

School Reform News

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THE MONTHLY NEWSPAPER FOR SCHOOL REFORMERS

Vol 8 No 10 November 2004

RE-OPENING SCHOOLS IN IRAQ



Pamela Riley in Baghdad with Dr. Ala'din Alwan, the Iraqi Minister of Education

by Pamela Riley

In December 2003 I became U.S. advisor to Iraq's Ministry of Education. Strapped into a parachute seat, I was flown into Baghdad in a C130 military transport plane, with stomach-turning air maneuvers to avoid mortar and rocket attacks. I immediately began 14-hour work days, seven days a week, in one of the most remarkable missions the U.S. has undertaken since reconstruction of post-World War II Europe.

The goal: completely rebuilding Iraq's education system.

I worked in enormously difficult conditions for eight months side by side with a team of Iraq education ministry officials and educators, U.S. foreign service officials, and USAID workers. For you to understand this assignment's difficulty, I must explain public education in Iraq:

Six Million Students

There are approximately 6 million K-12 students, and 300,000 teachers and

administrators. Education is mandatory only through the sixth grade. Students who do not pass the mandatory national exit exam in sixth grade can progress to a vocational track. However, vocational education in Iraq is extraordinarily antiquated, and few students elect that option.

Boys and Girls Segregated

While there is some anecdotal evidence that girls are under-enrolled in schools—especially in rural regions—no empirical

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Charter School Studies: Apples to Apples vs. Apples to Oranges

by Robert Holland

The *New York Times* created consternation in the charter school community when it gave favorable front-page coverage to an American Federation of Teachers (AFT) study purporting to show charter students score lower on national assessments of reading and mathematics than

do students in regular public schools.

The AFT study looked at a small sample, just 3 percent of charter students, gleaned from National Assessment of Educational Progress data, and failed to take into account the fact that charter schools serve a higher proportion of low-income

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Where Do Public School Teachers Send *Their* Kids to School?

by Alan Bonsteel, M.D.

Public school teachers in urban areas are far more likely than city residents in general to send their children to private schools, according to a new analysis of 2000 Census data by researchers led by Denis P. Doyle, who previously analyzed 1980 and 1990 Census data.

While just 12.2 percent of U.S. families send their children to private

schools, that figure rises to 17.5 percent among urban families in general and to 21.5 percent among urban public school teachers, almost twice the national average.

The difference in the choices made by public school teachers and the general public were especially striking in America's largest cities, where public

WHERE p. 8

U.S. Education Gets Low Grade on ALEC Report Card

by Krista Kafer

"Overall, the facts presented by this year's *Report Card on American Education* give us no cause for celebration. In fact, they confirm the same trend presented in past years' reports: increased spending without corresponding improvement in student performance. Over ten years have passed since the Goals 2000 agenda was proposed, and America has failed to reach

these goals, despite increasing per-pupil expenditures by more than 50 percent over the past twenty years."

That is the sobering conclusion of the American Legislative Exchange Council's 11th edition of the *Report Card on American Education: A State by State Analysis: 1981-2003*, released in September 2004.

ALEC p. 4

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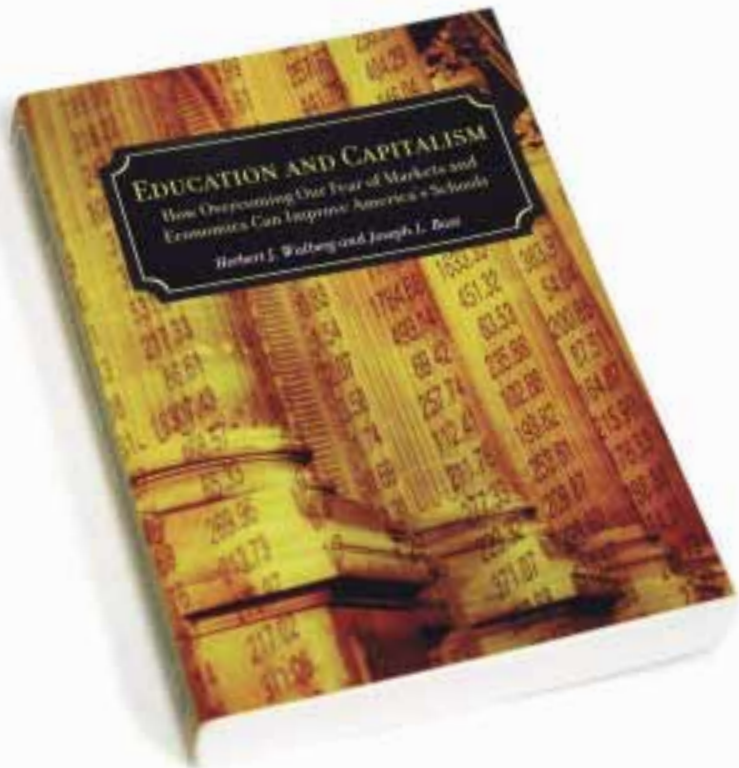
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School Reform News is available on the Internet. Point your web browser to <http://www.heartland.org>.

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School Reform News is published 11 times per year by The Heartland Institute. Subscriptions are \$36 per year. Order online at www.heartland.org. Heartland is a nonprofit and nonpartisan public policy research organization serving the nation's federal and state elected officials, journalists, Heartland Members, and other opinion leaders. Its activities are tax-exempt under Section 501(c)(3) of the Internal Revenue Code.

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CAPITOL HILL BEAT

GAO Weighs in on NCLB Compliance

Updates: DC Vouchers and IDEA

by Don Soifer

"How is the No Child Left Behind (NCLB) Act going?" was one question many of the nation's education researchers and policy analysts found themselves asked repeatedly as summer waned and Election Day approached. Two reports released in September by the Government Accountability Office (GAO) offered some new insight into NCLB's progress.

The first report, "No Child Left Behind Act: Improvements Needed in Education's Process for Tracking States' Implementation of Key Provisions," focuses on the wide range of responses and plans offered by states to comply with NCLB. The report points out that as of July 31, 2004, only 28 states had their plans "fully approved" by the federal Department of Education. The plans of the remaining states, the District of Columbia, and Puerto Rico are currently under "approved with conditions" status, meaning their plans must meet further review before being deemed in full compliance with the law.

The study discusses the ongoing technical assistance, flexibility, and monitoring by federal officials to help keep the process moving forward and to help bring states into full compliance. The GAO recommends the secretary of education "delineate in writing the process and time frames ... for each state ... so that all states have approved NCLB standards and assessments in place by the 2005-06 school year."

The report notes this lack of full compliance is not unique to NCLB, pointing out that 17 states still have not implemented the standards and testing systems required by the 1994 Elementary and Secondary Education Act. GAO suggests a lack of a written plan and process to track states' progress hindered compliance with the 1994 law and could also hinder NCLB.

Rural Schools

The second GAO study, "No Child Left Behind Act: Additional Assistance and Research on Effective Strategies Would Help Small Rural Districts," addresses how NCLB is proceeding in rural schools.

As could be expected, rural school districts reported somewhat different challenges than their non-rural counterparts, and as a result have turned to different resources and solutions to meet them. For instance, rural superintendents found more difficulties in offering competitive salaries to teachers. They also were more likely than other districts to use distance learning and online teacher training options.

The report gave positive marks to the Rural Education Achievement Program (REAP), for which Congress authorized \$168 million. Nearly 70 percent of rural



school superintendents reported they received REAP funding and were using it in ways that helped them meet NCLB requirements.

More Carrots for DC Public Schools

On September 22, the Senate joined the House in approving, by unanimous consent, a second year of funding for Washington, DC's voucher program as part of the fiscal year 2005 DC appropriations. The bill includes \$40 million for the same "three-pronged" education plan for the District passed at the program's inception, with \$13 million each going to the voucher plan, DC charter schools, and the District's traditional public schools for "investing in excellence."

The House had approved its plan in July with very similar provisions. The two appropriations bills must be reconciled and re-approved as a final project, either later this year or early in 2005.

Meanwhile, DC charter schools were featured in *Washingtonian* magazine's October "Top High Schools" issue, which compared the charters quite favorably to their counterparts in the District of Columbia Public Schools (DCPS). The magazine found that overall, 73 percent of the students at the District's 11 charter schools qualify for free or reduced price lunch, compared to 51 percent at the other 16 DCPS high schools.

"DC public charter high schools enroll a much greater percentage of disadvantaged students than do DCPS high schools, yet on average their students significantly outperform DCPS students on the Stanford 9 test," observed Robert Cane, executive director of the DC charter advocacy group Friends of Choice in Urban Schools, commenting on the

Washingtonian results.

He noted charter school students also outperform DCPS students on the Scholastic Aptitude Test.

Special Education Act Renewal Uncertain

On September 21, Senate leadership appointed conferees to a House-Senate Conference Committee on the Individuals with Disabilities Education Act (IDEA). Appointees included the entire membership of the Senate Education Committee.

The Senate passed the IDEA legislation on May 13, a year after the House passed its version. Under Congressional rules, the two markedly different bills must first be reconciled and approved in conference, then the final version must be voted on in each chamber before it is sent to the president for signing.

As this issue went to press in early October, House conferees had not yet been named. The delays have substantially dimmed the prospects of completing the conference process during the current Congress.

Don Soifer (soifer@lexingtoninstitute.org) is executive vice president of the Lexington Institute in Arlington, Virginia.

INTERNET INFO

The two GAO studies are available on the agency's Web site at <http://www.gao.gov/new.items/d04734.pdf> and <http://www.gao.gov/new.items/d04909.pdf>.

ALEC

Continued from page 1

The report card provides demographic information plus statistics and analysis on K-12 achievement, expenditures, and resources for all 50 states and the District of Columbia. The report contains more than 50 tables and 25 figures that display more than 100 measures of educational resources and achievement, using data from the

Department of Education's National Center for Education Statistics, the College Board, the Census Bureau, ACT, Inc., and the National Education Association. The ALEC report also includes information on different parental choice options, including detailed information on charter school laws.

Report author Andrew T. LeFevre analyzed student achievement and per-pupil spending but found no correlation between education inputs, such as per-pupil spending and teacher salaries, and education outputs, such as achievement on standardized

tests. The only inputs he found that correlated with higher student achievement were higher pupil-teacher ratios, fewer students per school, and state budgets with a smaller proportion of federal dollars. The correlation, however, was weak and not consistent over the two decades examined.

Education Expenditures

States with the highest per-pupil expenditures in the 2001-2002 school year were New York (\$11,029), the District of Columbia (\$11,009), Connecticut (\$10,528), and Rhode Island (\$10,193). The states that spent the least were Utah (\$4,769), Mississippi (\$5,229), Arizona (\$5,373), and Tennessee (\$5,653).

During the same year, average teacher salaries were highest in New Jersey (\$54,575), Connecticut (\$54,300), and California (\$53,870). Average teacher salaries were lowest in South Dakota (\$31,295), North Dakota (\$31,709), and Mississippi (\$32,800).

Student Performance

The report ranks states according to the performance of their students on the 2003 Scholastic Achievement Test (SAT) or the ACT assessment and the 2003 National Assessment of Educational Progress (NAEP) eighth-grade reading assessment. Combining all test scores, the top three states or jurisdictions were Minnesota, Wisconsin, and Massachusetts. The bottom three were New Mexico, Mississippi, and the District of Columbia.

Nearly half of high school graduates (48 percent) took the SAT in 2003, with a national average score of 1026. In the 24 states and the District of Columbia where the SAT is the primary college aptitude test, Wisconsin (1062), Oregon (1053), Arizona (1049), and New Jersey (1043) had the highest average scores. South Carolina students' average score improved the most over the past two decades, rising from 896 in 1983 to 989 in 2003.

The ACT is the primary college aptitude test in 25 states with a 2003 national average score of 20.8. Three states had higher than average scores—Wisconsin (22.2), Minnesota (22.0), and Iowa (22.0).

On the eighth grade 2003 NAEP mathematics exam, 73 percent of public school students scored below the proficiency level and 32 percent scored below the "basic" level, indicating they lack even a partial mastery of the discipline. Minnesota (291), Massachusetts (287), and North Dakota (287) had the highest average eighth grade NAEP math scores. New Mexico (263), Mississippi (261), and the District of Columbia (243) had the lowest.

Since 1972, average SAT scores for all test-takers have declined by about 2.3 percent, with average verbal SAT scores falling by 5 percent and average math scores rising slightly.

Lack of Correlation

The stagnation in student achievement over the past two decades took place during a period that also saw massive increases in spending, a rise in teacher salaries, and a reduction of the student-teacher ratio. From 1981-82 to 2001-02, per-pupil expenditures grew 53 percent in constant dollars, from \$4,924 to \$7,557. During the same period, the pupil-teacher ratio dropped from 19-1 to 16-1.

