

# School Reform News

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THE MONTHLY NEWSPAPER FOR SCHOOL REFORMERS

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## Utah Enacts Voucher Program for Special-Needs Students

by M. Royce Van Tassell

Children with autism and other special needs in Utah received help on March 10 when freshman Gov. Jon Huntsman (R) signed a law providing 600 special-education students with private school vouchers.

The new program—named the Carson Smith Special Needs Scholarship Act, after an autistic Salt Lake City student who attends the Carmen B. Pingree School for Children with Autism—had been a political football over the past year. Well over 60 percent of Utah's registered voters supported it, and the state House and Senate narrowly approved the bill in the 2004 legislative session. Citing potential legal concerns, then-Gov. Olene Walker (R) vetoed the measure, but she left intact the \$1.4 million the legislature had appropri-

SPECIAL p. 13

## Federal Court Upholds Arizona Tax Credits

by George A. Clowes

Ruling in what school choice advocates have called "the most frivolous" challenge ever filed against a school choice program, a federal district court judge on March 24 upheld Arizona's scholarship tax credit program as constitutional, dismissing a lawsuit from the state American Civil Liberties Union (ACLU) chapter.

Since Arizona enacted the Tuition Tax Credit Program eight years ago, it has been under almost continuous legal assault by opponents of school choice, first in state courts and more

ARIZONA p. 6

## States Legislators Group Calls for NCLB Overhaul

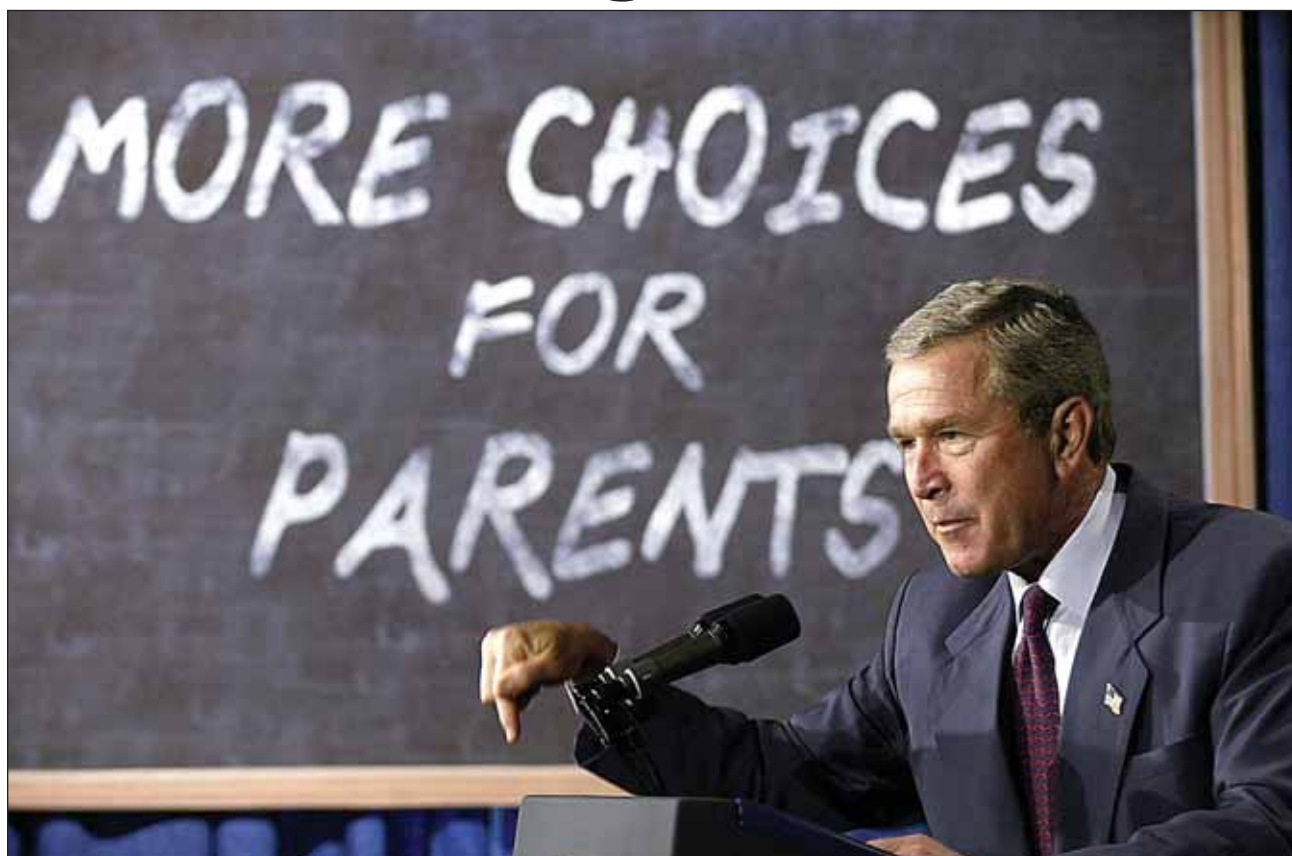
by Neal P. McCluskey

In late February, the National Conference of State Legislatures (NCSL) issued a report challenging the federal No Child Left Behind Act (NCLB), strongly questioning its constitutionality and many of its provisions.

In the report, NCSL—a bipartisan organization that provides state legislators across the country with research

NCLB p. 18

# School Choice Legislation Is All the Rage in 2005



ATP PHOTO

The 2005-06 federal budget submitted by President George W. Bush funds a \$50 million fund that would allow cities to pay for tuition vouchers at private and religious schools.

by Lisa Snell

To date, 2005 has been a banner year for school choice legislation, with at least 17 states considering choice proposals.

In addition, President George W. Bush's 2005-06 budget calls for expanding the federal school choice plan: The \$50 million "Choice Incentive Fund" would allow cities to receive federal funds to pay for tuition

vouchers at private and religious schools.

### Governors Pave the Way

According to the Alliance for School Choice, governors are leading the charge on the state level. For example, South Carolina Gov. Mark Sanford (R) has proposed a tax credit program that would give families earning up to \$75,000 a credit on their state

income taxes for the cost of public or private school tuition up to 80 percent of the state's average per-pupil cost.

Public school districts would still receive the local and federal per-pupil dollars, but the state's per-pupil aid would follow the student. The plan also creates a corporate tax credit scholarship program. Unlike similar programs in Arizona and Florida,

CHOICE p. 15

## INSIDE SRN

- 3 Voc-Ed, Job Training in Congress
- 4 New Index Rates MN Schools
- 6 AZ Spending Database Online
- 9 Charter Schools at 13 Years
- 12 NBPTS Doesn't Find Best Teachers
- 16 High Schools Not to Blame
- 17 World-Class Standards?

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## CAPITOL HILL BEAT

# Vocational Education at the Center of Federal School Reform Dispute

by Robert Holland

In his proposed 2006 budget, President George W. Bush seeks to re-route \$1.3 billion, currently earmarked for the Carl D. Perkins Vocational and Technical Act, to his \$1.5 billion plan to expand mandatory No Child Left Behind (NCLB) testing into the nation's high schools. The White House contends many vocational programs teach watered-down academics and do not prepare youngsters for the demands of the modern workplace.

Supporters of voc-ed disagree, saying improvements in vocational, technical, and career education are at the cutting edge of school reform.

### Voc-Ed Reauthorized

Among the proponents of that view are many Republicans in the House of Representatives who usually can be counted on to support Bush's education initiatives. Education Reform Subcommittee Chairman Mike Castle (R-DE) is the chief sponsor of a bill to reauthorize the Perkins program. At this writing, the House Education Committee had unanimously approved the Perkins reauthorization, and the full Senate passed its version 99-0.

Perkins backers in the House say the revamped program would continue to move away from the School to Work model pushed during the Clinton administration. Increased emphasis would be placed on student achievement rather than narrow specialization.

### Job Training Bill Passed

The House of Representatives passed a reauthorization of the 1998 Workforce Investment Act, which is now named the Job Training Improvement Act. The bill's sponsors say it would streamline the country's job training system and thereby help job seekers get the adult education and guidance they need to find work.

A new pilot program would allow state and local workforce boards to offer "personal reemployment accounts" of up to \$3,000 to help the neediest of those in the ranks of the unemployed return to work quickly.

### Faith-Based Providers OK'd

On a bipartisan basis, the House rejected an amendment that would have denied faith-based job training service providers the ability to take religion into account in their hiring practices.

The issue prompted Bush to assert in a speech that "one of the key reasons why many faith-based groups are so effective is a commitment to serve that is grounded in the shared values and religious identity of their volunteers and employees. In other words, effectiveness happens because people who



Illinois Central College's Tech Prep program begins in high school and ends at a postsecondary institution, awarding an Associate of Applied Science degree, two-year certificate, or two-year apprenticeship in one of several career interest areas.

share a faith show up to help a particular organization based on that faith to succeed."

His Democratic predecessor agreed: President Bill Clinton signed several bills allowing faith-based groups to consider potential employees' religion, even when receiving federal funds.

### ESL Policy Changing

While NCLB has drawn criticism from the political left and right, its impact on reforming the education of children with limited English skills now seems beyond dispute.

Before NCLB, the federal government dispensed millions of dollars in annual grants to purveyors of bilingual education, which consigned immigrant children to classes taught in their native languages, with acquisition of English made a very low priority.

A biennial evaluation recently presented to Congress shows that the program (formerly Title VII, the Bilingual Education Act, now renamed Title III of NCLB) has been dramatically transformed to stress teaching English promptly. States now receive formula grants according to their numbers of Limited English Proficient (LEP) children, with stipulations that they develop standards and assessments for teaching those students English.

Although school districts may still use bilingual programs, Title III requires that any language instruction and teacher training be "scientifically based and effective." The goal is that LEP students master English so they can achieve as well in reading and math as other subgroups of students under

NCLB testing requirements.

Title III requires "demonstrated improvements in the English proficiency of limited English proficient children each fiscal year" and "adequate yearly progress for limited English proficient children, including immigrant children and youth."

### Notification, Options Helpful

According to the evaluation released by the U.S. Department of Education, 4 million LEP children—about 80 percent of all LEP children nationwide—are being served by the Title III program. Among 45 states that provided proficiency targets and performance data, 41 have met targets for student mastery of English skills.

"No Child Left Behind has had a profound impact on the lives of these children and their families," said Kathleen Leos, a spokesperson for the Office of English Language Acquisition in the U.S. Department of Education.

"Parents are getting more information about the progress of their children," she said, "and the law requires that they be notified in a language they understand. They also have more options as to what program is best for their child. Recent studies have shown that most immigrant parents want their children to learn English, and this report shows us that these dreams are, in fact, being fulfilled."

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

# New Index Provides Efficiency and Effectiveness Ratings for Minnesota Schools

by Krista Kafer

A new study by former Minnesota Education Commissioner Cheri Pierson Yecke examines the state's school districts to identify how effective and efficient they are at directing money toward educational improvement.

**"After dividing each district into quartiles based on a proxy for student poverty levels, Yecke found the top 10 districts in each quartile had higher-than-average graduation rates and lower-than-average expenditures."**

The study, released February 11, 2005 by the Center of the American Experiment, pioneers a new ratio analysis technique to compute an Efficiency and Effectiveness Index (EEI) for the state's public school districts. After controlling for levels of student poverty, the EEI ranks districts in terms of per-pupil spending and high school grad-

uation rates. The purpose of the index is to start a "statewide dialogue" using an objective measure, highlight effective districts, and encourage them to share successful strategies.

"Before now, we had no way of objectively identifying the relative effectiveness of Minnesota school districts," said Annette Meeks, president of the Center of the American Experiment. "Dr. Yecke's analysis solves this issue, and provides local policymakers with a tool that will help them identify districts that have policies and practices which should be replicated."

