00	1.00	0.00	0.00	0.00	1.30	0.00	0.00	0.00	0.00
	Maryland	N/A			2003											

SOURCE FOR ALL CHARTS: Center For Education Reform (CER). For further details, see "Charter Schools Across the States," available for purchase from CER. For updates, see CER's web site at <http://www.edreform.com>.

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