The top 10 states in terms of increased per-pupil spending in the past two decades were Georgia (+109 percent), Maine, South Carolina, Indiana, Rhode Island, Kentucky, Vermont, West Virginia, Ohio, and New Hampshire (+83 percent). Only two of those states, Vermont and New Hampshire, ranked in the top 10 in academic achievement.

Similarly, of the 10 states that reduced student-teacher ratios the most since 1981—New York (-29 percent), Virginia, Hawaii, Louisiana, Vermont, the District of Columbia, Rhode Island, Alabama, Ohio, and Arkansas (-23 percent)—only Vermont is one of the top 10 in terms of achievement.

"We simply cannot spend our way to better grades," notes ALEC Executive Director Duane A. Parde in the report's foreword, "but must make sure that we are making the right kinds of investments in our schools to promote high student achievement."

"Combining all test scores, the top three states or jurisdictions were Minnesota, Wisconsin, and Massachusetts. The bottom three were New Mexico, Mississippi, and the District of Columbia."

Expanding Accountability and Choice

In looking for ways to improve student achievement, lawmakers and policymakers are increasingly embracing accountability policies such as merit pay and parental choice reforms. Charter schools, tuition vouchers, and tuition tax credits or deductions make it possible for parents of public school children to choose the best schools for their children.

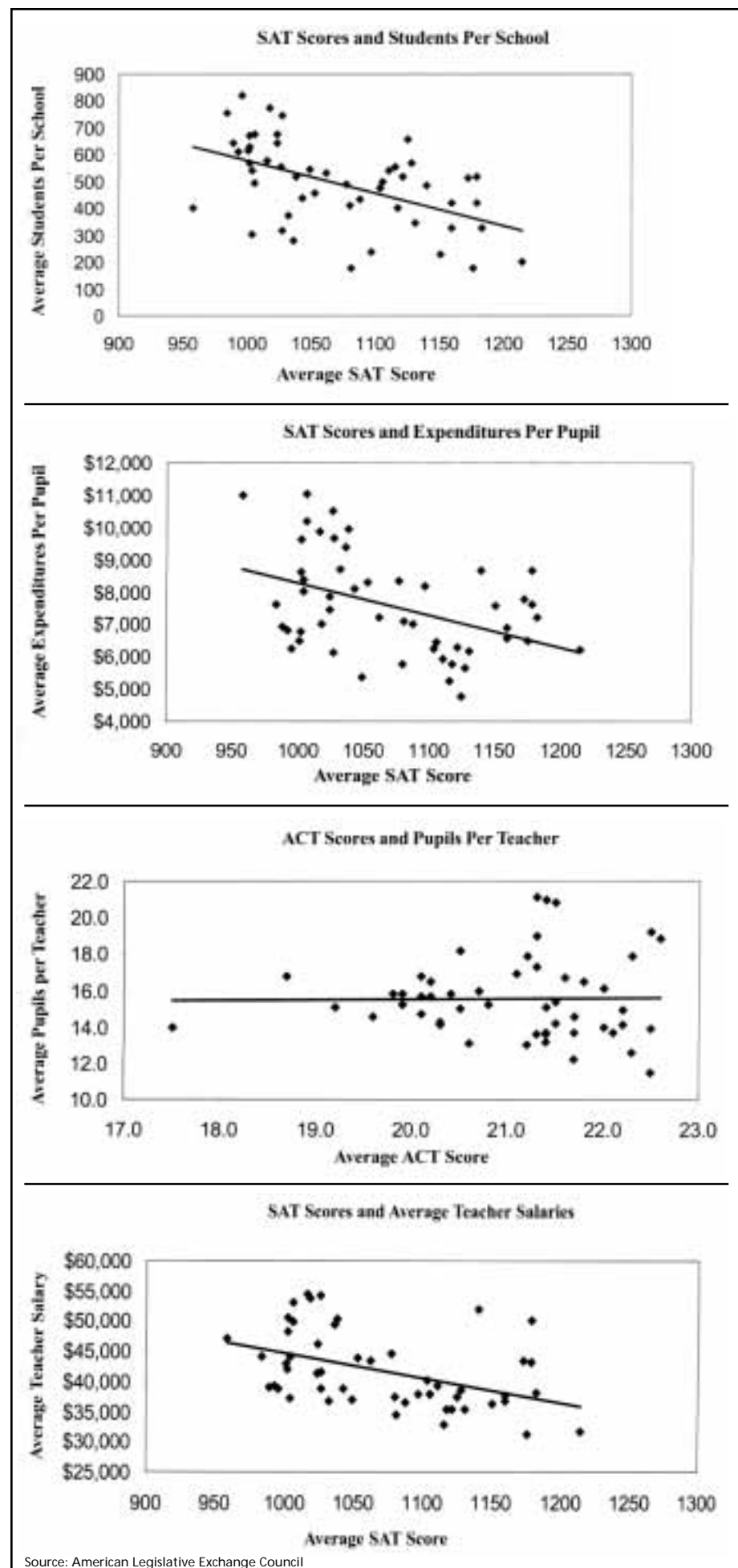
"Instituting strong accountability measures that hold both students and teachers responsible for learning will help schools to focus resources where they are most needed," writes LeFevre. "Increasing parental involvement in the process by giving them a greater say in determining which educational choice best meets the needs of their child guarantees that a child's educational future is determined on the most local level possible—their parents."

There's a larger benefit to parental choice, too, adds LeFevre: "[B]y forcing the veritable monopoly that is our public school system to compete in an open educational market, we can harness the immense power of the free market system to bring about improvements in our nation's schools."

Krista Kafer (krista.kafer@heritage.org) is senior policy analyst for education at The Heritage Foundation.

INTERNET INFO

The American Legislative Exchange Council's September 2004 *Report Card on American Education: A State by State Analysis: 1981-2003*, by Andrew T. LeFevre, is available online at www.alec.org/meSWFiles/pdf/2004_Report_Card_on_Education.pdf





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Study: NBPTS Teachers Produce Only Tiny Gains

by Robert Holland

Soon the education world will have a mass of reports to digest on the relative effectiveness of teachers who receive certification from the National Board for Professional Teaching Standards (NBPTS).

Under fire for the lack of research during its first 17 years on the impact of National Board Certified Teachers (NBCTs) on student achievement, the NBPTS has commissioned more than 20 such studies.

Judging from the results of an early study, however, a consensus in the research community may be a long time coming. Education researchers at Arizona State University compared the academic performance of elementary students taught by 35 NBCTs in 14 Arizona school districts with that of students of non-NBCTs. Leslie G. Vandevoort, Audrey Amrein-Beardsley, and David C. Berliner looked at four years of Stanford Achievement Tests data and published their results on September 8 in the journal *Education Policy Analysis Archives* (EPAA). They found:

- In about one-third of 48 comparisons, students taught by NBCTs scored higher, by statistically significant margins, than students taught by non-NBCTs.

- A measure of the size of the effect, translated into grade equivalents, showed the gains for students of NBCTs were about one month greater than gains made by non-Board-certified teachers.

The authors conceded, "this study does not address whether other, cheaper, or better alternatives to the National Boards exist, as some critics suggest." They nevertheless asserted that "the results of this study provide support for the policies in many states that honor and provide extra remuneration for National Board Certified Teachers."

Professor J.E. Stone, founder of the Education Consumers Clearinghouse and author of a value-added analysis that found Tennessee's 16 NBCTs did not do significantly better in advancing student achievement than did non-NBCTs, pointed out that according to the Arizona researchers' own calculations, two-thirds of the differences between NBCTs and "ordinary garden-variety" teachers were not statistically significant.

The most telling point, Stone said, was the finding of an average "effect size difference" of just .12—an estimated one month achievement gain. By contrast, the achievement gaps between the groups identified by the No Child Left Behind law are often one or two years.

"Do policymakers understand that they are paying \$7,500 or more per year for an added one month of achievement gain?" asked Stone, referring to the bonuses often paid teachers who win National Board certification.

The Arizona State researchers took the unusual step of flinging challenges at prominent researchers who have noted the lack of proof that NBPTS is worth the large public subsidies it has received from the federal and state governments and private foundations. For instance, they

suggested that Michael J. Podgursky, economics professor at the University of Missouri/Columbia, might now reconsider his published conclusion that "no rigorous study" had ever been published to show students of NBCTs learn more.

Asked for comment, Podgursky was not ready to proclaim the Arizona State study a show stopper.

"The results of the study are mixed," he said. "In some cases, students of Board certified teachers have significantly larger gains, whereas in others they do not. In addition, the researchers do not have adequate controls for student SES [socioeconomic status]. It may be that the National Board teachers are in classrooms with higher SES students within a school district. That may account for the difference in gain scores.

"This study is a step in the right direction in terms of research. But we need more studies of student achievement gains, with rigorous controls for student SES, before we confidently assess how well National Board certification identifies superior teachers. In addition, the study did not address whether there are other, less costly ways to identify superior teachers. That is an important question that needs to be addressed as well."

An education research expert at the University of Virginia, psychology professor Daniel T. Willingham, cited flaws in the study's methodology—in particular the lack of the correct control group. Teachers who seek national certification, he pointed out, are a self-selected, motivated group.

"Unless you think you're a pretty good teacher, you wouldn't try for it," he said.

Therefore, "the proper control group to compare to certified teachers would not be 'others,' but would be teachers who tried for certification, but didn't get it," Willingham continued. "That would show that certification is really separating the better teachers from the less competent.

"The authors don't seem to have done that. They compared certified teachers to the rest of the population. Are the certified teachers better? Based on their data, probably, although it's hard to tell because they didn't analyze their data properly. Did the process of certification really tell you anything? From these data, it's impossible to tell."

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INTERNET INFO

The 117-page article, "National Board Certified Teachers and Their Students' Achievement," by Leslie G. Vandevoort, Audrey Amrein-Beardsley, and David C. Berliner, is available online in the September 8, 2004 issue of the *Education Policy Analysis Archives* at <http://epaa.asu.edu/epaa/v12n46/v12n46.pdf>.

Apples

Continued from page 1

urban students than do the affluent suburban schools to which the charters were compared.

After weeks of angry op-eds and letters to the editor from charter supporters, the strongest response to the *Times/AFT* report came in the form of a new study of charter schools by Harvard University economist Caroline M. Hoxby.

In contrast to the AFT study's small sample, Hoxby's study encompassed 99 percent of charter school elementary pupils. She compared their performance on state-required exams to the performance of students at the nearest public schools or, in some cases, at schools not quite as close geographically but closer in racial composition.

In other words, Hoxby compared the performance of charter school students with the performance of students at the schools the charter kids most likely would have attended if charters had not been an option. She called this an "apples to apples" comparison, as contrasted with the AFT's "apples to oranges."

Compared to students in the nearest public schools, Hoxby found, charter students were 4 percent more likely to be proficient in reading and 2 percent more likely to be math proficient. Compared to students in the closest public schools with a similar racial profile, charter students were 5 percent more likely to achieve proficiency in reading and 3 percent more likely to be proficient in math.

Charter students tended to perform at the highest levels in states or jurisdictions where the charter movement is most robust, such as Arizona, California, Colorado, and the District of Columbia. In Arizona, charter fourth-graders were 7 percent more likely to be proficient in reading and math than were students in the nearest regular public schools. In Colorado, the proficiency edge for charter students was 11 percent in reading and math; in California, it was 8 percent in reading and 3 percent in math.

In Washington, DC, more than 11 percent of public school students are enrolled in charter schools—a far higher proportion than any state. And in DC, the charter students' proficiency advantage is huge: 35 percent or more in both reading and math.

Only in North Carolina was charter

students' proficiency significantly lower—4 percent lower—in both reading and math, compared to the nearby public schools.

Hoxby made no assertion that her study is, or should be, the final word. It demonstrates, she said, that "although it is too early to draw sweeping conclusions, the initial indications are that the average student attending a charter school has higher achievement than he or she otherwise would."

"These initial indications should give policy-makers the patience to wait for the results of studies that follow students who are randomly assigned to attend and not attend charter schools."

Randomized studies are considered the "gold standard" of research. Because many charter schools have more applicants than they can accept, they usually hold lotteries, which makes it possible to conduct randomized scientific studies. The two groups of students are similar: both wanted to attend charter schools, but only one won the lottery. As in medical trials, comparison of the performance of the two groups allows researchers to make an estimate of the effect of the "treatment," which in this case is attending a charter school.

Another important factor is the "value added"—how much do charter schools and comparable public schools help students progress year to year? Neither the Hoxby nor the AFT study was designed to reach a conclusion on that question.

Hoxby said multiple studies of gold-standard caliber are in the works. The question many charter supporters have is this: Will *The New York Times* report the story above the front-page fold if those studies show beyond doubt that students learn more when they are able to choose charter schools?

Robert Holland (holland@lexingtoninstitute.org) is a senior fellow at the Lexington Institute, a think tank in Arlington, Virginia.