## Spending, Achievement Disconnected

The study notes Minnesota has a commitment to funding high-poverty schools, citing research by the Education Trust that ranks the state highly in terms of funding for high-poverty and high-minority school districts. In *The Funding Gap 2004*, the Education Trust ranks Minnesota fifth in the nation at allocating more funds to high-poverty school districts, and sixth at granting more funds to districts with high populations of minority students.

Despite the commitment to higher funding, however, the study points out Minneapolis has the second-highest gap in



Former Minnesota Commissioner of Education Cheri Pierson Yecke (left), shown here with Sen. Michele Bachmann (R-Stillwater), has developed a new tool for objectively measuring the effectiveness of Minnesota schools.

graduation rates between white and black males, according to research by the Schott Foundation for Public Education.

"As a state, we provide generous funding advantages to districts with high numbers of disadvantaged children, but it appears that this funding is not resulting in meaningful increases of disadvantaged students, especially males, graduating from high school," Yecke wrote.

After dividing each district into quartiles based on a proxy for student poverty levels, Yecke found the top 10 districts in each quartile had higher-than-average graduation rates and lower-than-average expenditures. Even school districts in the fourth quartile, which had the highest poverty level, spent less than the state average and graduated more students than the state average.

The "analysis shows, once again, that neither demographics nor expenditures are destiny when it comes to school performance," Thomas B. Fordham Foundation President Chester E. Finn wrote in a recent edition of *The Education Gadfly*.

For each quartile, the study also compared two similar districts. For example, Yecke compared Minneapolis—a district with a very low index rating—with St. Paul, which is similar in size and student demographics. Despite facing similar challenges, St. Paul graduates 72 percent of its students, while Minneapolis graduates just 53 percent. Minneapolis spends approximately \$1,000 more on each student than does St. Paul.

## Effective Practices Identified

Yecke does not speculate about the reasons for differences among peer districts, but her report recommends that "districts with low EEI ratings ... begin to examine their practices and policies by communicating with members of their peer group that have higher EEI ratings." The study provides information on three practices that have been helpful to some districts:

- Rural Service Cooperatives enable rural districts to make joint-purchasing arrangements for administration, technology, grant writing, record keeping, and other services;
- district-provided outsourcing enables dis-

tricts to provide services to other districts and schools; and

- consolidating services helps districts save money.

## Poverty Levels Accounted For

To make a fair comparison, Yecke took student poverty levels into account by organizing districts into four groups according to federal free- and reduced-lunch program participation. Quartile One contained school districts with the lowest percentage of students participating in the program; Quartile Four had the highest.

The index calculates the percentage of graduates and the per-pupil costs in each district, as well as in the district's "peer group." An EEI rating of 100 is average. Those scoring above 100 operate with greater effectiveness and efficiency, and those scoring below 100 perform less effectively and efficiently.

To determine each district's graduation rate, Yecke used a method recommended by the U.S. Department of Education National Center for Education Statistics (NCES), called an "emulated rate." The emulated rate accounts for all students who drop out at any time during the four years of high school. The average per-pupil funding includes federal, state, and local spending levels.

The index was produced by dividing each district's graduation rates and per-pupil funding amounts by its peer-group averages; the two ratios were then divided and multiplied by 100.

Krista Kafer ([kristakafer@msn.com](mailto:kristakafer@msn.com)) is an independent education writer.

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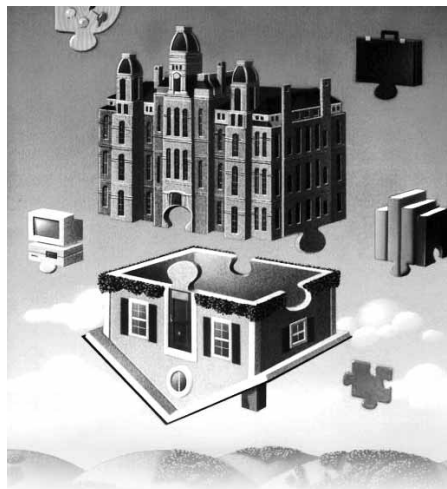
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For more information, see "Efficiency and Effectiveness in Minnesota School Districts: How Do Districts Compare?" by Cheri Pierson Yecke, Ph.D., Center of the American Experiment, February 11, 2005, available online at [www.amexp.org/Special%20Reports/EducationEfficiency.pdf](http://www.amexp.org/Special%20Reports/EducationEfficiency.pdf).



# Distance Education on Rise in U.S., Study Shows



by Kate McGreevy

A new survey from the U.S. Department of Education's National Center for Education Statistics (NCES) reveals approximately one-third of the nation's school districts offer distance-learning courses and 72 percent of them plan to expand their offerings.

Students in rural districts represent the majority of children taking advantage of distance-learning options, according to the report, titled "Distance Education Courses for Public Elementary and Secondary School Students: 2002-2003." The report was released March 2 and provides the first national data available on distance education in public schools.

"Distance learning is expanding the offerings for many of our nation's high schools," said Susan Patrick, director of the department's Office of Educational Technology. "It is not replacing courses, but adding to the curricular offerings. It is another way to bring courses to areas with highly qualified teachers, at any time and any place. Small and rural schools are finding distance learning a viable solution for offering advanced placement courses, [and] rigorous math, science, and foreign-language courses not otherwise available at the school."

## Innovative Technologies Used

For the purposes of this study, NCES defined distance education courses as "credit-granting courses offered to elementary and secondary school students enrolled in the district in which the teacher and students were in different locations." The courses, which most often originate from postsecondary institutions, are delivered using a variety of technologies, primarily two-way interactive video or the Internet.

"Two-way interactive video systems can be purchased and maintained in four- or five-district consortia for less than the cost of a teacher," said Rachel B. Tompkins, president of The Rural Trust, a national non-profit organization devoted to issues affecting rural education and communities.

Such technologies allow districts to offer courses that would otherwise be unavailable, increase Advanced Placement choices, and better meet the requirements of students with specific needs, such as those learning English as a second language. High-poverty districts in particular report distance learning is a valuable tool for serving students with specific needs, and rural

districts emphasized the role distance learning plays in their ability to offer Advanced Placement and college-level courses.

"Distance learning has helped small rural high schools offer more courses," Tompkins said. "This includes upper-division math and science as well as dual college credit and Advanced Placement."

**"Distance learning has helped small rural high schools offer more courses. This includes upper-division math and science as well as dual college credit and Advanced Placement."**

RACHEL B. TOMPKINS, PRESIDENT  
THE RURAL TRUST

## Programs Fill Course Gaps

Selected findings point to the importance placed on distance learning by rural districts, small districts, and districts with high poverty concentrations:

- 42 percent of districts with medium or high poverty concentrations had students enrolled in distance education courses (compared to 33 percent of low-poverty concentration districts);

- small districts enroll more students proportionally in Advanced Placement or college-level distance education courses (24 percent, compared to 7 percent for large districts);

- rural districts enroll more students proportionally in Advanced Placement or college-level distance education courses (27 percent, compared to 4 percent for urban districts); and,

- a greater proportion of both small districts and rural districts enroll students in foreign-language distance education courses (by a percentage nearly triple that of large and urban districts, respectively).

## Expansion Likely

Most of the districts responding to the survey reported offering Advanced Placement or college-level courses and increasing their capacity to meet the needs of certain students were very important factors in the decision to offer distance learning. Consistent with other findings of the study, small districts and rural ones considered these reasons more important than their large and urban counterparts did.

Expansion is likely for nearly three-quarters of the districts already offering distance education, the study found. Cost was the most commonly cited factor affecting growth of distance learning, along with concerns about course development, course quality, infrastructure limitations, and per-pupil

funding based on attendance.

For some schools and districts, distance education helps them retain local control as a host of state lawmakers initiate consolidation efforts. (See "District Consolidation Could Affect School Choice, Competition," this page.)

Tompkins agreed distance learning can help rural communities "in blunting the concern about breadth of curriculum that often leads to pressure for consolidation."

"Schools are also essential institutions of community," she added. "When schools close, towns die. So maintaining schools helps sustain small towns."

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The NCES report on distance education is available online at <http://www.nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2005010>.

For more information on The Rural Trust, visit its Web site at <http://www.ruraledu.org>

## District Consolidation Could Affect School Choice, Competition

by Kate McGreevy

As per-pupil spending continues to rise and student achievement scores sink across the nation, legislators in several states are considering school district consolidation as a way to lower costs and deliver better education to students.

State legislators in Nebraska, Pennsylvania, South Dakota, and West Virginia say sharing costs—particularly administrative costs—could make their school districts more financially efficient and better able to deliver quality education to students.

"I'm convinced the potential gains in efficiency are considerable," Nebraska State Sen. Ron Raikes (Nonpartisan-Lincoln) told the *Omaha World-Herald* on February 10.

Raikes, who chairs the state's Senate Education Committee, is promoting a bill that would merge all elementary schools administratively to K-12 districts over the next few years. A similar bill in South Dakota calls for K-8 schools with fewer than 100 students to join a district with a high school.

## Concerns Cited

The short-term benefits of consolidation are widely acknowledged, but long-term concerns should be considered carefully, said Jack Wenders, professor emeritus at the University of Idaho and senior fellow at the Commonwealth Foundation.

"Over the long haul, consolidation necessarily sucks power upward, away from local control, to where it can be more easily captured by special interests," Wenders said. "At the same time, consolidation homogenizes policies, curriculum, pay, and working conditions across the disparate schools below."

Wenders believes consolidation negatively affects parental choice and competition, also.

"Schools tend to become larger and more remote from parents. Research shows that consolidation reduces competition among urban school districts and widens the span of district-wide collective bargaining," Wenders explained. "This, in turn, increases the clout of the teachers' unions, raises per-pupil costs, and reduces student performance."

## Savings Doubted

Vicki Murray, director of the Center for Educational Opportunity at the Goldwater Institute in Arizona, agrees.

"These scale savings are illusory and actually come at the expense of classroom instruction," Murray said. "Decades of empirical evidence show consolidation leads to administrative bloat, not streamlining."

"The decision to consolidate should be left to local communities and not made on the basis of economies-of-scale savings claims," Murray said. "Such claims, made

**"Over the long haul, consolidation necessarily sucks power upward, away from local control, to where it can be more easily captured by special interests."**

JACK WENDERS, SENIOR FELLOW  
COMMONWEALTH FOUNDATION

by proponents at the state level, do not take into consideration the attendant upheaval, expense, and social impacts—especially in rural communities. Basically, there is no such thing as an 'ideal' size for a district or school."

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Visit the Web sites of the Commonwealth Foundation, <http://www.commonwealthfoundation.org>, and the Goldwater Institute, <http://www.goldwaterinstitute.org>.

# Goldwater Institute Creates Public Student Spending Database



by Vicki Murray

A January 19 report from the Goldwater Institute and Milton & Rose D. Friedman Foundation deconstructs Arizona's school funding formulas and translates them into per-student amounts every Arizonan can access. The result is a comprehensive student funding database, available on the Goldwater

Web site, and an accompanying analysis, "A Guide to Understanding State Funding of Arizona Public School Students."

The online database gives Arizonans unprecedented access to the most accurate per-student expenditure data for students in all 218 regular Arizona public school districts. In addition, policymakers and the public can see how much education funding is directly tied to students and how much stays with school districts.

The analysis, which relies exclusively on Arizona Department of Education (ADE) financial reports and is the result of six months of study, finds

the average per-student formula funding ranges between \$4,200 and \$4,600, depending on grade level. The per-student portion of district education funding averages \$4,309, which includes local, county, non-equalized state, and federal revenue. Those fig-

ures are often ignored in published reports of school funding.

Thus, the average total spending for an Arizona public school student is between \$8,500 and \$9,000—far more than people might think.

## Funding Formulas Highly Complex

A general consensus exists that K-12 public-education finance is based on complex funding formulas that very few people in any given state can understand, and Arizona is no exception. As the *Arizona Republic* editorialized on January 26, "Arizona's system of school finance has become such a Rube Goldberg puzzle of complicated formulas piled atop still more formulas that the most basic questions about school finance are practically unknowable."