INTERNET INFO

The September 2004 study by Caroline M. Hoxby, "A Straightforward Comparison of Charter Schools and Regular Public Schools in the United States," can be found online at <http://post.economics.harvard.edu/faculty/hoxby/papers.html>.

Fordham Foundation Will Authorize Charter Schools

The Thomas B. Fordham Foundation, well-known for its respected policy studies and analyses of a wide range of education issues, is putting its money where its mouth is and getting into the business of authorizing, or sponsoring, charter schools in Dayton, Ohio, where the late Thomas B. Fordham lived. It is the first private foundation in the country empowered to sponsor charter schools.

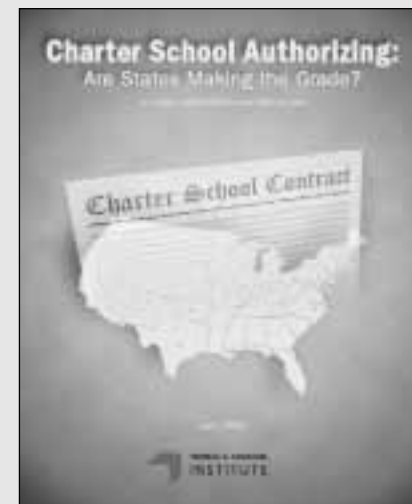
Fordham's new role begins next summer, when the Ohio Department of Education will cease to sponsor 19 Dayton charter schools, called "community schools" in Ohio. The foundation, not wanting the schools to become "orphans," will seek to assume sponsorship of some of them. Then, on an ongoing basis, Fordham will have to ensure the schools comply with state and federal regulations, operate in a fiscally responsible manner, and achieve their academic objectives—including the requirements of the No Child Left Behind law.

"It's a challenge to do it well—striking the balance between freeing schools and holding them accountable—but we believe good sponsorship is a key, oft-missing link in the evolution of chartering," said Fordham President Chester E. Finn, Jr.

Last year, the foundation issued an analysis of how different states handled the charter school authorization process, titled "Charter School Authorizing: Are States Making the Grade?" The study's authors, Louann Bierlein Palmer and Rebecca Gau, concluded, "authorizing charter schools is a complicated business." They found having local school boards as authorizers did not work as well as other options.

"[I]t is clear that one or more non-local board authorizers must be directly available to potential applicants, not just via an appeal process," Palmer and Gau concluded. However, they noted it was probably not a good idea to have "dozens" of authorizers, either, because of the difficulty and cost of establishing "the minimal necessary infrastructure needed for quality authorizing."

Serving as Fordham's director of com-



munity school sponsorship will be former investment banker Quentin L. Messer, Jr., who will ensure all sponsorship obligations are met and act as liaison between Fordham, the sponsored charter schools, and the Ohio Department of Education.

"We are pleased by the Foundation's willingness to take a leadership position in this important endeavor and especially encouraged by its focus on educational quality and accountability," said Ohio Department of Education CEO Steve Burigana. "We believe that the Foundation will offer a strong model that we hope other nonprofit organizations will seek to emulate as they pursue the opportunities and responsibilities of sponsorship."

— G.C.

INTERNET INFO

The June 2003 publication of the Thomas B. Fordham Foundation, "Charter School Authorizing: Are States Making the Grade?" by Louann Bierlein Palmer and Rebecca Gau, is available online at http://www.edexcellence.net/doc/CharterAuthorizing_FullReport.pdf. More information on charter schools and the role of the Thomas B. Fordham Foundation as a charter sponsor is available online at <http://www.edexcellence.net/foundation/topic/topic.cfm?topic=Dayton%20Projects>.



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U.S. Education Policy at a Crossroads: Stop the Waste, or Waste More?

by David Kirkpatrick

Drawing its evidence almost entirely from official sources such as the U.S. Department of Education, a thoroughly researched study from the Cato Institute concludes there is little to show for the hundreds of billions of tax dollars the federal government has spent on K-12 education since 1965.

The study suggests this conclusion, coupled with growing state-level unrest over new federal regulations, may lead to K-12 education being returned to local control in each state.

In the study, "A Lesson in Waste: Where Does All the Federal Education Money Go?" Cato education policy analyst Neal McCluskey notes, as a starting point, that the U.S. Constitution provides no basis for federal action in education. Despite that lack of constitutional authority, federal education expenditures in constant dollars have soared from about \$25 billion in 1965 to more than \$108 billion in 2002.

"For almost 40 years the federal government has broken with both precedent and the Constitution by inserting itself into American education, an area that is traditionally and legally the domain of state and local governments," notes McCluskey. "In that time the federal government has expended hundreds of billions of dollars on everything from Safe and Drug-Free Schools to programs for towns with historical ties to the whaling industry."

The wide range of these programs is presented by the Cato study in eight pages of appendices, which list the names, 2004 appropriations, and descriptions of 96 federal education programs in eight different areas. Another three pages of the 30-page report are taken up with a listing of the primary funding areas for the top seven spending departments in 1965, 1980, and 2002.

While the U.S. Department of Education (USDoE), created after Jimmy Carter became president, receives the largest single allocation of federal dollars, McCluskey points out more education dollars are spread to other agencies. For example, in 2002, the USDoE was allocated more than \$46 billion, but Health and Human Services was given nearly \$23 billion for education and Agriculture almost \$12 billion. More than \$17 billion went to several other agencies.

And what results have taxpayers seen?

Title I

Title I was initiated in 1965 as a key component of President Lyndon Johnson's Great Society to improve education for students living in poverty. It is the largest single disbursement by the USDoE, more than \$12 billion in fiscal 2004. As McCluskey notes, in terms of reducing disparities in achievement, there is "not

much to show for the multiple billions expended on Title I since 1965."

Head Start

A look at Head Start, the second largest education program, is no more encouraging, despite annual expenditures that have risen to nearly \$6.8 billion by 2004. Studies of the program, which offers educational and other services to low-income preschoolers, show it produces only short-term gains that disappear soon after Head Start youngsters leave the program.

Student Achievement

After nearly 40 years of federal efforts to improve K-12 education, McCluskey points out student achievement is not markedly better than in 1965, and in some instances achievement is clearly worse. For example:

- National Assessment of Educational Progress (NAEP) scores have stagnated, especially in science and reading;
- combined SAT scores have dropped, with a 30 percent decline in verbal scores;
- the graduation rate of 17-year-olds is almost identical today with the rate in 1965, indicating dropout rates have not been materially affected by federal intervention.

"[S]chools ... are struggling as much today as they were at the beginning of Johnson's Great Society," concludes McCluskey. With a track record like this, he argues, the expanded federal role and funding of the No Child Left Behind Act (NCLB) is just the reverse of what should be happening.

However, as states grow "increasingly restive, chafing under the slew of new federal regulations that come with NCLB dollars," McCluskey sees a silver lining.

"This spreading revolt," he notes, "coupled with the knowledge that very little of lasting educational value has been created by the federal government, might finally lead to what American K-12 education needs most—for the federal government to return educational control to the families, local governments, and states to which it belongs."

David W. Kirkpatrick (kirkdw@aol.com) is a senior education fellow with the U.S. Freedom Foundation and Buckeye Institute in Columbus, Ohio.

INTERNET INFO

The Cato Institute's July 7, 2004 *Policy Analysis*, "A Lesson in Waste: Where Does All the Federal Education Money Go?" by Neal McCluskey, is available online at <http://www.cato.org/pubs/pas/pa518.pdf>.

Challenge Continues to Mass. Blaine Amendment

The Massachusetts Constitution not only contains an 1800s-era Blaine Amendment—an "Anti-Aid Amendment" barring any portion of the common school fund from going to "sectarian" schools—it also contains a 1917 "Religious Exclusion" amendment that bars the use of initiative and referendum procedures to amend the Anti-Aid Amendment.

On behalf of a group of Massachusetts citizens, the Becket Fund for Religious Liberty filed a lawsuit challenging these discriminatory provisions on March 3, 1998. After a series of petitions, judges' orders, motions, and cross-motions, the federal

district court in Boston granted summary judgment for the defendants on April 1, 2004. On July 6, 2004, the Becket Fund appealed the decision to the U.S. Court of Appeals for the First Circuit.

The Becket Fund brief contends the Anti-Aid Amendment and Religious Exclusion violate the plaintiffs' rights to free speech, free exercise of religion, and equal protection. The brief argues the plaintiffs are excluded—solely on the basis of their religious beliefs—from using an initiative process that all citizens are otherwise entitled to use.

— G.C.

Appeals Court Will Reconsider Florida Voucher Ruling

by George A. Clowes

When the First District Court of Appeal struck down Florida's Opportunity Scholarship program in August, the decision was made by just two judges on a three-judge panel of the court. Now, at the request of the State of Florida, all 15 judges on the full court have agreed to reconsider the panel's ruling.

The scholarship program, a key component of Governor Jeb Bush's (R) school improvement effort, provides tuition vouchers to students attending public schools designated as failing by the state. Students may use the vouchers at secular or religious private schools. Only about 730 children currently use the vouchers, but the number of participants has increased each year.

Voucher opponents—including the state teacher union, the NAACP, the Florida PTA, and the Florida League of Women Voters—challenged the law on the grounds it violated Florida's constitutional bar on any state funds being used to aid religious institutions. This is Florida's so-called "Blaine Amendment," named after a national effort in the late 1800s by U.S. Rep. James G. Blaine to prevent Catholic schools from receiving the public funding that at the time supported the open-

ly Protestant public schools.

In August, the Appeal Court panel ruled that regardless of how public funds reached the schools, the use of public funds by religious schools was a violation of Florida's Blaine Amendment. Bush immediately protested that the ruling threatened to invalidate many other programs, from college scholarships to Medicaid funding. (See "Appeals Court Strikes Down Florida Vouchers," *School Reform News*, September 2004.)

Bush's concerns were echoed by Clark Neily, senior attorney with the Institute for Justice, which is representing Florida parents using Opportunity Scholarships.

"This case has tremendous implications not only for the hundreds of students for whom Opportunity Scholarships are the last hope for a good education, but also for the hundreds of thousands of Floridians who benefit from a wide array of state aid programs in which people have always been allowed to select religious options," said Neily. "We are gratified that the full appellate court has decided to reconsider this ruling."

George A. Clowes (clowes@heartland.org) is managing editor of School Reform News.

INTERNET INFO

A *School Reform News* article on the August 16 ruling of the First District Court of Appeal is available online at <http://www.heartland.org/Article.cfm?artId=15697>.

More information on Blaine Amendments is available through The Becket Fund for Religious Liberty, which challenges Blaine Amendments nationwide, at its Web sites <http://www.becketfund.org> and <http://www.blaineamendments.org>.

Where

Continued from page 1

schools are often the most troubled. For example, in the New York City area, 32.5 percent of public school teachers send their children to private schools, compared to 22.7 percent of the general public. In Chicago, 38.7 percent of public school teachers, versus 22.6 percent of the general public, send their children to private schools. In Los Angeles, private schools are chosen by 24.5 percent of public school teachers and 15.7 percent of the public.

Also noteworthy are the differences in cities where school choice programs have seen their greatest successes. In Milwaukee, for instance, home of the nation's oldest publicly funded voucher program, 29.4 percent of public school teachers send their children to private schools, versus 23.4 percent of the general public.

In Washington, DC, home of the nation's newest publicly funded voucher program, 26.8 percent of public school teachers send their children to private

"We support a teacher's right to choose a private school. "We simply ask them to support the same freedom for low-income families."

HOWARD FULLER

schools, versus 19.8 percent of the public. One of the revelations that helped pass the DC voucher legislation was the disclosure in the news media that the politicians opposing school choice in that city did not enroll their own children in District of Columbia public schools.

"We can assume that no one knows the condition and quality of public schools better than teachers who work in them every day," note the authors of the new study. "If these teachers are more likely than the general public—which may not have nearly as much information or expertise in these matters—to send their own daughters and sons to the public schools in which they teach, it is a strong

vote of confidence in those schools."

However, if public school teachers choose *not* to send their own children to the public schools in which they teach, "then we might reasonably conclude that those in the best position to know are signaling a strong 'sell' about public education in their communities," contend the researchers in the September 2004 study, "Where Do Public School Teachers Send Their Kids to School?" issued by the Thomas B. Fordham Foundation.

In San Francisco, outspoken school choice opponent Jill Wynn, a school board commissioner, dismissed any effort to draw conclusions about the quality of public schools from the data. Wynn suggested many public school educators might choose a private school because of religious beliefs.

Wynn acknowledged her oldest son attended a private school. She denied any conflict between her public stance and her own actions, saying her son had been recruited to attend a private school through a summer program, with the small school having advantages for him.

"It was a choice I let him make; he created the opportunity," she told the *San Francisco Examiner*.

The Fordham study makes clear that—in the absence of publicly funded school choice—the ability to take advantage of such an "opportunity" is a function of income. For example, only 10.3 percent of families with incomes less than \$42,000 choose a private school for their children, compared to 35.6 percent of families with incomes exceeding \$84,000.

"We support a teacher's right to choose a private school," school choice advocate Howard Fuller told the *Milwaukee Journal Sentinel*. "We simply ask them to support the same freedom for low-income families."

The authors note there has been little change in the data on this subject over the past 20 years. Doyle, the study's lead author, is cofounder of SchoolNet, Inc., a Web-based school improvement company. His coauthors are economist Brian Diepold and SchoolNet academic specialist David DeSchryver, who is also managing editor of *The Doyle Report*.

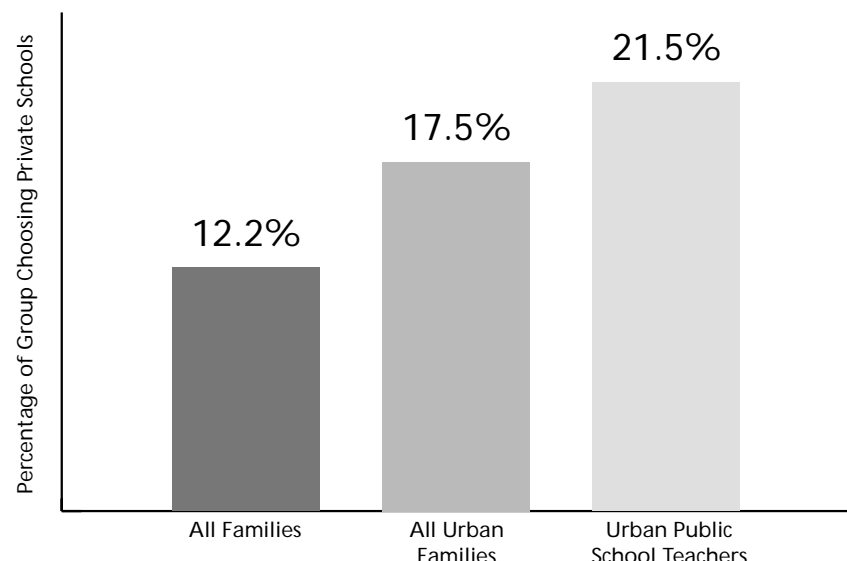
Financial support for the study was provided by the Thomas B. Fordham Institute; the American Education Reform Council, formerly based in Milwaukee and now part of the Arizona-based Alliance for School Choice; and California Parents for Educational Choice.

Alan Bonsteel, M.D. (bonsteel@earthlink.net) is president of California Parents for Educational Choice, which has a Web site at <http://www.cpeconline.org>.

INTERNET INFO

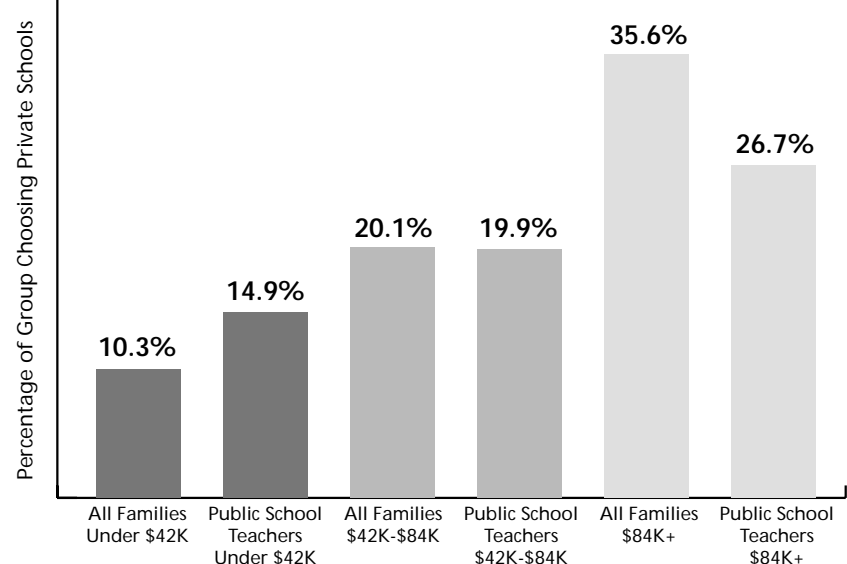
The September 2004 report from the Thomas B. Fordham Foundation, "Where Do Public School Teachers Send Their Kids to School?" by Denis P. Doyle, Brian Diepold, and David A. DeSchryver, is available online at <http://www.edexcellence.net/doc/Fwd-1.1.pdf>.

Public school teachers are more likely to choose private schools



Source: 2000 U.S. Census; Thomas B. Fordham Foundation

Among low-income families, public school teachers are more likely to choose private schools



Source: 2000 U.S. Census; Thomas B. Fordham Foundation

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Sacrificing for Her Son

by M. Royce Van Tassell

Like most eight-year-olds, Abraham Lerner is in third grade. His path to get there, though, has been quite a challenge.

At the end of first grade at his local public school in Murray, Utah, Abraham struggled with basic reading and math concepts, and his parents, Steve and Brenda, wanted him to repeat the grade. His teacher counseled that holding him back would damage his self-esteem, causing more educational problems than promoting him without knowing the material. Against their better judgment, Abraham's parents heeded the teacher's advice, and their son went on to second grade.

At the same time, however, they were looking for other choices. Although they eked out only a meager living on Steve's full-time customer service income, they began exploring ways for Abraham to attend the Mount Vernon Academy, a private school in Murray.

Brenda asked the academy whether she could work at the school in exchange for his tuition. The staff said they didn't have any positions available, but suggested she check with the Deseret Academy, another local private school. But her query to Deseret Academy was

too late; they had just hired another mother in similar financial straits.

The Deseret staff did, however, give her a brochure from Children First Utah (CFU), from which she learned CFU offered half-tuition K-12 scholarships to low-income families like hers. The Larners submitted an application, but heard nothing for several months.

homework, at the end of second grade Abraham was still struggling with basic math and reading. Steve and Brenda again asked the school to let him repeat a grade. The school's response stunned them; Abraham couldn't repeat the grade because there were too many other students coming into that class.

Frustrated with their neighborhood

begin third grade, in desperation the Larners called CFU. To their surprise, they learned of the lost letter, and that Abraham had qualified for a scholarship. They were overjoyed when they learned that because Abraham qualified, his younger brother and sister, Aaron and Rebecca, also qualified.

That joy was tempered, though. Even with the CFU scholarships, Steve and Brenda still had to find \$1,350 per month to pay the other half of their children's tuition. Brenda again offered to exchange work at Mount Vernon Academy for her children's tuition. This time a position was available, and she took it. She now works as a janitor at the school, cleaning 10 bathrooms every day.

Abraham is succeeding at his new school. In classes with just six other students, his math and reading skills are improving rapidly. He enjoys science, is learning French, and will soon begin learning to play an instrument.

For her part, Brenda is grateful her many prayers have been answered. She does, though, wish the boys in the school would aim a little better.

M. Royce Van Tassell (royce@edexutah.org) is the executive director of Education Excellence Utah.



**"Abraham is succeeding at his new school.
In classes with just six other students, his math
and reading skills are improving rapidly.
He enjoys science, is learning French, and
will soon begin learning to play an instrument."**

In the meantime, Abraham continued to struggle at school. For half of each day, he worked in resource classes with a teacher who simply gave him worksheets, then left him alone. When he arrived home each day, he was sad; other students pushed him and called him names.

Although his parents helped him with

school, and growing more and more concerned that Abraham wasn't getting the education he needed, Steve and Brenda reapplied for a CFU scholarship. They received a response, but it came in the middle of their move to a new home. As is all too common during the maelstrom that is moving, the letter was lost.

A few weeks before Abraham was to

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THE FRIEDMAN REPORT

SCHOOL CHOICE ROUNDUP

by Robert Fanger and George Clowes

COLORADO

Colorado Teacher Union Offers College Credit for Political Support

A Colorado teacher union local, the Jefferson County Education Association (JCEA), offered its members one semester hour of college credit at Adams State College in Alamosa if they would participate in a political rally on October 9 and help distribute literature for union-endorsed political candidates and issues, according to Pam Benigno, director of the Education Policy Center at the Golden-based Independence Institute.

Peggy Lamm, chairperson of the Adams State College Board of Trustees, said no such agreement had been made. She confirmed the union's offer to its members but told Benigno the college had never responded to the union's request.

"Adams State College never approved credit for this event, nor did we intend to," said Lamm.

Benigno learned of the alleged plan from the husband of a Jefferson County teacher. He said a JCEA representative had left a phone message soliciting his wife's participation in the October 9 event.

"It's inappropriate, to say the least, that a teachers' union would offer academic credit as a way to entice teachers to promote the union's political agenda—and in the process cheapen the value of academic credit," said Benigno.

Independence Institute
October 1, 2004

FLORIDA

Delayed Payments Test Florida's Scholarship Schools

A delay in the delivery of scholarship checks from the state Department of Education (DOE) had many private school teachers and administrators in Lee County, which includes Fort Myers, scrambling to cover their budgets in early September.

According to DOE officials, the recent barrage of hurricanes and accountability measures were responsible for the delay. Before checks are mailed, DOE is required to verify with schools that students are not dual-enrolled in scholarship programs. With schools closed

because of the hurricanes, verification was delayed beyond the normal payment date of September 1. As a result, some teachers aren't getting paid and some administrators are using their own money to pay bills.

"We want to make sure there's accountability in the system," DOE spokesman MacKay Jameson told the *Ft. Myers News Press*. "Obviously, this is a challenging situation for everyone in the state."

In December 2003, an audit of state scholarship programs found some private schools were receiving checks for students who didn't attend the schools. In addition, some students were receiving scholarships from more than one program. In the case of the McKay Scholarships for disabled students, payments can be as much as \$17,000 a year.

While some schools—particularly larger schools, those with foundation backing, and those with few McKay Scholars—were able to ride out the delayed payments without much difficulty, many smaller schools did not have much flexibility. For example, Susan Hansen's school in Fort Myers, the Denicole Private School, receives about 20 percent of its revenue through the McKay program.

"We're on a very strict budget here and it does impact us," Hansen told the *Ft. Myers News Press*. "I'm having to use my personal credit card for certain things."

Robyn Rennick, president of the Coalition of McKay Scholarship Schools, plans to work with DOE officials to ensure schools don't experience such delays in the future.

Ft. Myers News Press
September 16, 2004

Charters Absorb Most Student Growth in Broward

Unlike previous years, there wasn't much growth in this year's K-12 student enrollment in Broward County—just 1,352 students, or 0.5 percent. Official figures released on September 21 showed total enrollment at 272,691, up from 271,339 in the 2003-04 school year. Broward's traditional public schools didn't see much of that increase, because most of it went to the county's charter schools.

In the current school year, 13,561 students attend Broward's 27 charter schools, up from 5,776 students in 2000-01. Another 18 charter school applications are on tap, according to county charter school coordinator Betsy Donate. If present enrollment trends continue, traditional public schools could see a small-

er student count in three to four years.

Charter schools are easing crowding problems throughout Florida, according to Jay P. Greene, a senior fellow at the Manhattan Institute's Education Research Office in Davie, Florida.

"Surprisingly, the average school enrollment size in Florida has been declining, not increasing, and that's because of charters," Greene told the *Miami Herald*. "Whatever their academic merits are, they are a huge pressure-relief valve."

Miami Herald
September 21, 2004

GEORGIA

Georgia Program Shows All Students Benefit from Vouchers

When vouchers spur competition among public and private education providers, it benefits the quality of education for all students, regardless of race or family income, according to a study by two Georgia State University researchers.

The researchers, Gary Henry and Craig Gordon of the Andrew Young School of Policy Studies, say their work provides some of the strongest non-ideological evidence to show that school vouchers are effective and do work.

Henry told *The Atlanta Journal-Constitution* he had been asked by state policy-makers about proof that vouchers work, and in the past had told them they should be "ruthlessly empirical" and not to consider vouchers in the absence of evidence.

"Up to this point, I didn't feel we have much evidence to support it," he told the *Journal-Constitution*. "Now, I think the pendulum may be swinging."

Henry and Gordon examined the state's 11-year-old pre-K program, which is essentially a preschool voucher program. It provides lottery-derived funds for parents to choose a preschool classroom for their four-year-olds from among 3,152 classrooms across the state. Some 46 percent of the classrooms are offered by for-profit firms, 42 percent by public schools, and about 12 percent by non-profit groups.

The researchers compared the performance of pre-K students in areas where there was no competition—i.e., where pre-K classes were offered only by public schools—with the performance of pre-K students in areas where there was competition among public, for-profit, and non-profit providers. Henry and Gordon found

"Whatever their academic merits are, [charters] are a huge pressure-relief valve."