For example, in its *2004 Rankings & Estimates* report, the National Education Association (NEA) said Arizona spends \$5,009 per student, while *Education Week's 2004 Quality Counts* ranking claims the state spends \$5,487. Meanwhile, financial and student enrollment data from the state superintendent's *Annual Financial Report 2004* indicate the statewide per-student average spending in Arizona is more than \$8,517.

With so many conflicting figures, it has been difficult to know what's being spent to educate a student in one of

Arizona's public schools. The state itself does not synthesize the ADE's multiple accounting systems.

The Goldwater Institute's new database allows policymakers to calculate the fiscal impact on school districts and the state if students are given education grants to attend private schools. For instance, if 5 percent of public school students in Arizona (roughly 40,000 children) transferred to private schools using elementary education grants worth \$3,500 and high school education grants worth \$4,500—both less than the average state formula funding per student—the net savings to the state and local districts would have been \$32 million in fiscal year 2003. Total funding in half of the school districts would have remained unchanged; in the other half it would have decreased by less than 1 percent.

## Interest Groups Attempt Suppression

Some interest groups have tried to prevent parents and taxpayers from getting easy access to information about the amount of money being spent on students and the savings impact private school grants would have on the state.

In a letter dated January 25, 2005 (titled "Distortions and Errors Undermine Goldwater Report on School Funding"), Chuck Essigs and Jim

**GOLDWATER continued on right**

## Arizona

Continued from page 1

recently in federal ones.

"The Tuition Tax Credit is a neutral, secular program whose benefits are available to all Arizona taxpayers and students," U.S. District Court Judge Earl H. Carroll declared in *Winn v. Hibbs*. "Furthermore, multiple layers of private choice ensure that the State itself does not aid recipients with regard to their religion."

"Arizona's Tuition Scholarship Tax Credit provides thousands of Arizona children the opportunity for a better education, but there are thousands more eager families on waiting lists," said Jennifer Barnett, a staff attorney with the Institute for Justice, whose Arizona chapter filed the motion to dismiss the ACLU suit. "With the district court's affirmation that there is no First Amendment obstacle to school choice in Arizona, policymakers should seize the moment to expand education opportunities for all of Arizona's schoolchildren."

## Arguments Rejected

The Tuition Tax Credit Program allows Arizona taxpayers to receive a dollar-for-dollar credit of up to \$500 for individuals—\$625 for married couples—for donations to scholarship tuition organizations (STOs) that help families pay the cost of

sending their children to private schools. Through 2003, the STOs had received \$113.3 million. Most of the STOs are religiously affiliated, and most of the money went to scholarships designated for use at religious schools.

**"The benefits of the Tuition Tax Credit are available to a broad spectrum of groups.... [M]oney which otherwise would go to the State can only go to religious schools after being filtered through multiple layers of private choice."**

U.S. DISTRICT COURT JUDGE EARL H. CARROLL  
WINN V. HIBBS

Opponents of the program argued that because most STOs were religious, parents who wished to send their children to a secular private school might not be able to find an appropriate STO, thus allowing state revenues to fund education in a religiously preferential manner, violating the First Amendment's establishment clause.

Carroll rejected that argument, pointing out states may provide assistance to pri-

ivate schools without violating the establishment clause.

"In *Mueller v. Allen* the Supreme Court held that ... a state may 'conclude that there is a strong public interest in assuring the continued financial health of private schools, both sectarian and non-sectarian,'" Carroll noted. He also pointed out the U.S. Supreme Court did not attach any significance to the percentage of funds going to religious education, as long as the program was neutral toward religion and preserved true private choice.

"The benefits of the Tuition Tax Credit are available to a broad spectrum of groups," Carroll wrote. "[M]oney which otherwise would go to the State can only go to religious schools after being filtered through multiple layers of private choice."

## Constitutionality Upheld

Taxpayers have no incentive to support religious STOs over secular STOs, Carroll noted, nor do they have any financial incentive to support STOs at all, since a scholarship organization is not permitted to award scholarships to the children of its supporting donors. As for the scholarships being a "skewed financial incentive" for parents to send their child to a religious school, Carroll pointed out any child could attend any public school in the state at no charge. By contrast, the average STO scholarship of just \$1,222 was unlikely to cover the full cost of attending a private school.

"The ruling affirms what every court

that has ever considered the question has held: that scholarship tax credits are constitutional," declared Clint Bolick, president and general counsel of the Alliance for School Choice, a nonprofit group based in Phoenix that is leading the national effort to expand school choice options for children from economically disadvantaged families.

Opponents first challenged the law on First Amendment grounds in state court, but in 1999 the Arizona Supreme Court upheld the program. In 2000, the Arizona Civil Liberties Union shifted the challenge to the federal courts, suing on the grounds that the scholarship tax credit violates the First Amendment's establishment clause.

According to the Associated Press, the ACLU has not decided whether to appeal Carroll's ruling.

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## INTERNET INFO

The March 24, 2005, decision of Judge Earl H. Carroll in the U.S. District Court for the District of Arizona is available through *PolicyBot™*, The Heartland Institute's free online research database. Point your Web browser to <http://www.heartland.org>, click on the *PolicyBot™* button, and search for document #16849.



## GOLDWATER continued

DiCello, lobbyists for the Arizona Association of School Business Officials, complained that presenting in one place all fiscal year revenue data as reported by the ADE “is confusing, misleading, and not right.” The lobbyists praised the ADE for having “the knowledge and insight not to present” financial data this way.

**“Arizona’s system of school finance has become such a Rube Goldberg puzzle of complicated formulas piled atop still more formulas that the most basic questions about school finance are practically unknowable.”**

ARIZONA REPUBLIC EDITORIAL  
JANUARY 26, 2005

On February 2, 2005, Panfilo Contreras, executive director of the this Arizona School Boards Association; Harold Porter, executive director of Arizona School Administrators; and John Fung, executive director of the Arizona Association of School Business Officials, sent Essigs and DiCello’s remarks and a cover letter to members of the Arizona legislature, urging policymakers to disregard the Goldwater report’s findings, “[s]ince this report provides information that distorts the funding of Arizona schools.”

Despite their best efforts, detractors have been unable to reverse the tide of transparency. As the *Arizona Republic* concluded in its January 26, 2005 editorial, “The fact that some interest groups are throwing rocks at the study’s conclusions is helpful. Debate is good. What is not helpful to parents, to educators, to policymakers would be ignoring this yeoman’s attempt at shining the light of day on a matter that so few people comprehend.”

*Vicki Murray, Ph.D. (vmurray@goldwaterinstitute.org) is director of the Center for Educational Opportunity at the Goldwater Institute in Arizona.*

## INTERNET INFO

The full text of *Goldwater Institute Policy Report #200, “A Guide to Understanding State Funding of Arizona Public School Students,”* by Susan Aud and Vicki Murray, January 19, 2005, is available online at <http://www.goldwaterinstitute.org/article.php/525.html>.

The student funding database is online at <http://www.goldwaterinstitute.org/schoolfunding>.

# Study Shows Nevada Home, Private Schools Save Districts Millions



by Krista Kafer

A new study by the Nevada Policy Research Institute (NPRI) finds homeschooled students save Nevada taxpayers millions of dollars each year, refuting the notion that homeschooling costs school districts funding.

According to the report, “Homeschooling in Nevada: The Budgetary Impact,” by John T. Wenders, Ph.D. and Andrea D. Clements, Ph.D., homeschooling saves the state’s taxpayers between \$24.3 million and \$34.6 million a year. Private school students save taxpayers between \$101.9 million and \$147 million.

## School Districts Also Save

Wenders and Clements also calculate the impact of home- and private schooling on school district revenues. They multiplied average per-pupil costs by the number of homeschooled and privately schooled students. This calculation shows what it would cost to educate home- and privately schooled students in public schools.

Opponents of homeschooling point out Nevada’s school districts lost \$83.4 million in state aid over the 2002-03 school year. While that is technically correct, the authors note, “the argument ... ignores the fact that these same home- and private school students benefit school districts in the long run by relieving the school districts of the far greater costs of educating them.”

In 2003, home- and private school students allowed school districts to avoid costs totaling between \$126.2 million to \$181.7 million—“amounts far in excess of the ‘lost’ revenue in state aid,” Wenders and Clements point out.

“The argument that homeschooled children cause school districts to ‘lose’ money is based on the false premise that children are automatically the property of their local public school,” Wenders said. “Children are not, by default, the property of any school, and public schools cannot ‘lose’ what they do not own. Children are, first

and foremost, in the care and keeping of their parents, who then have a right to decide what education is best for them.

“The bottom line is that home- and private schooling is a ‘win-win’ arrangement for both taxpayers and individual public school districts,” the authors write.

Responding to the claim that the study’s methodology doesn’t address

concerns, or a desire to impart religious, cultural, or philosophical values;

■ homeschooled students attain higher academic achievement as measured by standardized testing, college attendance, and standing in national spelling and geography contests; and  
■ homeschooling provides adequate opportunities for socialization and protection from negative social interactions.

**“The argument that homeschooled children cause school districts to ‘lose’ money is based on the false premise that children are automatically the property of their local public school. Children are not, by default, the property of any school, and public schools cannot ‘lose’ what they do not own. Children are, first and foremost, in the care and keeping of their parents, who then have a right to decide what education is best for them.”**

JOHN T. WENDERS, COAUTHOR

“HOMESCHOOLING IN NEVADA: THE BUDGETARY IMPACT”

fixed costs that do not decline when students choose nonpublic schooling, the authors state, “their logic is belied by their own figures when student numbers increase. When student numbers increase, costs are said to increase and additional funding is required. When student numbers decrease, however, costs are never said to decrease. Plainly there is a self-serving asymmetry to this argument.”

During the 2003-04 school year, 4,136 students were schooled at home and another 17,894 received education at private schools. Nationally, the number of homeschooled students has increased from 15,000 in the 1980s to an estimated 2 million in the current decade. According to Wenders and Clements, homeschoolers now represent from 1.8 percent to 3.7 percent of the U.S. student population.

## National Information Provided

The NPRI study provides readers with national information about student socialization, academic achievement, and the reasons families choose homeschooling. The research cited by the study shows:

■ in general, homeschooled students live in two-parent households where parents have attained a higher-than-average level of education. Households are typically less affluent and more rural than those opting for private education;  
■ parents choose to homeschool their children for many different reasons, including academic aspirations, desire for more time with children, safety

The study also included information on Nevada’s homeschooling regulations. To comply with the compulsory education law, students must attend a public school from ages 7 to 17, or receive equivalent instruction at a private school or home. They must receive instruction in English reading, comprehension, and writing; mathematics; and science.

When beginning to homeschool, parents must provide their district with information about the goals and materials they use and their eligibility to teach according to state criteria for homeschools. After this initial notification, parents must then inform the district annually of their intent to continue homeschooling.

Homeschoolers and privately educated students may participate in public school classes or extracurricular activities at the state’s expense when space is available.

*Krista Kafer (kristakafer@msn.com) is an independent education writer.*

## INTERNET INFO

For more information, see “Homeschooling in Nevada: The Budgetary Impact,” by John T. Wenders, Ph.D., and Andrea D. Clements, Ph.D., Nevada Policy Research Institute, available online at <http://www.npri.org/mgraphs/NvHomeschooling.pdf>.

# Homeschoolers Protected By New Utah Law

*Parents elsewhere battle in court and in legislatures*

by Karla Dial

A bill shielding homeschooling parents from requirements that they meet state credential standards and give public school officials records of what they teach passed unanimously in both houses of the Utah legislature in February.

Senate Bill 59, sponsored by freshman Sen. Mark Madsen (R-Lehi), also prevents school boards from requiring homeschool students to take standardized tests. It passed the Senate 26-0-3 on February 16 and the House of Representatives 70-0-5 on February 28. No legislator voted against the bill, though three were absent from the Senate and five from the House the day votes were cast. Gov. Jon Huntsman (R) signed the bill into law March 18; it took effect May 2.