JAY P. GREENE
MANHATTAN INSTITUTE

that students in areas without competition were outperformed by students in areas with competition, regardless of which provider was selected—for-profit, public, or non-profit.

The report will be published in the next few months.

The Atlanta Journal-Constitution
September 9, 2004

ILLINOIS

New Chicago Charters Short-changed on Funding

After initially supporting Chicago Mayor Richard M. Daley's plan to create about 65 new charter and contract schools as part of his 100-school Renaissance 2010 public school reform initiative, potential charter and contract school operators reacted with dismay on September 27 when they saw the reduced amount of discretionary funding the plan was allocating to participants.

According to state school report data, the Chicago Public Schools (CPS) spent about \$8,500 per student last year, although the district's current \$4.8 billion budget puts total spending at about \$11,000 per student. The Renaissance 2010 plan provides just \$5,500 per elementary school student and \$6,500 per high school student.

An unanticipated aspect of the reform plan was the announcement that these base amounts would be reduced by a \$425 per-pupil deduction for CPS building rental and another \$750 or \$1,000 per student for elementary or high school building maintenance fees. This would leave elementary schools with just \$4,325 per pupil and high schools with just \$5,075 per pupil.

"It's unworkable," Perspectives Charter School Chairman Rod Joslin told the *Chicago Tribune*. "There are a lot of people who are mad about this."

Chicago Tribune
September 28, 2004
FY2004 Chicago Public Schools Budget



Milton and Rose D. Friedman

MARYLAND

Maryland Lt. Gov. Calls for More School Choice

Shortly after its creation on September 27 by executive order of Maryland Gov. Robert L. Ehrlich Jr. (R), the Governor's Commission on Quality Education was launched by Lt. Gov. Michael S. Steele (R). Declaring classroom choices must go beyond traditional public schools, Steele called for expanding and strengthening the state's new charter school law to offer more choices for students.

However, Steele noted the Ehrlich administration will not be promoting school vouchers, even though the governor supported vouchers as a member of Congress.

"It's not something I'm pushing or the governor is pushing," Steele told *The Baltimore Sun*. "Maryland is not ready."

The commission drew immediate criticism from the Maryland State Teacher's Association (MSTA) for not having a teacher union representative appointed to the panel, even though two commission appointees are MSTTA members. Steele said he did not want to go through the traditional educational establishment.

"This commission will study Maryland's system through the eyes of children," he told the *Sun*. "Not unions. Not administrators. Not curriculum writers."

One of the commission's first tasks will be to ensure that new money allocated to education under a 2002 law—amounting to an additional \$1.3 billion a year by 2008—is spent wisely. Steele pointed some school districts underperformed even though they had money, while other school districts performed at very high levels even though they didn't have much money.

"I am looking to this group to develop an agenda for Maryland, a true agenda, for how we educate our children," Ehrlich told the commission, noting that money was just one component in the delivery of a quality education.

The Baltimore Sun
September 28, 2004

NEW MEXICO

New Gifts Will Fund 400 Scholarships in New Mexico

In August, Educate New Mexico (ENM) received three grants totaling \$774,000 to provide tuition scholarships in the 2004-

2005 school year. Two of the gifts—one from the Children's Scholarship Fund for \$704,000 and one from The Stranahan Foundation for \$10,000—are matching grants that require ENM to secure matching funds locally. The third gift is a \$60,000 grant from the Daniels Fund.

The recent donations will allow ENM to provide school choice to more than 400 students during the 2004-05 school year. These students will attend more than 100 independent schools across the state. ENM scholarships, awarded by lottery, are valued at \$1,000 per student for grades K-6 and \$1,500 per student for grades 7-12.

For four years, ENM donors have provided 622 scholarships to children, allowing them to attend the school selected by their parents. More than 6,000 qualified students from family applicants are on the ENM lottery waiting list.

Educate New Mexico's mission is to help New Mexico families of modest income exercise their right to a quality education by promoting parental choice and providing financial assistance.

Educate New Mexico
August 26, 2004
August 30, 2004

UTAH

Tax Credit Supporters Active in Utah Elections

Tuition tax credit advocates in Utah have outspent the state's largest teacher union by nearly 60 percent in support of candidates who share their views, according to state political action committee reports.

Between January and September 15, the Parents for Choice in Education (PCE) PAC spent \$170,260 compared to \$106,500 spent by the Utah Education Association (UEA) PAC. However, the UEA PAC has \$422,000 left to spend, compared to just \$17,250 available to the PCE PAC.

"We can never match the UEA in dollars, but we feel our message is more compelling and draws more support among the general populace," PCE Executive Director Elisa Clements Peterson told the *Deseret Morning News*.

Because a large portion of PCE PAC's donations come from out-of-state, the UEA maintains the PCE PAC does not represent the interests of Utahns. Peterson disagrees.

"Polling that we've done and others have done indicate that Utahns very much want choice ... a movement that is sweeping across the nation," she told the *Deseret Morning News*. "It's not an out-

side special-interest group; it's a shared interest in putting the control of children's education in the hands of parents where it belongs."

According to a *Deseret Morning News*/KSL-TV poll, GOP gubernatorial nominee Jon Huntsman Jr., who supports helping parents of disabled children with vouchers to attend private schools, has a 10 point lead over Democratic candidate Scott Matheson, who does not support tuition tax credits.

Deseret Morning News
September 26, 2004

WISCONSIN

Milwaukee Voucher Students Have Higher Graduation Rates

Graduation rates for Milwaukee students who use vouchers to attend private schools are higher than the graduation rates of students who attend the city's public schools, according to a new study by Manhattan Institute researcher Jay P. Greene, a leading national authority on high school graduation rates.

In addition, the study showed voucher students have higher graduation rates than students in Milwaukee's selective public high schools, where students are likely to be more advantaged than the choice students, since vouchers are available only to children from low-income families.

The findings of the study, sponsored by School Choice Wisconsin, show the following graduation rates for the graduating class of 2003:

- a 64 percent graduation rate for Milwaukee students who used vouchers to attend private high schools;
- a 36 percent combined graduation rate among students who attended the 37 Milwaukee public high schools for which data are available; and
- 41 percent combined graduation rate among students who attended Milwaukee's six academically selective public high schools.

The fact that students in the choice program graduate at a much higher rate than do students at Milwaukee's selective high schools suggests "differences in student background are unlikely to account for the superior achievement of voucher students," said Greene.

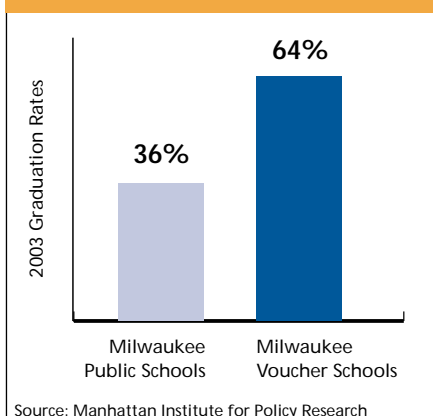
Greene obtained similar results when he used an alter-

native method of calculating graduation rates, which tends to confirm the accuracy and reliability of the study's results. The main method used by Greene was to compare the number of students enrolled in ninth grade in the fall of 1999 to the number of students awarded regular high school diplomas in the spring of 2003. This method of calculating graduation rates is widely accepted by education researchers.

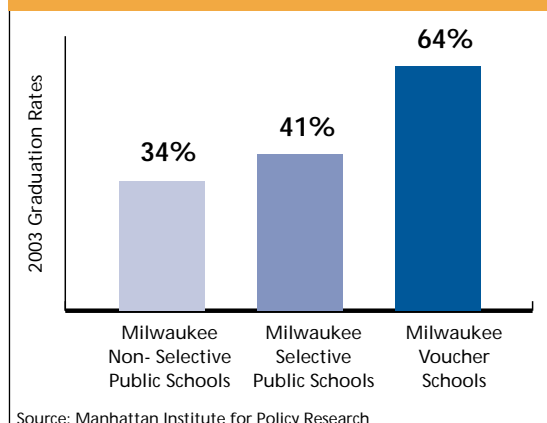
"These graduation-rate results are consistent with earlier random-assignment research in Milwaukee and other cities showing that students experience significant academic benefits from being able to attend a private school with a voucher," concluded Greene. "Confirming earlier research may not silence critics of Milwaukee's school choice program, but it ought to reassure other observers of the program that it does produce substantial benefits."

"Graduation Rates for Choice and Public School Students in Milwaukee," by Jay P. Greene
Manhattan Institute for Policy Research
September 28, 2004
http://schoolchoiceinfo.org/data/hot_topics/grad_rate.pdf

Milwaukee voucher students are almost twice as likely to earn high school diplomas



Milwaukee voucher students graduate at a higher rate than students at Milwaukee's public schools



Iraq

Continued from page 1

data exist to support that claim, since no census has been held for years. However, there are separate schools for boys and girls, especially beginning in seventh grade. Areas that cannot afford separate schools create different gender locations within classrooms, with boys sitting on one side of a classroom and girls on the other.

Religion

Religion is taught in public schools. Under the previous regime, only the Sunni interpretation of the Koran was taught. Students from non-Islam religions were not required to attend religion classes, but if 20 or more Christian students attended one school, a Christian religion class was offered.

Funding and Facilities

Under Saddam Hussein, the regime siphoned education funds to pay for military expenditures and other priorities. Teachers received on average a mere \$5 a month. When the regime fell, approximately 80 percent of the nation's 15,000 school buildings needed rehabilitation and lacked basic sanitary conditions.

Politicized Curriculum

Hussein also politicized the schools, influencing everything from curriculum, to teaching and administrative staff, to admission policies.

Teacher Training

Teachers have received little training. Teaching in Iraq relies heavily on government-produced textbooks and is characterized by "memorization without understanding." There are very few school libraries and no school labs. Effective lesson plans that rely on student discussion or interaction between teacher and student or among students are rare.

Post-War Education

The U.S. and its coalition allies have already accomplished much. One of the most remarkable achievements was how quickly schools opened after the end of the war in April 2003. Fortunately, very few schools were actually damaged in the war itself.

Within four weeks, most schools were opened and students were preparing for their final exams. The national exams were held in all regions of Iraq with very little delay or disruption. National exams at all levels, but especially the exit exams at sixth, ninth, and twelfth grades, are high-stakes exams and Iraqis respect them.

Teacher salaries were raised from \$5 a month to a starting salary of \$60 and an average of \$300 a month.

A new Minister of Education was appointed who quickly assembled a new senior staff. Some 12,000 teachers and administrators who had been members of the now-banned Ba'ath Party were fired.

USAID has rehabilitated more than 2,500 schools and trained 33,000 high school teachers in effective and modern classroom management.

UNICEF and USAID distributed school supplies to more than 5 million students and reprinted textbooks, after

Contributing Editor Now Promotes Spirit of America

Pamela Riley, then with the Pacific Research Institute, was one of the original group of contributing editors to *School Reform News* when the newspaper was first published in January 1997. For much of the past year, she worked as a U.S. advisor in Iraq, assisting in the re-opening of that war-torn country's schools.

In June 2004, one of her Iraqi colleagues, Kamal al-Jarah, a senior education ministry official, was gunned down as he left his home in Baghdad. Riley worked closely with him on exchange programs and curriculum reforms.

"I just can't understand why good, decent people like that are being targeted," she said, telling a National Public Radio interviewer, "I cried. This time, I really cried."

"You just get this feeling you want to fight back, and the best way I know how to fight back is to educate Iraq's children so they'll learn decency and good values, and they will make a good living," she added. "To me, that's the only way to combat it."

Riley is now director of School Partners, an effort of the non-profit group Spirit of America to connect U.S. and Iraqi high schools—school-to-school, teacher-to-teacher, and classroom-to-classroom communications. The goal is to help American students develop a broader international understanding and to provide opportunities for Iraqi students to speak and write in English. The program started this fall with up to 20 high schools.

— G.C.



Pamela Riley with two Iraqi children

INTERNET INFO

More details about the Spirit of America volunteer efforts are available at the organization's Web site at <http://www.spiritofamerica.net>.



Pamela Riley (right) with two Iraqi teachers who were master trainers in the U.S. high school teacher training program. Riley is wearing a scarf she used for head covering when traveling to and from school.

removing much of the propaganda from the previous regime.

The U.S. Congress has allocated \$70 million to rehabilitate 1,000 additional schools, and the World Bank has allocated another \$60 million. These funds set the stage for school reconstruction for the next three years.

The U.S. and other donor nations have pledged an additional \$150 million for textbook revision, teacher training, and other non-construction projects. Teachers, for example, need to be trained in a variety of teaching strategies to ensure all students learn.

The Ministry of Education has revised curriculum in the areas of civic education, history, and religion and has appointed a new national curriculum commission to revise curriculum in all subject areas.