## Student Achievement High

In Utah, Madsen said, nearly 25 percent of students fail to graduate from public high school; the fact that the vast majority of the state's homeschoolers perform at or above their grade level may have helped the bill to pass.

Madsen decided to write the bill last year when the oldest of his four children reached the age of 6, which meant he and his wife, Erin, had to start seeking an exemption from their local school district in order to be permitted to homeschool the child. They found the existing law was too vague.

"I did my research and read the state statute, then read about how the school district handles these things," he said. "The tone was hostile toward homeschoolers, which is to be expected. But it had these vague and ominous parts that said, 'You may be required to show records of your instruction, and you may be required to demonstrate academic progress.' There was a list of things that were pretexts for denying the exemption certificate.

"Because the law was vague, it led to

inconsistent and varying interpretations between school districts, and even between people within school districts," he continued. "We just wanted to clarify it in favor of the parents, and let the school districts focus on educating the children they have the privilege of educating."

Under the new law, Utah's homeschooling parents will be required only to

homeschoolers to take standardized tests selected by the state in public schools or proctored by a certified teacher, violating a provision in the No Child Left Behind Act (NCLB). South Dakota's bill was defeated in committee.

■ New Jersey has reintroduced a bill that failed in the last legislative session. Under its provisions, the state Board of Education

**"In Montana, a bill was killed ... that would have required home schools to be supervised by certified teachers and monitored every two years by the local school district, while banning homeschooling by stepparents and legal guardians."**



sign affidavits stating their children will attend school for the same length of time as children in public schools; they will be free to choose all their own textbooks and teaching materials.

## Increased Restrictions Sought

Homeschool regulation has been a hot issue across the nation this year, with at least 11 state legislatures considering bills to give public educators tighter control over homeschooling parents and their curricula. According to the Home School Legal Defense Association (HSLDA):

■ Legislators in New Mexico and South Dakota filed bills this session to force

would be permitted to force homeschoolers to take state assessment tests based on public school curricula and to turn over their private medical information to the public schools.

■ In Montana, a bill was killed in the Senate Education Committee, 10-1, that would have required home schools to be supervised by certified teachers and monitored every two years by the local school district, while banning homeschooling by stepparents and legal guardians. It also would have prohibited children with developmental disabilities from being homeschooled. The only vote in favor of passage was cast by the bill's sponsor, HSLDA

Senior Counsel Chris Klicka said. HSLDA research has shown developmentally disabled children perform better in home-school settings than in traditional classrooms.

■ A bill pending in Oregon would require families to notify their school districts if they plan to homeschool, and homeschooling parents would be required to submit their students' standardized test results every year.

■ Bills have been introduced in Colorado, Illinois, Indiana, Iowa, Michigan, New Jersey, and Wyoming to make attendance compulsory for homeschooled children from age 3 to age 18—age 19 in Indiana. That means parents who homeschool would have to report to their school districts for longer periods of time than parents who send their children to public school. A similar bill in Hawaii was killed, and Klicka said the Michigan and Wyoming measures appear unlikely to survive their respective committees.

## Pennsylvania Parents Fight Back

In Pennsylvania, four homeschooling families are fighting state regulation in court. The state requires homeschooling parents to file affidavits with their school districts outlining their curricula and goals, file daily logs of what they teach their children, and submit to having a third party evaluate their teaching and interview their kids.

Pennsylvania also is one of five states with a Religious Freedom Protection Act, which prevents state agencies from compelling behavior or speech that violates tenets of a person's religious faith. The parents say the requirements imposed on homeschoolers do that.

In addition, the parents said they also plan to argue in court that the requirements violate their free-speech rights to teach their children and due process, since school district officials who stand to gain more funding by having more kids in public school are enforcing the process. The case is now pending.

Karla Dial ([dial@heartland.org](mailto:dial@heartland.org)) is managing editor of School Reform News.



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# Charter Schools: Thirteen Years and Still Growing

by Brian L. Carpenter

Charter schools—those public schools that must recruit students and fulfill the terms of a contract or risk losing state funding—continue to grow nationwide, both in number and in enrollment.

According to the Center for Education Reform (CER), more than 400 charter schools were started in 32 states in the 2004-05 school year—a dramatic 15 percent nationwide increase over the previous school year.

Dr. Joe Nathan, director of the University of Minnesota's Center for School Change at the Hubert H. Humphrey Institute of Public Affairs, estimates there are roughly 3,400 charter schools across the country enrolling approximately 800,000 students.

"Clearly, there is a huge demand," Nathan said, noting the growth has occurred in just 13 years, since City Academy opened in St. Paul, Minnesota with 50 kids in 1992. What's driving that demand? "Two things," Nathan said. "Hope and desperation."

## Parents Unaware of Option

Nathan, who helped design Minnesota's charter school law in 1991—the nation's first—said, "there are some terrific district schools," but parents of many low-income and minority students are choosing charter schools because these students "are not being well-served" by con-

ventional schools. Nathan and others observe many charter schools serve a higher percentage of poor, minority students than conventional public schools.

Regarding the future of charter schools, Nathan says they will need to focus on "greater visibility and quality as their priorities."

**"Parents are desperate for quality schools for their students. Charter public schools are empowering parents and educators, employing teachers, and investing in neighborhoods—all while giving kids a quality opportunity."**

DAN QUISENBERRY, PRESIDENT  
MICHIGAN ASSOCIATION OF PUBLIC SCHOOL  
ACADEMIES

Research suggests he may not be far off with either prescription.

In October 2003, the Pew Hispanic Center sponsored a survey, conducted by International Communications Research and the Henry J. Kaiser Family Foundation, that asked respondents whether they favored the concept

of charter schools. Fifty-nine percent of respondents said they "[didn't] know enough to have an opinion." Public Agenda has reported these results and others like them.

## Good State Laws Essential

Where quality is concerned, studies show many variables contribute to student performance. One key variable, CER notes, is the strength of the state law under which charters operate.

In CER's *Charter School Laws Across the States: Ranking and Scorecard*, the eighth edition of which was published in 2004, evaluators graded charter school laws in 40 states and the District of Columbia. The report defines strong laws as those that don't "constrict operations, impose administrative burdens, stifle creativity, and ... [don't] deter ... applicants and charter operations."

The report also says "higher and more comprehensive student achievement is found in charter schools in states that have stronger laws."

How well did states measure up? According to the report, only six states received "A" grades. Fourteen got Bs, and there were 13 Cs, six Ds, and two Fs.

## Parents "Desperate for Quality"

When describing parental demand for quality in Michigan—one of the "A" states—Dan Quisenberry, president of

the Michigan Association of Public School Academies, uses the same word as Nathan: "desperate."

"Parents are desperate for quality schools for their students," Quisenberry said. "Charter public schools are empowering parents and educators, employing teachers, and investing in neighborhoods—all while giving kids a quality opportunity."

In the end, empowerment may be the ultimate cause of growth in the charter school movement. A book by Dr. David Van Heemst, associate professor of political science at Illinois' Olivet Nazarene University, published in October 2004, seems to provide confirmation: It's titled *Empowering the Poor: Why Justice Requires School Choice*.

Brian L. Carpenter ([carpenter@mackinac.org](mailto:carpenter@mackinac.org)) is director of leadership development for the Mackinac Center for Public Policy, a research and educational institute headquartered in Midland, Michigan.

## INTERNET INFO

For more information on the Center for Education Reform and charter schools, see the group's "Quick Facts" page at <http://www.edreform.com/index.cfm?fuseAction=document&documentID=1964>.

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# THE FRIEDMAN REPORT

## SCHOOL CHOICE ROUNDUP

by Sarah Faulkner

### ARIZONA

#### School Choice Advances in Arizona

The Arizona Senate passed legislation in March that would give tuition grants of up to \$4,500 to private school students. As the bill headed to the House, supporters were optimistic, since an identical bill received preliminary approval there earlier in the month.

KVOA Tucson reported the bill would give an annual "parental education choice

grant" of \$4,500 for high schoolers and \$3,500 for students in lower grades. The grant, which also could be used to defray private school costs, would be phased in slowly: In 2006-07, kindergartners, first graders, and high school seniors would be eligible to participate. Students in other grades would become eligible over the following four years.

Supporters told KVOA Tucson the bill would give students more educational options and improve all schools. Sen. Albert Hale (D-Window Rock) told KVOA Tucson he opposed voucher legislation last year but supported this year's ver-



Albert Hale

sion because many of his constituents do, and also because it could improve education. The State Senate also has approved a proposal that would create corporate income tax credits for private school tuition grant donations. The state already has charter schools, an individual income tax credit for private school tuition grant donations, and open enrollment in public schools.

KVOA Tucson  
March 14, 2005

### MAINE

#### Maine's School Choice Law Challenged

Eight families who began fighting against a choice-restricting Maine law six years ago recently took their challenge to the state's highest court. An attorney for the families urged the Maine Supreme Judicial Court to overturn the law that stops public funds from being used for religious school tuition.

Maine has a school choice program for its rural areas, allowing towns that don't

### PROFILE

## Virginia Walden Ford

*School choice activist blazes trail  
for other parents in D.C.*

by Sarah Faulkner

How did Virginia Walden Ford, executive director of D.C. Parents for School Choice, follow up her successful legislative efforts? By writing a book to help other parents fight for school choice.

Ford, a mother of three, didn't know a lot about school choice options before 1996, but "became more disturbed each year" by the public school system and its "lowered expectations" for academic achievement.

"I was a single mom, poor, just trying to make a living," she said. "I lived the life that the families I serve live."

#### Starting at Home

By the time Ford's youngest son, William, entered his freshman year of high school in 1996, he was performing poorly and in trouble—in class and out.

"I'd always seen the potential in my son, but it seemed no one else did," Ford said. "A neighbor saw that potential and offered to help us, and it was a blessing."

The neighbor paid for William to attend a parochial school; the change in him, Ford said, "was dramatic"—something that was accomplished in weeks, not months.

"The chance to go to a private school turned his life around," she explained. "Before, he was struggling to fit in, like a lot of urban kids without fathers do. It isn't necessarily to their benefit to act smart. You have to change their environment. For the first time, my son felt people cared if he learned, and he felt safe."

William's story has a happy ending: He graduated from high school in 2000 and is currently serving in the U.S. Marine Corps. He returned from Iraq in late March and is now back at the Marine Corps Air Station

Miramar, in San Diego, California. Ford believes that without their neighbor's help, things might not have turned out so well.

#### Getting Involved

Not long after William transferred to the parochial school, Ford decided she "had a responsibility to help other parents." A longtime community activist with an interest in education, she had been tutoring high school students in math and elementary school students in reading since the mid-1990s. In addition, she said, "I have a gift for talking to others, and I believe that if you see something happening, you have a responsibility to do something about it."

She started by volunteering at the Center for Education Reform in 1997, then founded D.C. Parents for School Choice a year later. She calls 2003 an "incredible year" because her organization's legislative efforts were recognized when Congress passed the D.C. School Choice Incentive Act.

The nation's first federally funded scholarship program, it earmarked \$14 million in grants for low-income children to attend private schools in the District. The first of several analyses to be conducted by the



**"The chance to go to a private school turned his life around. ... You have to change their environment. For the first time, my son felt people cared if he learned, and he felt safe."**

she's not a writer and "it was hard," she's glad she did it.

"I'm really pleased with it, but I did it kicking and screaming," she said with a laugh.

Her inspiration came from the parents involved in the D.C. campaign. "Their story needs to be told," she said. "The press never mentioned them. History needs to know they were involved. This book is a testament to their empowerment."

"I think people will read it, and it will give them confidence to get out and fight."

#### Excitement about Future

With a successful campaign and a new book

Georgetown Public Policy Institute was released April 5, 2005 ... and the authors found students in the D.C. program are on track to achieve the same positive results as those enrolled in voucher programs in Cleveland, Milwaukee, and New York City, according to a Heritage Foundation report.

#### Inspiration

That led to Ford's newest project—her self-published memoirs, titled *Voices, Choices, and Second Chances: How to Win the Battle to Bring Opportunity Scholarships to Your State*.

Ford's friends encouraged her to write her story after the campaign.

Though she says

behind her, Ford is "excited about the future." She is optimistic that school choice efforts continue to head in the right direction.

"Most people look to lead a life of value," Ford said, and her continuing advocacy gives students the chance to do just that.

"I want to help parents see that every child can be directed to a place that will work for them," she said, pointing out that it takes research to find the best fit, "but that's why we support alternatives." Though she realizes most of the nation's schoolchildren will continue to be educated in public schools, she doesn't mind as long as they're getting the education they need.

"Low-income parents need to make their voices heard," she said. "If you are going through challenges, sometimes you don't raise your voice, but you have to. You can't just say to the school system, 'Educate them.' You have to get involved."

Sarah Faulkner ([scummings12002@yahoo.com](mailto:scummings12002@yahoo.com)) is an adjunct fellow with the Milton & Rose D. Friedman Foundation.

### INTERNET INFO

The April 6, 2005 Heritage Foundation report, "A Promising Start for the D.C. Opportunity Scholarship Program," by Kirk A. Johnson, Ph.D., is available online at <http://www.heritage.org/Research/Education/wm710.cfm>.

For a copy of Virginia Walden Ford's book, *Voices, Choices, and Second Chances*, download the order form from <http://www.heartland.org/publicPDF/voiceschoices.pdf>.





Milton and Rose D. Friedman

have high schools to give tuition vouchers to their students. Those vouchers are good for any other public or non-religious private high school. The eight families involved in the lawsuit chose religious schools for their children, and therefore receive no support from their towns—a situation they say is unfair.

Richard Komer, the lawyer representing the families, told the *Portland Press Herald*, “of the 600 or so families (in the towns), approximately 590 can go to any school they want. Only the ones who chose a religious school are left out.”

*Anderson v. the Town of Durham* is the third lawsuit in the past 10 years to challenge Maine’s school choice program. Komer told the *Portland Press Herald* that until 1980, the state’s tuition vouchers included payments for religious schools, but then-Attorney General Richard Cohen deemed the provision unconstitutional.

Komer and his clients are hoping the court will reverse that opinion, saying the issue is one of choice, not religion. No timetable has been set for the court’s decision.

*Portland Press Herald*  
March 25, 2005

## MARYLAND

### Study Recommends Baltimore Vouchers

A recent study indicates the city of Baltimore could save \$30 million over the next 10 years by implementing a school voucher program for low-income students to attend private schools.

The study, conducted by the Maryland Public Policy Institute and the Milton & Rose D. Friedman Foundation, outlined a way to gradually build up a voucher program in Baltimore. “Baltimore City’s public school system is in crisis,” Christopher B. Summers, president of the Maryland Public Policy Institute, told the *Baltimore Business Journal*. “These students need the opportunity to choose a system that works for them and an environment they can thrive in.”

The report recommends giving vouchers worth \$7,000 per student to families with incomes below 185 percent of the poverty line. A thousand new vouchers



Dan Lips

would become available each year for the next decade and would be awarded through a lottery. The study notes the \$7,000 is less costly than the \$9,000 public schools currently spend on

each student annually.

Dan Lips, the study’s lead author, is a senior fellow of education policy studies at the Maryland Public Policy Institute and a former education policy researcher at the Cato Institute.

*Baltimore Business Journal*  
March 22, 2005

## MISSOURI

### Privately Funded Vouchers Considered in Missouri

Missouri students may get some help from a bill that would allow them to receive privately funded scholarships to move to a private or better-performing public school. The scholarships would be awarded by nonprofit groups who would receive donations from businesses and individuals.

The legislation has the support of suburban Republicans and urban Democrats, according to the *Kansas City Star*. The paper notes many people who oppose traditional vouchers support this plan because it is privately funded.

To be eligible for the scholarships, students would have to be enrolled in, or have dropped out of, an unaccredited or provisionally accredited public school district. Sponsors say more than 10,000 students may qualify. In addition, the scholarships would be need-based, following the financial guidelines of the federal free and reduced-price lunch program. Scholarships also would be made available to children with disabilities.

The businesses and individuals who donate to the scholarship funds would receive up to \$40 million in tax credits from the state to account for 85 percent of their contributions. Missouri would benefit by paying less money to public school districts whose students choose to go elsewhere.

The *Kansas City Star* reports the maximum scholarship would be \$6,500, while the average scholarship would be \$3,800. Those numbers would be adjusted for inflation in coming years.

*Kansas City Star*  
March 9, 2005

## NEW HAMPSHIRE

### New Hampshire Senate Says “Yes” to Vouchers

The New Hampshire State Senate



Carl Johnson

passed legislation on March 24 to create a voucher system that would permit students to attend religious and secular private schools.

At press time, the bill was moving to the Senate Finance Committee, where financial details and feasibility were to be determined. Sen. Carl Johnson (R-Meredith) told colleagues he sponsored the bill to give needy children equal opportunity for private education, according to *Foster’s Daily Democrat*.

“Unfortunately, access to private schools is based more on the financial means of a child and not the child’s ability,” Johnson said. “Children of modest family incomes deserve the same opportunities as children of wealthy families.”

Before working out the bill’s financial details, legislators agreed to provide 1,200 vouchers for first graders in the first year of the program, then make vouchers available for up to 16,000 first through eighth graders over the next eight years.

*Foster’s Daily Democrat*  
March 25, 2005

## SOUTH CAROLINA

### South Carolina Choice Supporters Reach Out to Black Pastors

As the debate over a tuition tax credit bill continues in South Carolina, supporters met with a group of black pastors to find common ground and discuss shared goals.

The Put Parents in Charge Act, which was being debated by a House subcommittee at press time, has drawn attention from both supporters and detractors in the state legislature. The bill would give parents with a taxable income of less than \$75,000 a tax credit to pay for homeschooling their children or sending them to a private school or a different public school of their choice.

South Carolinians for Responsible Government is the main backer of the bill, according to the newspaper *The State*. An affiliated group, Clergy for Educational Options (CEO), hosted the meeting between legislators and about 30 black pastors to discuss Put Parents in Charge and other ways to improve South Carolina schools.

The Rev. Richard L. Davis, a Midlands pastor and leader of CEO, told *The State*, “The bill has created a climate to talk about educational options. The goal is to make sure African-American kids get the best education to compete the best they can in the world market.”

Opponents say the bill also would benefit white and middle-income parents, but supporters says the program is designed for parents who can’t afford private school tuition, particularly black parents.

*The State*  
March 17, 2005

## WISCONSIN

### Milwaukee Receives Record Number of Applications

Milwaukee has received more applications than ever from private schools interested in participating in the Milwaukee Parental Choice Program, according to the Department of Public Instruction. The department received 171 applications, some from existing schools and others from new schools that will open in the fall.

The increased interest by private schools does not necessarily mean there will be a high number of participating voucher schools come September. Some will be rejected by the Department of Public Instruction, while others may change their mind about participating before the new school year opens. According to the *Milwaukee Journal Sentinel*, 154 applications were filed last year, but just 117 of those schools participated in the program this school year.

The choice program current enrolls 15,035 students. School choice advocates have been rallying, testifying, and organizing in an effort to have the enrollment cap lifted this year.

If the cap is lifted, the Department of Public Instruction expects an increase in both school and student participants. Tony Evers, the department’s deputy superintendent, told the *Milwaukee Journal Sentinel*, “I don’t think having more schools in the program makes the discussion more complicated. It’s already a complicated discussion.”

*Milwaukee Journal Sentinel*  
March 10, 2005

Sarah Faulkner ([scummings12002@yahoo.com](mailto:scummings12002@yahoo.com)) is an adjunct fellow with the Milton & Rose D. Friedman Foundation.

# National Certification Doesn't Reward Best Teachers, Studies Show

by George A. Clowes

When K-12 public school teachers attain certification through the National Board for Professional Teaching Standards (NBPTS), they are rewarded with annual bonuses of up to \$7,500. Yet four value-added research studies conducted since 2002—including three sponsored by NBPTS itself—have shown NBPTS-certified teachers produce only small gains in student achievement.

That raises questions about whether the bonuses for NBPTS certification are being misdirected to average teachers, instead of going to teachers who produce substantial gains in student achievement.

"The differences in achievement gain between NBPTS-certified teachers and those not certified are so small as to be barely detectable," said J.E. Stone, an educational psychology professor at East Tennessee State University who conducted one of the value-added studies. "The people who are trying to convince policymakers that those differences represent an educationally important advantage are misrepresenting the available evidence."

NBPTS Research Director David Lussier strongly disagreed with Stone's view, pointing out the independent researchers themselves had identified their results as "robust" and "significant."

"If you read their studies," Lussier said, "[the researchers] are quite consistent in saying, 'We have found gains and the National Board does seem to be certifying the most effective teachers.'"

## Additional Questions Raised

Additional questions about NBPTS certification have been raised by a new analysis of the value-added data by Stone and George K. Cunningham, an educational psychology professor at the University of Louisville.

Their analysis shows the top 10 percent of ordinary classroom teachers in

North Carolina—those without national certification—produce student achievement gains 10 to 20 times larger than those produced by teachers with NBPTS certification. Under the uniform salary scale, these top teachers receive no additional pay for their exceptional work.

"It would seem that the educational objective of increasing measured student achievement would be far better served by a policy of rewarding the teachers who produce the highest levels of achievement gain than by encouraging NBPTS certification," Cunningham and Stone conclude.

## Alternatives Far Less Expensive

Whereas the cost of attaining NBPTS certification is substantial—a fee of \$2,300 per teacher, plus an estimated 150 to 200 hours of uncompensated preparation time and a 50 percent failure rate—Cunningham and Stone note the cost of value-added assessment of teacher effectiveness would be far less, at approximately \$1 per student and \$25 per teacher. In addition to assessing teacher effectiveness, the value-added process would produce measures of district, school, and individual student performance.

"A policy of awarding bonuses to teachers who meet or exceed the 90th percentile of local district gains would not only eliminate the awkward possibility of misdirected awards, it would ensure that all teachers who were doing truly exceptional work are rewarded for their talents and effort," the authors conclude.

Lussier maintained that independent research studies had consistently shown the National Board was certifying the right teachers.

"The value of National Board certification is much broader than what's going to be measured in a standardized test," Lussier said. "Standardized tests, in and of themselves, measure a particular set of knowledge and skills that may not represent the full array of value that

students are gaining from having highly effective teachers."

## Student Achievement Downplayed

While NBPTS's national certification standards express the organization's view of an accomplished teacher's capabilities, the standards contain no explicit link to student achievement, nor do they address the role high-quality teachers play in raising student achievement or closing the achievement gap between students from low- and high-income families. According to Cunningham, this lack of emphasis on student achievement grows out of an educational philosophy that does not regard academic achievement as overwhelmingly important.

Lussier said NBPTS viewed standardized test scores as "only one measure" of student achievement, but he contended the research studies had established the connection between NBPTS certification and test scores.

"We think that those effect sizes are large enough," he said. "The researchers define those as 'significant.'"

## Trivial Effects Called "Robust"

In late 2001, under pressure to prove NBPTS-certified teachers have a positive effect on student achievement, the board commissioned a series of value-added studies to determine the effect of certification on student test scores. Four studies have been completed to date.

Though the study conducted independently by Cunningham and Stone shows results similar to those commissioned by the NBPTS, it is the only one to characterize the gains as trivial, rather than "robust." A separate analysis conducted by Cunningham suggests students' scores actually fall while their teachers are going through the NBPTS certification process and using its "best practices."

"There is really no reason to think NBPTS teachers will have students with higher academic achievement, because this certification mandates that one disavow the importance of academic achievement and discourage the use of instructional methods that have proven effective in increasing academic achievement," Cunningham said.