Despite these early accomplishments,

much more remains to be done. Poor security conditions are hampering school reconstruction efforts in many regions. In addition, per-pupil expenditures in Iraq are the lowest in the Middle East. But until a new government is elected—one that will be accountable to students and parents—officials are unlikely to change the status quo.

The most serious obstacle to education reform in Iraq is an overly bureaucratic system and a workforce that has been isolated for 30 years. The system needs to be decentralized so that schools, principals, and teachers can be held accountable for performance. There are no school boards, much less charter or private schools, in Iraq.

Those of us in the U.S. charter school movement know how difficult it is to develop an effective charter school when

the authorizing system becomes too bureaucratic. I return from Iraq fully understanding how every layer of administrative paperwork and bureaucracy can interfere with the flow of a quality school.

Pamela Riley (Pam_riley@sbcglobal.net) is director of School Partners, a program of Spirit of America, a nonprofit organization that is helping Americans who serve in Iraq and Afghanistan to improve the lives of needy Iraqis and Afghans. The School Partners program will link American and Iraqi high schools. American schools interested in participating should visit the Spirit Web site at <http://www.spiritofamerica.net>.

A longer version of this article first appeared in the September 5, 2004 newsletter of the New Hampshire Center for School Reform.

Where Are They Now?

by George A. Clowes

Some of *School Reform News'* early contributing editors are now making much bigger contributions to education ... and to the nation.



Jeff Flake

Formerly executive director of the Goldwater Institute, Jeff Flake is serving his second term in the U.S. Congress, representing the Sixth Congressional District of Arizona. He serves on three committees in the House of Representatives: the Committee on the Judiciary, the Committee on International Relations, and the Committee on Resources.

In Washington, Flake has continued to work for choice and competition in education. He introduced legislation to give states more freedom to replace bilingual education programs with innovative alternatives, a measure that was adopted and approved as part of President George W. Bush's education plan.



Nina Rees

Nina Shokraii Rees, assistant deputy secretary for innovation and improvement, leads the Office of Innovation and Improvement (OII) at the U.S. Department of Education, where she oversees the administration of approximately 28 grant programs that support innovation in education. Rees also works with the Office of Elementary and Secondary Education in coordinating the implementation of the public school choice and supplemental services provisions of the president's No Child Left Behind Act (NCLB).

Prior to joining the U.S. Department of Education, Rees served on the White House staff as a deputy assistant for domestic policy in the office of Vice President Dick Cheney. Before January 2001, she served as an education policy advisor to the Bush presidential campaign and helped draft the initial NCLB law. From 1997 to 2001, she served as chief education analyst for The Heritage Foundation, where she was the foundation's lead author and spokesperson on education.



James Peyser

James A. Peyser was appointed chairman of the Massachusetts Board of Education in 1999. He also serves as chairman of the Educational Management Audit Council. Peyser was first appointed to the Board of Education by Governor William Weld in 1996.

In 2001, Peyser joined the governor's staff under Jane Swift and served as education advisor to Swift and Governor Mitt Romney. He resigned from that post in October 2003 to head up the East Coast office of New Schools Venture Fund, a non-profit firm that finances charter schools and other projects aimed at improving public education.

Prior to these appointments, Peyser worked for eight years as executive director of the Boston-based Pioneer Institute for Public Policy Research.



Tom Tancredo

Currently serving his third term as the Representative for the Sixth Congressional District of Colorado, Tom Tancredo first became a member of Congress in November 1998. His current committee assignments include the U.S. House Budget Committee, the Committee on International Relations, and the Committee on Resources. Two of his top priorities have been to implement education tax credits and create secure U.S. borders.

Tancredo served in the Colorado legislature from 1976 to 1981 before accepting an appointment in the Reagan administration to serve as the Secretary of Education's regional representative, where he downsized the regional office from 220 employees to approximately 60. From 1993 to 1998, he served as president of the Golden-based Independence Institute.

George A. Clowes (clowes@heartland.org) is managing editor of School Reform News.

Saving the St. Louis School District from Bankruptcy

by George A. Clowes

Until St. Louis Mayor Francis Slay and four members of the city's board of education voted to hire the consulting firm Alvarez & Marsal in the spring of 2003, William V. Roberti, a managing director of the firm, had been involved in corporate and military restructuring situations but had never run a school district. From June 1, 2003 until June 30, 2004, he served as interim superintendent of the St. Louis Public Schools.

"This was the first time that a school district brought in a corporate turnaround firm to help save a system that was so dysfunctional that it was on the brink of bankruptcy," said Roberti in relating his experience as interim superintendent in St. Louis to an audience of education entrepreneurs on August 4 at the fourteenth annual EDVentures Conference of the Education Industry Association. The conference was held on the Northwestern University campus in Evanston, Illinois on August 4-6.

"While St. Louis may be somewhat unique in terms of the severity of the crisis, there are ... hundreds of school districts across the country that are struggling to cope with many of the same issues," said Roberti. "In that regard, I think St. Louis provides a useful roadmap for other districts to follow."

In the past two years, at least two school districts have experienced major financial disruptions, apparently because administrators simply weren't keeping on top of district finances. In 2003, the superintendent of the Seattle Public Schools resigned after the discovery of a \$35 million accounting error. In 2002, two officials of Colorado's St. Vrain School District lost their jobs over a \$13.8 million shortfall.

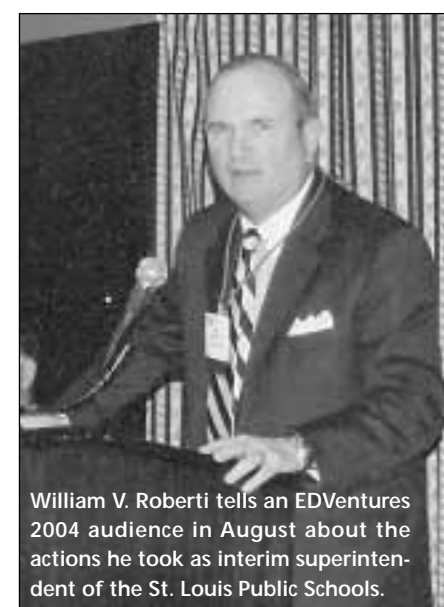
What Roberti found in St. Louis was a similar lack of knowledge about what was happening financially in the district, which had a budget of \$450 million. Officials thought the district had about \$39 million in reserves, but Roberti quickly discovered it faced an immediate cash shortfall of \$99 million and a \$75 million year-end deficit.

"The district was bankrupt, and didn't know it," he said, noting it didn't take his team from Alvarez & Marsal very long to find out why the district was in such financial straits:

- paying insurance for vehicles they didn't own;
- maintaining dozens of abandoned warehouses;
- operating too many buses; and
- extravagant spending, such as \$500,000 on staff lunches.

Although the district's educational performance also was in bad shape—with only 5 percent of 11th-graders reading at or above proficient—the first priority was to address the cash crisis. With the agreement of the NAACP, the State of Missouri, and the U.S. Department of Justice, Roberti arranged for the district to borrow \$49.5 million so it could continue to operate. Then he tackled the cost drain.

His efforts generated cost savings of \$79 million. They included:



William V. Roberti tells an EDVentures 2004 audience in August about the actions he took as interim superintendent of the St. Louis Public Schools.

- putting more than 40 properties up for sale;
- closing schools with declining enrollment;
- simplifying bus routes;
- renegotiating labor agreements;
- outsourcing maintenance and food service operations;
- closing old warehouses; and
- reducing non-teaching staff from 6,260 to 4,797.

Once the operational and financial reforms were in place, Roberti took steps to create a framework for long-term educational success. Those steps included:

- hiring more than 130 new teachers;
- implementing a literacy-based curriculum;
- putting principals in charge of driving academic achievement; and
- reducing class size in certain grades.

By year's end, a number of educational measures were beginning to show promising upturns. For example, the percentage of high school students considered "at risk" for reading proficiency had dropped from 36 percent to 24 percent, and the percentage of middle school students reading at an advanced level had increased from 0 percent to 7 percent.

"The ultimate performance measure here is educational, not financial," said Roberti. "Now it's up to the district's new leadership to continue to sustain the reforms as they move forward and work to build on the progress."

George A. Clowes (clowes@heartland.org) is managing editor of School Reform News.

INTERNET INFO

The June 30, 2004 report from Alvarez & Marsal, "St. Louis Public Schools: A Year of Change and Progress: Final Report," by William V. Roberti, is available online at http://www.alvarezandmarsal.com/June_2004_Turnaround_Initiatives_Update_FINAL.pdf.

POWER TO THE PRINCIPAL

AN INTERVIEW WITH LYDIA G. SEGAL
BY GEORGE A. CLOWES



“My recommendation would be to turn every single school in the district into a charter school and to turn the central office into a support center for the charter schools. As charter schools, the schools would be schools of choice and the funding would follow the child to the school. At the same time, the principals of the schools would be held accountable by regular performance audits.”

In advocating for the establishment of a public school system in 1841, Horace Mann called the common school “the greatest discovery ever made by man.” If a public school system were adopted, he said, “nine-tenths of the crimes in the penal code would become obsolete.”

A century and a half later, Mann’s vaunted institutions have in many instances become harbors of the very vices they were supposed to eliminate, a situation documented with disturbing clarity by law professor Lydia G. Segal in a new book, *Battling Corruption in America’s Public Schools* (hardcover Northeast University Press, 2004; paperback Harvard University Press, March 2005). Drawing on her own undercover investigations in the New York City schools and research in other urban school districts, Segal describes

how hundreds of millions of dollars intended to educate children are consumed by waste, fraud, and “legalized graft” within the public school system.

Segal is associate professor of criminal law and public administration at John Jay College of Criminal Justice, City University of New York. Before taking up her academic post, she served during the early 1990s as special counsel to the special commissioner of investigation for the New York City School District. A graduate of Harvard Law School, Segal has published extensively in academic journals and popular magazines and is coauthor of *Making Schools Work: A Revolutionary Plan to Get Your Children the Education They Need* (Simon & Schuster, September 2003).

Segal spoke recently with *School Reform News* Managing Editor George Clowes.

Clowes: How did you become involved in school reform?

Segal: I’ve long been passionate about public education, but I started off in a very unusual way. I was working in the Manhattan District Attorney’s office in the Rackets Bureau, and my boss at the time, Ed Stancik, was appointed to head up a new organization called “The Special Commission of Investigation for the New York City Schools.” This agency had just been set up because of the scandals that were flooding the airwaves at that time—missing pianos, disappearing computers, teachers claiming they had to have sex with people in order to advance, and principals being hit up for money in order to keep their jobs.

Stancik wanted to hire a team of lawyers to help him, and I jumped at the chance. I worked at the Special Commissioner’s Office for three years,

and it really gave me an insider’s view of what was going on in the public schools. It completely blew my mind.

I was just out of law school, and it was shocking to hear undercover tape recordings of conversations of school board members in New York City. The words “education” or “children” were rarely used in the conversations—it was all about how much money programs were worth, how much could be skimmed off, and how many jobs could be given to friends, relatives, mistresses, and lovers.

Clowes: Was this mainly to do with construction projects?

Segal: It wasn’t just construction; it was transportation; it was food; and it was hiring people who come into contact with children on a day-to-day basis. I did not expect to see this kind of underworld. Schools benefit from a “halo effect”:

People believe that those involved in schools must be angelic. This experience showed me that isn’t always so.

There were two worlds that were exposed through these secret, undercover tape recordings. One was a world like that of mob under-bosses, where people used mafia-type language to talk about ripping off schools.

The other world was that of conscientious teachers and principals who wanted to do their jobs but couldn’t. They bore the brunt of the fraud. They were asking questions like, “Where’s my chalk?” “Where’s the money for my pencils?” “Do I have to fish into my own pockets again to buy paper and crayons for my children?”

It was a Kafka-esque universe where on the one hand you had people who were just interested in ripping off the system, and on the other hand you had people who really wanted to do their jobs but

were prevented from doing so, mostly by the bureaucratic rules and regulations designed to stop fraud. These rules were not stopping the mobsters from stealing, but they were stopping good people from doing their jobs.

Clowes: So the rules and regulations to prevent wrongdoing got in the way of people who were actually trying to do good within the system?

Segal: Exactly. Most of the people who were out to bilk the system were not caught by the rules, but the good people who were trying to help children always got stymied by them. The tragedy is that some of these people had to find ways to break the rules themselves, simply to help children. And they would sometimes get caught.

I really wanted to do something about the problem and I decided the most

important thing I could do was to write a book, telling people what was going on. So I joined the university, which allowed me to research and write about the problems. I expanded my research beyond New York to cover six different school districts in North America: New York, Chicago, Los Angeles, Houston, Seattle, and Edmonton, Canada.