## Teachers' Importance Examined

Studies by SASinSchool statistician William L. Sanders and other researchers have shown individual teachers can have a dramatic effect, both positive and negative, on student learning. Hoover Institution economist Eric Hanushek has shown top teachers can attain a full year of additional learning for their students compared to lower-performing teachers, with a good teacher annually adding 1.5 grade-level equivalents for his or her students and a bad teacher adding only 0.5.

At a 2003 Brookings Institution conference, Hanushek and Steven Rivkin of Amherst College argued good teachers can overcome deficits in a student's home environment. They estimated that if children from lower-income families

had five consecutive years of good teachers, it would close the seventh-grade mathematics achievement gap between those children and their peers from higher-income families.

"In other words, high-quality teachers can make up for the typical deficits we see in the preparation of kids from disadvantaged backgrounds," Hanushek and Rivkin said. "If one is concerned about student performance," they added, "one should gear policy to student performance."

## Standardized Tests Ignored

A "good" teacher, as defined by Hanushek and Rivkin, is one whose students show achievement gains of 100 percent of a standard deviation above average. According to Cunningham and Stone's analysis of the four value-added studies, NBPTS-certified teachers perform very poorly against that standard, producing achievement gains of only about 8 percent of one standard deviation, only slightly larger than those produced by their non-certified colleagues. (See accompanying graph.)

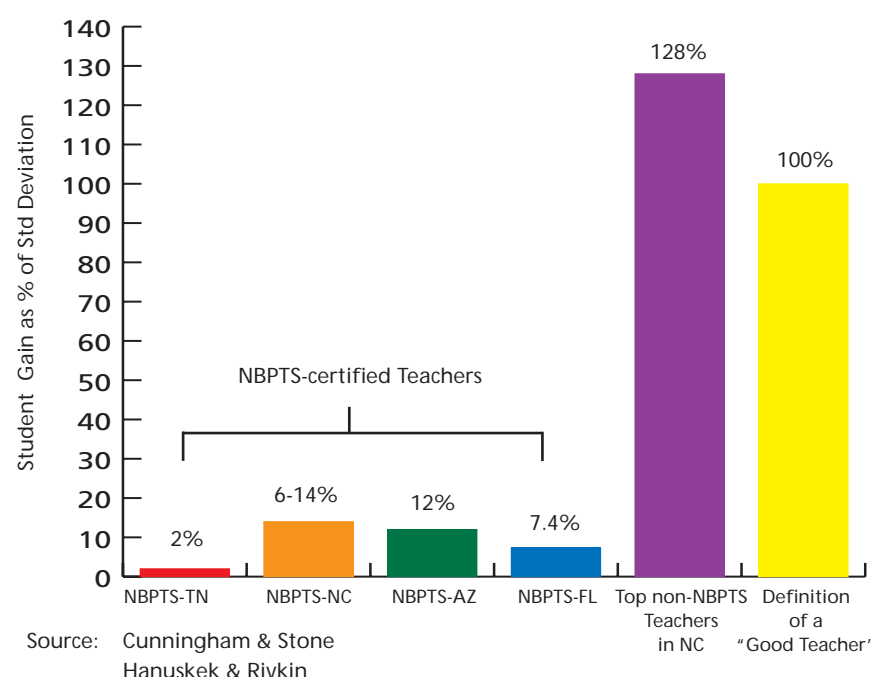
However, Lussier argued, "Standardized test scores in and of themselves do not close the achievement gap, do they? All they do is provide data." Questioning how measuring test scores could change teaching practices, he said, "Unless there's some kind of intervention, some kind of system, by which those data are used in a purposeful way, the data in and of themselves don't improve achievement."

"Our position is the National Board certified teachers are not only helping to raise student achievement but we know how they're doing it as well," Lussier said. "They're meeting a set of standards that has through a wide consensus been seen as providing the most comprehensive definition of what accomplished teachers should know and be able to do."

George Clowes (clowesga@aol.com) is associate editor of School Reform News.

## Tiny Achievement Gains from NBPTS Teachers

Top Non-NBPTS Teachers Get Higher Gains



## INTERNET INFO

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# Special

Continued from page 1

ated for the scholarships.

The bill did not have enough support in the House to override her veto, so the funds remained unspent.

## Governor Was Replaced

Although she had enjoyed approval ratings above 75 percent, Walker lost at last spring's Republican nominating convention to Huntsman, who supported the voucher bill when it was first introduced and throughout his campaign. Many Utah observers blame Walker's veto of the Carson Smith Scholarship for her convention loss.

Undaunted by the veto, Rep. Merlynn Newbold (R-South Jordan) worked with opponents between the 2004 and 2005 legislative sessions to craft a bill that addressed Walker's legal concerns. "This scholarship shows what can happen when people who really care for children cooperate," Newbold said at the signing ceremony. "Each Carson Smith Scholarship will help Utah's special-needs children attend a school that gives them optimal help."

**"Children with autism and other special needs in Utah received help on March 10 when freshman Gov. Jon Huntsman (R) signed a law providing 600 special-education students with private school vouchers."**

"I'm ecstatic," said Jennifer Fillmore, whose son, also named Carson, attends the Carmen B. Pingree School for Children with Autism. "I just hope this scholarship helps all the kids with special needs, because they really need the help now."

## Little Money Available

The legislature appropriated \$2.5 million for the scholarships. As a result, less than 2 percent of Utah's 54,000 eligible special-needs children will be able to receive a Carson Smith Scholarship in the 2005-06 school year. However, the legislature reappropriated the \$1.4 million left from last year to fund scholarships for children who would have been eligible in the 2004-05 school year. Future legislatures will decide annually how much to appropriate for the scholarships.

"The Carson Smith Scholarship will give many special-needs children an equal chance at a quality education," said Elisa Peterson, executive director of Parents for Choice in Education. "Hopefully the legislature and the governor can work together to make Carson Smith Scholarships available for all of Utah's special-needs children."

*M. Royce Van Tassell (royce@edexutah.org) is executive director of Education Excellence Utah, a Utah think tank promoting parental choice in education.*

## COMMENTARY

# Disabled Students Lead the Way for School Choice



by Clint Bolick

Opponents of school choice programs that would allow parents to use a share of their children's public education funds to pay for attendance at

private schools often argue disabled children would be left behind by such a system.

But exactly the opposite is true: Disabled youngsters already enjoy greater school choice than other students, and their experience shows expanded school choice could benefit millions of children who need educational opportunities desperately.

Defenders of the educational status quo often contend one of the reasons many public schools perform poorly is they are forced to accept all students, even those with severe disabilities. Not so: For decades, private schools have provided an escape valve for students public schools cannot accommodate.

Under the federal Individuals with Disabilities Education Act (IDEA), that escape valve became a right.

A pair of unanimous U.S. Supreme Court decisions interpreted the law to require that school districts that fail to provide a "free appropriate public education" for each child with a disability must do so at public expense in private schools.

This well-kept secret has quietly produced the largest school choice program in the United States. According to the National Association of Private Special Education Centers, school districts pay private school tuition for 83,000 children nationally, representing nearly 1.5 percent of all disabled children educated in part outside of regular classrooms. At least 48 states and the District of Columbia send at least some disabled children to private schools at public expense.

## Non-Disabled Needy Denied Choice

Ironically, many of the states that find private schools most useful for disabled students are the most hostile toward school choice programs for non-disabled students who face educational obstacles, such as the millions of economically disadvantaged students trapped in failing public schools. California, New Jersey, and New York, for example, each send more than 10,000 disabled children to private schools at public

expense, and Massachusetts sends nearly as many. Yet all four of those states, which are politically dominated by powerful teacher unions, adamantly resist broader school choice programs.

Florida recently added a new option for disabled youngsters. Its McKay scholarship program allows any child eligible for services under IDEA to use state funds in any private school. So far, 13,000 of the state's 375,000 disabled students have chosen private schools. And Utah just passed the Carson Smith Scholarships for Students With Special Needs Act, which will allow hundreds of disabled students to attend a private school that might better suit their needs.

The results so far are promising. A study for the Manhattan Institute by Jay P. Greene and Greg Forster, released in June 2003, found that 97.2 percent of parents whose children participate in the McKay program are satisfied, compared to 32.7 percent who were satisfied in the public schools. Average class sizes have been cut in half, and incidents of violence against disabled students have been reduced by more than three-fourths.



**"Disabled youngsters already enjoy greater school choice than other students, and their experience shows expanded school choice could benefit millions of children who need educational opportunities desperately."**

## Few Good Schools Available

The premise underlying school choice for disabled youngsters is that every disabled child has unique needs. Analysts note, however, that this is true of all children, and particularly for those not presently well-served by public schools.

Under the federal No Child Left Behind Act (NCLB), public schools are required to demonstrate adequate yearly progress in increasing students' academic achievement.

Over the past year, 24,000 public schools across the nation—roughly one-fourth of all public schools—failed to make adequate yearly progress. At least 12 million American schoolchildren are currently enrolled in failing schools.

Under NCLB, children in such schools are supposed to be offered the chance to transfer into better-performing public schools within the district. Trouble is, there aren't nearly enough seats in good public schools, especially in the inner cities. In 2002, for instance, 30,000 children in failing Baltimore public schools were eligible for transfers, but only 194 slots were available in better-performing public schools. In Chicago, 145,000 children were eligible to transfer into only 1,170 available slots; in Los Angeles, 223,000 children were trapped in failing public schools, with zero seats available in better schools.

Unlike the IDEA, the NCLB currently has no legal mechanism for allowing students to enforce their rights and escape inadequate schools. As a result, at least 12 million children are being left behind. Once lost, educational opportunities often are never recovered, consigning many economically disadvantaged children to lives of poverty and despair.

## Private Education Available, Unused

But it doesn't have to be that way. States such as Florida, Ohio, and Wisconsin have made school choice available to inner-city students and students in failing schools. Thousands of children in those states now attend private schools that have thrown them an educational life preserver. In Milwaukee, the high school graduation rate for school choice students is nearly double what it is for students in the public schools.

States do not have to wait for federal lawmakers to tell them the right thing to do. Following the lead of neighbors such as Florida, Ohio, and Wisconsin, state lawmakers can act now to expand school choice for children not adequately served by public schools.

Every year they wait, their state's most vulnerable children miss the educational opportunities they need and deserve.

*Clint Bolick (info@allianceforschoolchoice.org) is president and general counsel of the Alliance for School Choice in Phoenix, Arizona (http://www.allianceforschoolchoice.org).*

# National School Choice Organization Celebrates Its First Anniversary

**"There is no more urgent priority in our nation today than fulfilling the promise of equal educational opportunities for every schoolchild.**

**We have accomplished a great deal in our first year, but we have only barely begun."**

**CLINT BOLICK, PRESIDENT AND GENERAL COUNSEL  
ALLIANCE FOR SCHOOL CHOICE**



by Laura Devany

Despite being only a year old, the Arizona-based Alliance for School Choice has emerged as one of the nation's leading school choice organizations, providing proven grassroots strategies and model legislation.

After its inception on May 17, 2004, the alliance's state team spent the rest of the year working to develop contacts and assess legislative prospects for 2005 in more than a dozen target states. In a few, such as Arizona and Missouri, where prospects have emerged only recently, the group also helped establish school choice frameworks to support future legislation.

"There is no more urgent priority in our nation today than fulfilling the promise of equal educational opportunities for every schoolchild," declared Clint Bolick, president and general counsel of the alliance. "We have accomplished a great deal in our first year, but we have only barely begun."

The nation's 10 publicly funded school choice programs—including newly enacted but not yet implemented programs in Utah (see "Utah Enacts Scholarship Program for Special-Needs Students," page 1) and Florida—enroll some 80,000 children in private schools and expend approximately \$240 million annually in public funds. The alliance strives to increase both the number and effectiveness of school choice programs, thereby increasing the competitive pressure on public schools to reform and improve.