I studied Edmonton from many perspectives, and in my *Battling Corruption* book, I talk about how the structure of the Edmonton district affects the incidence of corruption and waste. When I broadened my research to six different districts, I began to see patterns. I saw that school systems that were structured in similar ways—i.e., very centralized and top-down—tended to have the same kinds of waste, abuse, and corruption. However, districts that were more decentralized, like Edmonton, did not have those problems.

For example, Los Angeles and Chicago—at least, Chicago before it was re-vamped by Paul Vallas—had the same kind of scams that New York City had. Contrast that to Edmonton, where there has not been a major fraud case in 24 years, even though the principals there control their own budgets, some with over \$10 million a year.

Now, each of those schools in Edmonton is audited. There is oversight, but the oversight is not so excessive that it paralyzes management, as it does in many large, centralized school districts in America.

Clowes: *Why is it that adding more regulations doesn't seem effective in curtailing fraud?*

Segal: It's not a problem of regulations in themselves. It's the type of regulations, the quantity of regulations, and the intrusiveness of the regulations. You can look at oversight as a spectrum, with the tightest oversight on one end of the spectrum and the most lax oversight on the other end. Having no oversight is a recipe for disaster.

Most of the time when there's a scandal, the knee-jerk reaction of the central bureaucracy is to adopt the most extreme form of oversight, where rules prescribe exactly how everything must be done—exactly how money must be spent, exactly how contracts must be bid, and so on. That's very restrictive, and it often means people can't do their jobs because the focus is on compliance at the expense of performance.

For example, a high school principal needed extra-large computer screens so his sight-impaired students would be able to see and do their work. He requested the extra-large screens but the central supplies office said, "No, you can only buy the model that's permitted on our mandated list." The central office would not make an exception, even for sight-impaired students. Nor would they make an exception even when the principal found extra-large screens that were cheaper than the approved model.

The result is that money is spent in a way that doesn't benefit students. In this particular case, the principal eventually funneled money from another category and faked invoices to buy the screens his students needed. What you have is a

good man with the most noble intentions—trying to get students what they need—who is forced by the rules to become a "crook."

So it's not regulations per se that are the problem, but tightly prescribed regulations.

Clowes: *If regulation isn't the solution, what is?*

Segal: To decentralize.

Edmonton shows how we can have supervision and oversight without choking management. We can audit to see where money goes and focus on those situations where money looks as if it's being misspent. That way we can catch prob-

"[I]t was shocking to hear undercover tape recordings of conversations of school board members in New York City. ... [I]t was all about how much money programs were worth, how much could be skimmed off, and how many jobs could be given to friends, relatives, mistresses, and lovers."

lems before they become big and do not need to scrutinize every little step.

Let me give you an example of how this differs from the heavy-handed, top-down scrutiny found in most school districts. Let's say you have a principal who has won a federal grant to put in a new playground at his school. In most centralized districts in America, the grant money would not go to the school but to the central bureaucracy, which would then prescribe exactly how the money must be spent and allocate the work, from design to construction to payroll, to its various central divisions. The result may or may not be what the principal had in mind.

In Edmonton, on the other hand, if a principal gets a grant to build a playground, the money goes to the school and the principal decides how to allocate it and whom to hire to do the work. The principal has the option of hiring someone from the central school bureaucracy or going to the private sector. What does

makes it impossible for the system to be responsive. If you have a school with a leaky toilet, the principal needs someone to fix it right away, but that's an impossibility if you go through the bureaucracy in an over-regulated system.

There were cases in New York where water leaked into classrooms because of faulty windows. When a principal saw the plaster crumbling and the paint peeling around the windows, he put in several work orders to fix the problem—one order for the windows, one for the plaster, and one for the painting—because the bureaucracy compartmentalizes all the maintenance work.

The bureaucracy does not coordinate the maintenance work. So, by some quirk, the painters were dispatched first and painted over the rotten plaster. Before the principal knew it, the paint started to peel again. Then the plasterers arrived and replastered, which then required another paint order. Meanwhile, the people who were supposed to fix the window took forever to get there, and so the problem area was re-plastered and re-painted a number of times before the leaking windows were fixed.

This is where our taxpayers' money goes.

Clowes: *And that's just the waste, not the fraud.*

Segal: Yes, but even the rules that are meant to stop fraud create waste, too. There are very strict rules controlling purchases in the large districts. For example, if you buy an item for the school and want to be reimbursed, you need to fill out a detailed form, attach the receipt,

"[A]lmost all the corruption and waste that I found in large, top-down school systems was located in their central offices, not in schools. ... [D]ecentralization, with the proper safeguards, is the way to go."

that do? The principal's power over the purse forces the central school bureaucracy to be responsive to the principal!

In most large, top-down school districts, workers from the central office have little or no incentive to respond to individual school principals. In decentralized districts like Edmonton, on the other hand, if the central office is unresponsive, the principal says, "OK. I'll get someone from the private sector." Immediately, the central office becomes responsive. It is forced to respond through the pressure of competition. Competition is the key.

Part of the problem with a large centralized district is its emphasis on trying to dot every "i" and cross every "t." That

fortune trying to prevent teachers from ordering a penny more in supplies than they were allocated.

Most telling, almost all the corruption and waste that I found in large, top-down school systems was located in their central offices, not in schools. That again reinforces the point that decentralization, with the proper safeguards, is the way to go.

Clowes: *A state appeals court recently ruled that New York's public schools needed more money. Did the court take into account just how much money is being wasted in the school system?*

Segal: I don't think they did, and I think that's why more money is being poured in. I'm not saying more money isn't needed, but if you're going to pour it in, you'd better make sure it gets to the classroom. Right now, it isn't getting there.

The way to get the money to the classroom is:

- decentralize;
- put principals in charge; and
- put in controls that won't choke management.

In my book, I talk about some districts that have succeeded in doing this. One of them is Edmonton. Another is Houston, which really turned things around six or seven years ago. The school construction division, for instance, used to be a very corrupt enterprise. People were walking off with equipment; schools were not being built on time; new schools had major structural problems; it was a real mess. The way they turned that division around should be a model for the rest of the nation.

Instead of having a top-down enterprise, with the bureaucracy running the show, the Houston school board got the bureaucracy out of the way and established real accountability—by decentralizing, by giving more responsibility to principals, and by creating competition in the system.

Clowes: *How would a district go about decentralizing and pushing accountability down to principals?*

Segal: My recommendation would be to turn every single school in the district into a charter school and to turn the central office into a support center for the charter schools. As charter schools, the schools would be schools of choice and the funding would follow the child to the school. At the same time, the principals of the schools would be held accountable by regular performance audits.

The central office divisions—food, transportation, construction, cleaning, and maintenance—would all have to compete to serve principals' needs. Principals would have the choice of hiring from the central office or from the private sector.

Even if they don't follow my full recommendation, districts should try to find ways to loosen the regulations and push power down to the school level. School districts need to move towards giving school managers more freedom and learning to trust them, but, at the same time, providing oversight in a way that doesn't choke business. That's what my book is all about.

Inspection Failures Compromise School Safety

by George A. Clowes

While parents may have a reasonable expectation that their child's public school—as a facility owned and operated by the government—would be a safe structure that has passed local construction and fire inspection requirements, recent reports from Florida, Illinois, New York City, and Los Angeles indicate negligence and fraud in school construction and maintenance can severely compromise the safety of children in school.

Shoddy Construction in Florida

Since 2000, *School Reform News* has reported on safety concerns in the Miami-Dade School District, from fire safety code violations to poorly maintained old schools and shoddily constructed new schools. (See, for example, "A Merry-Go-Round of Irresponsibility," *School Reform News*, April 2003.) Recently, investigative reporter Jilda Unruh of Local 10 TV Miami uncovered an explanation for how shoddy construction work might be approved by inspectors: conflict of interest.

"It seems the people who were doing the construction were also responsible for inspecting the project," reported Local 10 TV.

Unruh pointed out that the inspection firm hired for three school construction contracts in the Miami-Dade district was Ronald E. Frazier and Associates. The firm the district had hired to carry out the construction work was ACT Services, Inc., where Ronald E. Frazier serves as board chairman. ACT's name surfaced at a school district meeting in February when the board voted to sue the firm for shoddy construction at a fourth school.

In May, residents of Homosassa, Florida, a former fishing town north of Tampa, were shocked to discover that an almost-completed \$4 million construction project to add a media center and cafeteria to the 360-student Homosassa Elementary School was so seriously flawed it might be cheaper to tear down than to fix. A testing firm found the new buildings had dozens of missing steel rods, missing reinforcement in the walls, missing wall connections, and missing roof anchors. Specifically:

- 131 of 149 sections of wall did not have adequate steel and grouting for strength;
- 55 of 73 places where huge steel beams were tied into the tops of walls had inadequate attachments;
- not one wall was properly attached to other walls.

In August, town residents were again shocked to find that an internal investigation placed the only serious blame for the debacle on project manager Sam DiGuglielmo. Since other district employees had done their jobs on the project, according to school officials, none will face termination or serious reprimand.

Neither will DiGuglielmo, who retired just after the internal investigation began.

Eight-Year-Old Illinois School to Be Razed
Gavin Central School in Lake County,

Illinois was built only eight years ago at a cost of \$6.4 million and housed more than 600 students until March, when it was closed because of safety concerns. After further engineering inspections found serious construction faults, officials of Gavin School District 37 voted on September 14 to raze the school rather than try to repair it.

The school board is suing the building's architect and contractor for more than \$5 million, the estimated cost of repairs. The lawsuit alleges Boller Construction and Legat Architects, both of Waukegan, breached their contracts with the district in the design and construction of the school.

Initially, more than a quarter of the building's 201 wooden roof supports were found to be cracked. After the building was condemned in April, more problems were discovered:

- the building design called for double-truss roof supports, but only single trusses were installed;
- 10 of the roof trusses were installed backwards;
- incomplete steel trusses were installed above the gym and lunchroom;
- steel reinforcements in the walls—to stop the building from leaning in the wind—were not installed.

"The taxpayers of Gavin School District paid a significant sum of money for a school that was to last this district 50 years and instead received a building that was condemned in eight," said board president Connie Thorsen, according to *The News Sun*.

A statement from Boller called the decision to demolish the school "irresponsible, reactionary, and ill-considered," noting the two firms had offered to repair the building at no cost to the district.

"The board's action to tear down a building that could readily be repaired, at no cost to the district, is not a decision in the best interests of the taxpayers," Legat President Wayne Machnich told *The News Sun*.

New York City Schools Not in Compliance

A May audit report on the safety plans of a sample of 10 New York City schools issued by the City's Comptroller's Office revealed several were not in compliance with various aspects of school safety codes, building codes, and other requirements. For example, the state has required defibrillators in all schools since last year, but none of the schools in the sample had the lifesaving devices.

Among the violations of school safety requirements:

- five schools had not held monthly safety committee meetings;
- four schools had one or two exit doors that were either locked from inside while school was in session or were extremely difficult to open;
- three schools had one or two exit doors that did not self-close.

"Locked exit doors are simply unacceptable," Eva Moskowitz, chairwoman of the City Council's Education Committee, told the *Daily News*.

Los Angeles Schools Rack Up Violations

After receiving numerous complaints last year about dirty restrooms in Los Angeles schools, the City Attorney's Office and the Los Angeles Unified School District (LAUSD) agreed to carry out joint inspections, starting with a sample of five campuses. Despite giving the schools two weeks' notice about inspections scheduled earlier this year, the five schools racked up more than 130 safety and building code violations between them.

The violations included exposed electrical boxes, improperly stored chemicals, leaky roofs, fleas, stray cats, pest infestation—and a lack of soap in restrooms. Most of the five campuses also needed additional seismic bracing. However, most of the problems uncovered are already being addressed, according to district officials.

"Although the inspection results show that we still have a lot of work to do to improve the conditions of our campuses, I think the school district is clearly moving in the right direction," City Attorney Rocky Delgadillo told the *Los Angeles Daily News*.

George A. Clowes (clowes@heartland.org) is managing editor of *School Reform News*.

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Top 10 Myths about No Child Left Behind ... and Why You Shouldn't Believe Them

by Lori Drummer

If you listen to media reports on the implementation and costs associated with the No Child Left Behind Act of 2001 (NCLB), you've been bombarded by a slew of misinformation.

Below are 10 common myths about NCLB ... and the facts to debunk them.

Myth 1 — *NCLB is an unfunded mandate that imposes on states a one-size-fits-all education system.*

Fact: The president and Congress have not only fully funded NCLB, states have been given a great deal of flexibility as they implement the program's goals.

NCLB not only increased standards for public elementary and secondary education—it brought an additional \$6.4 billion in federal education funding, a 28.5 percent increase. Instead of binding funding to specific programs not proven effective to increase academic achievement, federal funding is now correlated to several broad areas, such as academic achievement, high-quality teachers, parental choice, and accountability, for states to find methods that best suit them.