Along with its sister lobbying organi-

zation, Advocates for School Choice, the alliance helped build foundations for legislative efforts in nearly a dozen key states in the past year, including Arizona, Florida, Indiana, Minnesota, Missouri, Ohio, Pennsylvania, South Carolina, Texas, Utah, and Wisconsin. Some, such as the push for special-needs scholarships in Utah, have already proven successful; it is still too early to tell about the others.

**"Hats off to the Alliance for School Choice on its anniversary. In just one year it has made a real impact around the country, and we at the Friedman Foundation look forward to many more years of working together to promote educational freedom."**

**ROBERT C. ENLOW, EXECUTIVE DIRECTOR  
MILTON & ROSE D. FRIEDMAN FOUNDATION**

## Model Legislation Written

When policymakers propose school choice legislation, they typically begin by modifying existing laws from other states to suit their own purposes. The trouble with that approach is that all of the nation's existing school choice programs could be improved.

To correct that problem, the alliance struck a partnership with the Milton & Rose D. Friedman Foundation to create model school choice bills reflecting best practices. Recognizing that one school choice model won't fit every school, parent, or child, they took care to include extensive drafting notes that policymakers could use to craft the bill best suited to their constituents' needs.

The resulting model bills covered six forms of choice: universal tax credits; scholarship tax credits; special-needs vouchers; means-tested, sliding-scale vouchers; universal vouchers; and virtual schools. Once the models were vetted by a panel of experts, including the alliance's board of directors, they were submitted to the American Legislative Exchange Council (ALEC), which is distributing them to thousands of legislators

across the nation. (See "Organization Provides Model School Choice Bills for State Legislators," *School Reform News*, February 2005.)

In addition, the alliance provided direct grants and technical assistance to support existing school choice programs in Florida and Milwaukee, and to help successfully implement the pivotal District of Columbia program in its first year. The D.C. program added approximately 1,000 schoolchildren and more than \$7 million in public funds to existing school choice programs.

## Leadership, Unity Sought

In the 15 years since the Milwaukee Parental Choice Program kicked off the modern school choice movement, it has not always moved in a coherent direction. The alliance is working to change that by creating a national infrastructure for the school choice movement. It hopes to act as a unifying force, to establish a national strategy based on best practices, and to work closely with other school choice organizations on the state and federal levels.

The alliance has forged close working relationships with the Friedman Foundation, Black Alliance for Educational Options (BAEO), Hispanic Council for Reform and Educational Options (Hispanic CREO), and dozens of other pro-school choice organizations at national and state levels.

"Hats off to the alliance for School Choice on its anniversary," said Robert C. Enlow, executive director of the

Friedman Foundation. "In just one year it has made a real impact around the country, and we at the Friedman Foundation look forward to many more years of working together to promote educational freedom."

## Task Forces Developed

Another problem facing the school choice movement, according to Bolick and others at the alliance, has been the lack of a central forum in which to address issues. To address that concern, the alliance launched a series of task forces, inviting leading school choice strategists and stakeholders to join in order to forge solutions to difficult issues facing the movement.

Each task force produces a white paper outlining a strategic plan for growth in its particular area. The first three task forces met in Phoenix over the past year to discuss:

■ **Offensive litigation strategies.** After more than a decade of fighting off legal challenges to school choice programs, the alliance brought together a task force of legal academics, litigators, and activists to develop counterattack strategies. The task force produced a series of recommendations on voucher-remedy lawsuits and actions under the No Child Left Behind Act and is currently working with activists—particularly in states where the school choice movement is strong but legislative prospects are weak—to spark school choice by using creative litigation tactics.

■ **Scholarship tax credit bill design.** The school choice movement has three different scholarship tax credit programs, one each in Arizona, Florida, and Pennsylvania. They have not been evaluated in an effort to derive best practices. Because half of the states targeted for 2005 are working to develop scholarship tax credit programs, the alliance felt the need to determine best practices was urgent. It brought together activists from states with existing programs and from states that are considering them to distill lessons and produce guidelines for future programs.

■ **Accountability.** The alliance's accountability task force represents leading academics and activists, as well as the Christian, Catholic, and independent school communities. Members work together to develop consensus on financial accountability, program assessment, and related issues. A series of meetings and a white paper on that topic are scheduled for 2005.

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## INTERNET INFO

The model school choice bills developed by the Alliance for School Choice are available on its Web site at <http://www.allianceforschoolchoice.org>.



# Choice

Continued from page 1

South Carolina's would let businesses make unlimited contributions to non-profit scholarship groups in lieu of paying state corporate taxes. Those groups would then provide tuition scholarships to low-income children.

In Texas, Gov. Rick Perry (R) has proposed a pilot school choice program to help children in failing schools. The Texas Freedom Scholarship would offer scholarships to students in the five largest urban schools with the greatest percentage of economically disadvantaged students. In addition, the funds a district receives for a student (such as for special education, ESL, etc.) follow the student and are not subject to the 90 percent cap.

## Midwestern Governors Push Choice

Missouri Gov. Matt Blunt (R) is backing a tax credit scholarship for lower-income families with children enrolled in failing schools. The \$40 million tax credit proposal allows businesses and individuals to donate to nonprofit groups, which would award students scholarships to attend private or better-performing public schools. Sponsors say more than 10,000 of the state's neediest children could receive scholarships. An average scholarship would be \$3,800, up to a maximum of \$6,500.

Similarly, Minnesota Gov. Tim Pawlenty (R) has proposed a \$4 million tax credit scholarship plan that would allow 1,500 low-income students in failing schools in Minneapolis and St. Paul to attend private schools. The scholarships would come from corporate donations made to nonprofit organizations in exchange for tax breaks.

Indiana Gov. Mitch Daniels (R) supports a school choice program that would give parents money to transfer their children to other public or private schools if their current public school fails to meet annual academic targets. In addition to the voucher provision, the bill would give tax credits to parents who pay private school tuition or pay a fee to send their children to another district.

## Many Other States Considering

Several other states also have school choice bills pending:

■ Illinois: the Opportunity Scholarship Act includes a \$15 million pilot program offering \$500 scholarships in Chicago for after-school tutoring services from approved providers, or \$3,500 to help meet tuition costs at qualified and participating public, private, nonsectarian, or religious schools of the eligible family's choice;

■ Iowa: a bill modeled after Arizona's tax credit program, giving credits to individuals who contribute to a school tuition organization that provides scholarships to children to attend the schools of their choice;

■ New York: a bill to provide income tax credits up to \$3,000 for families sending children to private schools;

■ Pennsylvania: a bill to expand the Education Improvement Tax Credit;



**"Indiana Gov. Mitch Daniels supports a school choice program that would give parents money to transfer their children to other public or private schools if their current public school fails to meet annual academic targets."**

■ Vermont: a voucher bill allowing parents to receive certificates worth \$5,000 (for high school) or \$2,500 (for elementary grades) to educate their children at independent schools; and

■ Virginia: a tax credit proposal allowing scholarships for students in under-performing or crowded schools to attend another public or private school.

## Veto Expected

While many governors have led the charge for school choice legislation in the states, a few may veto their legislature's school choice bills.

For example, Arizona Gov. Janet Napolitano (D) on March 28 rejected a bill, introduced as part of Arizona's overall budget package, to expand the state's tuition tax credit for private and parochial scholarships by allowing corporations to participate.

A statewide school voucher proposal, SB 1506, would allow any Arizona child to use public funds to transfer from public to private school or to start kindergarten in a private school. Although the measure had momentum early on, the *Arizona Republic* reported on April 4 that the measure was "three or four votes short of the 31 it needs in the House to get sent to Napolitano."

Clint Bolick, president of the Phoenix-based Alliance for School Choice, told the newspaper, "It's not surprising ... that some legislators would get cold feet, because the special interests on the other side are aiming most of their fire at this." The voucher measure would give parents a yearly grant for private school tuition up to \$3,500 for kindergarten through eighth grade and up to \$4,500 for high school. Students already attending private schools are disqualified from the program. Unlike other public voucher programs, the Arizona proposal does not limit eligibility to students of low-income families or those attending failing schools.

The Arizona Senate also has taken up a more restrictive voucher bill that would provide state-funded vouchers to parents

of children who have failed to test at grade level on a standardized test. SB 1192 also would make vouchers available to disabled students or English language learners.

New Hampshire Gov. John Lynch (D) may veto the "School Choice Certificate," which passed the Senate in February and is currently pending in the House of Representatives. The plan would establish 1,200 vouchers for first graders in the initial year of the program, with the total number of vouchers expanding to a maximum of 16,000 after eight years for students in grades 1 through 8.

The voucher would be worth 80 percent of the state adequacy grant each district receives per student. The state adequacy grant is expected to be \$3,580 next year, which means the maximum a voucher would be worth is \$2,864.

In Wisconsin, the state legislature passed a bill to raise the Milwaukee Parental Choice Program's enrollment cap by 1,500 students, for a total of 16,500 students. Gov. Jim Doyle (D) is expected to veto that measure.

## Expansions Proposed

In addition to Wisconsin's "lift the cap" effort, Florida and Ohio are considering expanding their school voucher programs.

Earlier this year, Florida Gov. Jeb Bush (R) introduced a plan to expand Florida's 2001 voucher law that now allows students at public schools that earn a failing grade from the state two years out of four to attend a private school on a state voucher. The new proposal would give a "reading compact scholarship" to any public or charter school student, at any school, who scores in the lowest level on the reading portion of the Florida Comprehensive Assessment Test (FCAT) for three years in a row; private school students are not required to take the FCAT.

In Ohio, Gov. Bob Taft (R) has proposed a \$9 million expansion of the state's voucher program, which would offer vouchers to approximately 2,600 children. Children in kindergarten through



**"In Ohio, Gov. Bob Taft has proposed a \$9 million expansion of the state's voucher program, which would offer vouchers to approximately 2,600 children."**

eighth grade would be eligible for Taft's program if they are attending a school that failed to meet state test standards in reading and math for three years. The Cleveland voucher program now provides up to \$2,700 per student for private school tuition. The new "Ohio Choice Scholarships" would offer up to \$3,500 per student.

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# High Schools Wrongly Blamed for K-8 Deficiencies

by Diane Ravitch

Everybody who is anybody seems to have decided that the American high school is responsible for the failings of American students. The Bush administration, many governors, and even Bill Gates have now called for radical reforms.

Reflecting this growing consensus that the high school is, in Gates's words, an "obsolete" institution, the governors of 13 states have pledged an overhaul of the American high school system, and more are expected to jump on the bandwagon of reform.

Let's slow down here. American education is famous for inspiring crusades, and the history of the twentieth century is littered with the remains of failed reform movements. This twenty-first century campaign will fall flat, too, unless the proponents are clear-headed about the nature of the problem and willing to rethink their proposed solutions.

It is true that American students' performance is appalling. Only a minority of students—whether in fourth, eighth, or 12th grade—reach proficiency as measured by the Department of Education's National Assessment of Educational Progress. On a scale that has three levels—basic, proficient, and advanced—most students score at the basic level or even below basic in every subject.

**"When American students arrive as freshmen, nearly 70 percent are reading below grade level. Equally large numbers are ill-prepared in mathematics, science, and history. It is hardly fair to blame high schools for the poor skills of their entering students."**

American students also perform poorly when compared with their peers in other developed countries on tests of mathematics and science, and many other nations now have a higher proportion of their students completing high school.

## Solutions Not So Obvious

While the problems of low achievement and poor high school graduation rates are clear, their solutions are not. The reformist governors, for example, want to require all students to take a college-preparatory curriculum and to meet more rigorous standards for graduation. These steps will very likely increase the dropout rate, not reduce it.

To understand why, you have to consider what the high schools are dealing with. When American students arrive as freshmen, nearly 70 percent are reading

below grade level. Equally large numbers are ill-prepared in mathematics, science, and history.

It is hardly fair to blame high schools for the poor skills of their entering students. If students start high school without the basic skills needed to read, write, and solve mathematics problems, then the governors should focus on strengthening the standards of their states' junior high schools.