Myth 2 — *NCLB is nothing more than new federal mandates states have to follow.*

Fact: Many of the "new mandates" aren't new at all. Accountability measures were already in place prior to NCLB.

Under the 1994 reauthorization of the Elementary and Secondary Education Act, which preceded NCLB's enactment by eight years, each state was required to develop comprehensive academic standards and correlate those standards with a curriculum-based exam. Math and reading exams, at the very least, were to be administered at three grade levels. But states were never held accountable for compliance with the 1994 law.

Myth 3 — *NCLB requires a national standardized test.*

Fact: NCLB in fact forbids a national test. States are free to choose the testing vehi-

cles that best fit their students' needs.

Myth 4 — *The federal government has imposed unrealistic requirements on teachers seeking "highly qualified" status.*

Fact: In order to be certified as a highly qualified teacher, an instructor must be fully certified, have a bachelor's degree, and have demonstrated knowledge in the teacher's subject area.

Every state already mandates the first two requirements. With respect to the third requirement, NCLB allows each state education agency to choose how it will determine if a teacher has demon-

"NCLB not only increased standards for public elementary and secondary education—it brought an additional \$6.4 billion in federal education funding, a 28.5 percent increase."

strated subject-specific mastery. NCLB gives states the flexibility to establish their own "highly qualified" standards, and states may determine who is "highly qualified" by administering a test or using some other objective evaluation system developed or approved by the state.

Myth 5 — *Teachers who choose to seek advanced certification will bear an unfair financial burden under NCLB.*

Fact: NCLB includes new flexibility and increased funding for teachers. States have been allocated \$2.9 billion for teacher quality programs to help districts train, recruit, and retain quality teachers.

Myth 6 — *School administrators don't have the flexibility to recruit and retain teachers.*

Fact: Well aware of the need for exemplary teachers in fields such as math, science, and special education, NCLB's authors gave states several options for attracting uniquely qualified professionals to the teaching field.

Under NCLB, states are authorized to implement high-quality teachers recruitment and retention programs that can include professional development opportunities, differential pay, signing bonuses, and performance bonuses, to name just a few of the incentives available.

Myth 7 — *Schools in need of improvement will lose federal funding.*

Fact: No financial penalties are imposed on schools that fail to make adequate yearly progress under NCLB. In fact, states are required by the law to set aside a portion of their Title I funds specifically to provide additional assistance to schools in need of improvement.

Myth 8 — *Schools are required by NCLB to pay for tutors, instead of using money on general school improvements.*

Fact: If a school is deemed in need of improvement for three consecutive years, the school district must provide a supplemental education service option for parents. That service can be paid for with Title I funds the states will have set aside explicitly for schools in need of improvement.

States are authorized by NCLB to choose from a variety of supplemental service options. In addition to offering students tutoring, states may turn to public- or private-sector educational service providers, additional classes, or individualized education assistance. If children trapped in failing school systems are to have a chance at a successful education, these new options are key.

Myth 9 — *NCLB reduces local control of schools.*

Fact: After almost four decades of federal government involvement in public schools, achieving at best stagnant academic results, NCLB directly ties feder-

al education spending to student achievement and school success. Such accountability empowers local school officials.

Under NCLB, for the first time, states and individual school districts may transfer to any Title I program they choose up to 50 percent of the federal formula grant funds they receive under the Improving Teacher Quality State Grants, Educational Technology, Innovative Programs, and Safe and Drug-Free Schools programs. NCLB gives states and school districts the authority to determine which programs are most important and most deserving of funding, rather than having the federal government decide exactly how much should be spent on exactly which programs.

Myth 10 — *More money will fix the nation's education problems.*

Fact: The problem with America's education system has not been a lack of funding, but a lack of accountability for the money our schools spend.

Despite America's multi-billion-dollar investments in public education, U.S. students continue to achieve poorly compared to their foreign counterparts, and the achievement gap between rich, poor, white, and minority students remains wide. Over the past 20 years, inflation-adjusted per-pupil funding has increased by an average of \$2,269 in the U.S., but Scholastic Aptitude Test scores have declined, and 74 percent of public school eighth-graders who took the National Assessment of Educational Progress in mathematics failed to reach the proficiency level.

In response to this "disconnect" between funding and achievement, NCLB creates a partnership among school district, state, and federal government officials to develop higher standards, increase accountability, and improve student academic achievement.

Lori Drummer (ldrummer@alec.org) is director of the Education Task Force at the American Legislative Exchange Council.



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California Charter Schools Short-Changed on Special Education Funds

by George A. Clowes

According to a recent survey from the Los Angeles-based Reason Foundation, California's charter schools are reducing the number of students labeled as "special education" by using aggressive early intervention

strategies such as "neverstreaming" to keep students performing at grade level. In addition, the charter schools are providing disabled students with a quality education in the "least restrictive environment" by including special education students in regular classrooms.

Remarkably, Reason notes, the charter schools achieve those outcomes despite being shortchanged of their share of special education funding by their sponsoring school districts, which decide how the funds are allocated. Up to 37 percent of the money can be withheld, according to the July 2004 study, "Special Education Accountability: Structural Reform to Help Charter Schools Make the Grade," by Reason Foundation Education Director Lisa Snell.

"There's really no excuse for such huge percentages of money being pilfered from charter schools," said Snell. "Charter and public schools face enough challenges in educating our kids, they shouldn't have to fight for resources obviously intended for their special education students."

For example, Yvonne Chan, principal at Vaughn Next Century Learning Center in Pacoima, California, reports the Los Angeles Unified School District not only takes as much as 37 percent from her school, but provides "zero services in return."

Snell's recommendations to further improve the performance of special education programs in charter schools include the following:

- let special education funding follow the child;
- use special education cooperatives to pool resources and insurance;
- employ value-added testing to measure student performance improvement under specific teachers; and
- link explicit financial incentives directly to student performance.

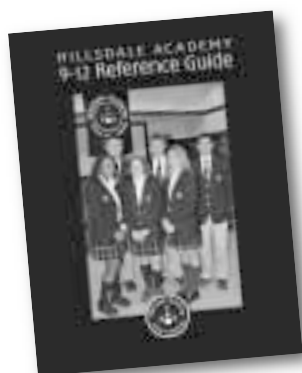
"Charter schools are taking innovative steps and using early intervention techniques to ensure children never leave the general education classroom," said Snell, pointing to a growing body of evidence that the percentage of students assigned to special education is artificially inflated by school officials who count students who simply haven't been taught to read.

"Ironically, public schools and charter schools that offer services early on and actually reduce their special education population through neverstreaming or other early intervention strategies may be criticized as not properly serving special education students," she noted.

George A. Clowes (clowes@heartland.org) is managing editor of School Reform News.



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INTERNET INFO

The July 2004 study from the Reason Foundation, "Special Education Accountability: Structural Reform to Help Charter Schools Make the Grade," by Lisa Snell, is available online at <http://www.rppi.org/ps319.pdf>.

Educating Minnesota about School Choice

by George A. Clowes

Tim Sheehy, president of the Metro Milwaukee Association of Commerce, believes school choice provides his Wisconsin city with a competitive advantage over other Midwest cities. That's why, on a recent visit to St. Paul, ostensibly to promote school choice, he joked he'd just as soon the Twin Cities did *not* adopt a voucher program.

Speaking before an audience of about 85 people, Sheehy discussed the need for business leaders to be engaged in establishing K-12 education policy. During the 1990s, his organization rallied Milwaukee businesses to focus on public education reform as their top priority. The result: The development of one of the nation's largest and most successful urban school choice programs.

Sheehy was the first speaker in a new series of monthly noon-time meetings in Saint Paul on education reform, sponsored by the Saint Paul-based Partnership for Choice in Education (PCE) and the Saint Paul Chamber of Commerce.

Upcoming series speakers, all from outside Minnesota, include Omar Wasow, president of blackplanet.com; Sol Stern, author of *Breaking Free: The Imperative of School Choice*; Dr. Howard Fuller, founder of the Black Alliance for

Educational Options; and Rebeca Nieves Huffman, president of the Hispanic Coalition for Reform and Educational Options.

"We hope these fresh voices provoke business people into asking hard questions, and coming up with answers that



"Most stakeholders agree that Minnesota's school choice options are now widely accepted and have generally had beneficial effects."

WILLIAM L. BOYD, DEBRA HARE, AND JOE NATHAN
CENTER FOR SCHOOL CHANGE

will take us beyond the gridlock of current discourse," said PCE Executive Director Elizabeth Mische.

Minnesota and Public School Choice
The North Star State could be fertile ground for an expansion of school choice because Minnesota already has a rich history of giving new educational options

to parents. Minnesota passed the nation's first charter school law in 1991 and launched a private school tax credit/deduction program in 1996. Almost a quarter of a million families took advantage of the tax credit/deduction in 2003, according to the state Department of Revenue.

Minnesota's public school choice programs also are popular. According to a May 2002 study from the Center for School Change in Minneapolis, some 150,000 of the state's 855,000 K-12 students in 2001-02 were taking advantage of statewide public school choice options. Those options include open enrollment across school district boundaries (28,077 students enrolled), early enrollment of high school students in college classes at school district expense (7,127), alternative schools to give students a "second chance" (100,016), and charter schools (10,206).

When the public school choice programs were proposed, many education organizations warned their passage would result in all kinds of negative consequences—such as destroying programs for the handicapped and cream-skimming. One opponent referred to public school choice as "the biggest boondoggle since New Coke." However, almost none of the negative predictions came to pass.

Even *proponents* of the plan underestimated just how large the program would become.

"Most stakeholders agree that Minnesota's school choice options are now widely accepted and have generally had beneficial effects," note study authors William L. Boyd, Debra Hare, and Joe Nathan.

George A. Clowes (clowes@heartland.org) is managing editor of School Reform News.

INTERNET INFO

The May 2002 study from the Center for School Change at the University of Minnesota's Humphrey Institute of Public Affairs, "What Really Happened? Minnesota's experience with statewide public school choice programs," by William L. Boyd, Debra Hare, and Joe Nathan, is available online at <http://www.hhh.umn.edu/centers/school-change/docs/wrhc.pdf>.

Other school choice publications of the Center for School Change are listed at <http://www.hhh.umn.edu/centers/school-change/chschool.htm>.

Paige Honored with Education Leader Award

When Rod Paige first came to Indiana in the 1950s, it was as a college student to earn a master's degree and a doctorate from Indiana University.

When he returned to Indiana State recently, it was as the U.S. Secretary of Education to be honored as the 2004 Education Leader of the Year by the Indianapolis-based Greater Educational Opportunities Foundation.

More than 450 Hoosiers gathered in downtown Indianapolis on September 30 to applaud as Paige received the award, given each year to an individual who has made a significant contribution to the cause of reforming public education in Indiana. Previous recipients include State Sen. Teresa Lubbers (R-Indianapolis), Indianapolis Mayor Bart Peterson (D), and business leader-philanthropist Christel DeHann.

"Dr. Paige's development and implementation of No Child Left Behind policies has not only benefitted the children and families of Indiana, but has been a beacon of hope for children throughout our nation," said GEO Foundation President Kevin Teasley, who also welcomed Paige to GEO's 21st Century Charter School at Union Station prior to the award ceremony.

Calling the organization "a credible, powerful advocate for quality education," Paige

thanked GEO for the award and also for its work in educating the public about the No Child Left Behind law (NCLB), including GEO's distribution of 200,000 "free tutoring" posters. Nationwide, Paige said, free tutoring had been provided to 112,000 low-income children in the first year of NCLB.

Paige spoke about the changing education environment in the United States and the growing acceptance and proliferation of choice in education, including the choice options in NCLB, voucher programs, and charter schools. He singled out Mayor Peterson for praise as "a real leader" who not only challenged the status quo to start charter schools but also held the schools accountable for results.

"We know that charter schools can ... make a difference for students who would otherwise fall through the cracks," said Paige, noting the schools were "life-saving" for dropouts and the under-served. "Yet for some in the entrenched educational bureaucracy, they represent a threat and must be attacked."

Even worse, he added, there are some who fight to block choice in education, whether it involves charter schools, home-schooling, or some other educational alternative. Much of that opposition, Paige noted, had to do with the special interests



Secretary of Education Rod Paige (left) receives the 2004 Education Leader of the Year award from GEO Foundation President Kevin Teasley.

of adults, not the best interests of students.

"There are those who have fostered division, ill will, fear, hatred, anger, and mistrust," he said. "Some have gone farther, stating that they will do everything possible to defeat, even sabotage, educational alternatives."

Opposition aside, Paige brought good news about the effect of NCLB's focus on

academic progress: an increase in fourth-grade reading scores over the past three years, with substantial increases for black and Hispanic fourth-graders. In addition, the Council of Great City Schools has reported significant improvement in reading and math in the first year of NCLB for students in urban school districts.

— G.C.

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