And that first year of high school is often the most important one—many students who eventually drop out do so after becoming discouraged when they can't earn the credits to advance beyond ninth grade. Ninth grade is often referred to by educators as a "parking lot." This is because social promotion—the endemic practice of moving students up to the next grade whether they have earned it or not—comes to a crashing halt in high school.

## Students Unprepared

It makes no sense to blame the high schools for their ill-prepared incoming students. To really get at the problem, we have to make changes across our educational system. The most important is to stress the importance of academic achievement. Sorry to say, we have a long history of reforms by pedagogues to deemphasize academic achievement and to make school more "relevant," "fun," and like "real life."

These efforts have produced whole-language instruction, where phonics, grammar, and spelling are abandoned in favor of "creativity," and fuzzy math, where students are supposed to "construct" their own solutions to math problems instead of finding the right answers.

Besides, in many ways our high schools are better than our primary system. They are the part of our educational system where students are most likely to have teachers who have a degree in the subject they are teaching. In the lower grades, most teachers are likely to have majored in education, not in mathematics or science or history; some even have both a major and a minor in pedagogy, yet end up teaching core academic subjects.

## Curriculum Changes Proposed

This does not mean, of course, that our high schools are ideal. To some extent, the present-day comprehensive high school, in which most American students are enrolled, tries and fails to be all things to all students.

It does not adequately challenge high-performing students, who get low scores when compared with their peers in other nations. It does a poor job preparing average students, nearly half of whom need remedial courses when they enter college. And it loses low-performing students, who are likely to drop out while still lacking the skills they need for gainful employment.

A report released in February by the National Association of Scholars, an independent group of educators, outlined pro-



President George W. Bush has taken aim at U.S. high schools, suggesting his No Child Left Behind Act be expanded to require testing of high school students. But that might not work if K-8 education doesn't improve.

posals that make more sense than those endorsed by the governors. Written by Sandra Stotsky, a former associate commissioner of education for Massachusetts, it proposes that students entering ninth grade be given a choice between a subject-centered curriculum or a technical, career-oriented course of study.

The former would look like a traditional college-preparatory curriculum, with an emphasis on humanities, sciences, or arts. The latter would include a number of technologically rigorous programs and apprenticeships. All students, regardless of their concentration, would be required to complete a core curriculum of four years of English and at least three years of mathematics, science, and history. Students graduating from either program would be well educated and prepared for higher education.

**"[W]e have a long history of reforms by pedagogues to deemphasize academic achievement and to make school more 'relevant,' 'fun,' and like 'real life.'"**

## Teachers' Backgrounds Crucial

The report also recommends that teachers of core subjects have a solid background—at least an undergraduate major—in the main subject they teach, that teachers of technical subjects have either solid academic training or work experience in their fields, and that American schools have a longer school day and school year.

In addition, contrary to the philosophy

of Gates's foundation, which has spent millions to create hundreds of small high schools with no more than 500 students, the report recommends that schools should have a minimum of 500 students. Larger schools provide better staff depth and stability—imagine how disruptive it is to a tiny high school if just a couple of teachers leave over the summer—and have a broader range of music, art, drama, debate, and sports offerings.

Research by Richard Ingersoll of the University of Pennsylvania has shown that small high schools are more likely than large ones to have out-of-field teachers—that is, teachers who have neither a major nor a minor in their subject.

Our officials should be lauded for their concern about high school graduation rates. But the governors should scrutinize with great care the popular reforms of the day before imposing them on their states' schools. Just because Bill Gates is ready to pour millions of dollars into a big new idea doesn't make it a good one.

*Diane Ravitch, a research professor of education at New York University, is the author of Left Back: A Century of Battles Over School Reform. This article was originally published by the New York Times on March 15, 2005 and is reprinted with permission. <http://www.nytimes.com/2005/03/15/opinion/15ravitch.html>.*

## INTERNET INFO

The report by Sandra Stotsky, presented as an open letter to governors on recommendations for reforming the American high school, is available online at [http://www.nas.org/aa/stotsky/govs\\_07feb05.pdf](http://www.nas.org/aa/stotsky/govs_07feb05.pdf).



# World-Class Standards: Rhetoric and Reality



by Myron Lieberman

For several years, education policy analysts in the United States have been aware of the fact that students in the Four Tigers (South Korea, Taiwan, Hong Kong, and Singapore) regularly outperform U.S. students, especially in mathematics and science. This fact underlies the U.S. concern about raising achievement to "world-class" levels, which are generally interpreted to mean the levels attained by students in the Four Tigers and the higher-achieving countries in Western Europe.

Now South Korea is raising the bar again, even before U.S. students reach the levels already attained by South Korean students.

In 2007, all Korean students will be eligible for a voucher to cover the cost of one year of pre-primary education at any educational facility the parents choose. In other words, South Korea has opted for a universal voucher, albeit one limited to one year of pre-primary education.

The legislation had been pending for seven years due to conflict among the interest groups affected by the voucher. The law provides free education for one year before entering primary school at age 6; it will cover underprivileged children in 2005-06, children in rural areas and small cities in 2006-07, and all children in 2007.

## Parents Invest in Education

South Korea is probably the most education-oriented country in the world. Seven of 10 students receive private tutoring for an average of 6.8 hours a week, and private expenditures for education account for, on average, 12.7 percent of household expenses. The costs of private tutoring average 277,000won per month, with high school students spending 360,000won; middle school students, 309,000won; primary school students, 267,000won; and kindergarten students, 208,000won.

More than half of the parents (50.3 percent) said they feel burdened by private tutoring expenses, but another 54.1 percent replied they consider education expenses a top priority when managing household finances. Currently, Korean students attend school five-and-a-half days per week, including Saturdays; in 2005-06, they will not be in school on the last Saturday of the month.

In the United States, teacher unions are lobbying for "early childhood education," American terminology for pre-primary education, and the Committee for Economic Development (CED), a prestigious organization of CEOs and university presidents, already has endorsed the idea. Early

childhood education is the high-priority growth area for U.S. teacher unions; if pupils in South Korea show substantial gains as a result of their pre-primary education, the domestic arguments for it will undoubtedly cite that fact as a strong reason to support it here at home.

## Effect Will Be Scrutinized

It will be especially interesting to see the impact of pre-primary education on subsequent achievement levels in South Korea. If the vouchers' main effect is simply to replace private spending for education, then the improvement in stu-



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dent achievement may be minor.

It will also be interesting to see whether a competitive industry emerges at the primary level when the South Korean law takes full effect: Educational entrepreneurs can enter the market, knowing they will not be wiped out by the next legislature. Also, South Korea has the highest percentage of any country of female college graduates who are not employed outside the home, so there will be considerable interest in the law's impact on female employment.

Undoubtedly, the huge expense of tutoring was a factor underlying the law. To U.S. parents, the amounts spent for tutoring in South Korea seem excessive, but student scores in the College Scholastic Aptitude Test (CSAT) determine not only who goes to college, but which colleges students are permitted to attend.

And since education is perceived to be the determinant of future economic success, Korean parents devote huge amounts to it at all grade levels. In 1999, South Korea spent 2.73 percent of its gross domestic product on private education, more than any other country involved in the Organization for Economic Cooperation and Development.

## Students Obsess Over Tests

To get some idea of education's importance in the Korean psyche, consider some of the developments related to the Korean CSAT: ■ In 2003, CSAT was completed about one month before students took the test. To protect the integrity of the test, the 300 test-makers were kept sequestered in their hotel for 29 days before the last test began

at 5:40 p.m.; no communication with the outside world was allowed except for monitored telephone calls to their immediate families.

■ For the 15 days between the printing and test dates, 156 printers were confined in a hotel, under restrictions similar to the test-makers'.

On test day (November 5, 2003):

■ approximately 640,000 students took the test at 876 test centers; 26 percent had taken it at least once before. Almost 31,000 traffic controllers were assigned to the test centers;

■ office hours at all government facilities and some corporations began at 10 a.m. to facilitate the test-takers' transportation, some of which was provided by National Emergency Rescuers ambulances;

■ all drivers were asked to avoid driving within 200 meters of test sites and to avoid sounding their horns; and

■ plane departures and landings near test sites were reduced to avoid distracting noise. According to a report in the *Korea Times*, military forces halted training operations.

The test questions and predicted cut-off scores are placed on the Web the evening

of the test. About a month later, students' report cards are sent to schools; the names of those accepted at prestigious universities are displayed on hanging banners.

## Standards Talk Largely Bluster

To put it bluntly, both conservatives and liberals in the United States have advocated "world-class standards" without explaining why students in other countries outperform U.S. students. The failure to deal forthrightly with the social costs of "world-class standards" requires that the American people and policy-makers be fully informed about these matters. Obviously, many would lose whatever interest they may have in "world-class standards" when they realize the costs and obstacles involved in reaching this objective.

The discussions of how to bring U.S. pupils to achieve at "world-class" levels are simply Beltway babble.

*Myron Lieberman (myron430@aol.com) is chairman of the Educational Policy Institute. This article is adapted from his forthcoming book, The Educational Morass.*

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# NCLB

Continued from page 1

and opportunities to discuss common issues—laid out the final findings of its NCLB task force. Task force members attended seven regional meetings across the country and listened to testimony from more than 60 witnesses in reaching their conclusions about NCLB's impact.

"We believe the federal government's role has become excessively intrusive in the day-to-day operations of public education," task force co-chair and New York State Sen. Steve Saland (R-Poughkeepsie) said in a news release accompanying the report. "States that were once pioneers are now captives of a one-size-fits-all educational accountability system."

## Constitutionality Questioned

The report started by examining NCLB's constitutionality, finding that although the U.S. Constitution's 10th Amendment leaves authority over education to the states, some federal activity is legitimate under the Constitution's spending clause, which enables the federal government to attach rules and regulations to money it sends to states.

That power is constrained, though, by requirements laid out by the U.S. Supreme Court in *South Dakota v. Dole* (1987), the report noted. For instance,

spending-clause programs must promote the "general welfare" and be national in scope.

The task force found that although NCLB met the general-welfare and national-scope requirements, it failed to meet three others: that the law not be in conflict with "other constitutional provisions" (NCSL maintains NCLB vio-

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NCSL TASK FORCE CO-CHAIR



lates the 10th Amendment); that it be "unambiguous" about conditions linked to funding; and that it persuade states to participate rather than coerce them.

Though the report stopped short of identifying all federal education interventions as unconstitutional, David Shreve, senior director of NCSL's Education Labor and Workforce Development Committee, said some task force members advocated total federal withdrawal from public education. He said overall, though, the consensus was federal policymakers had "overreached" their authority. Shreve also suggested some members felt federal

"influence should be commensurate with funding," on which Washington has fallen far short, in their view.

## Adequate Yearly Progress Questioned

Following its constitutionality discussion, the report examined NCLB's adequate yearly progress (AYP) provisions, which require states to set annual tar-

gets for the percentage of students who achieve proficiency on state math, reading, and, in the future, science tests. The increases must be achieved within states' entire student populations each year, and by several student subsets—including children with disabilities and those with limited English proficiency. In addition, no less than 95 percent of a population or subset can take the test for it to count.

The task force determined NCLB is too inflexible about AYP, saying it "holds schools to overly prescriptive expectations, does not acknowledge differences in individual performance, does not recognize significant academic progress because it relies on absolute achievement targets, and inappropriately increases the likelihood of failure for diverse schools."

Similarly, the task force found the proficiency goals for students with disabilities and limited mastery of the English language were "unrealistic."

**"U.S. House Committee on Education and Workforce spokesman Josh Holly said the NCSL report's demands made it appear states want 'a blank check' from the federal government."**

The report said states should be given significantly greater latitude in setting AYP goals. For instance, they should be allowed to use "multiple measures in addition to standardized tests" to determine AYP, and to set for themselves the percentage of special education students who can be exempted from AYP calculations.

## Flexibility Called For

The task force exhorted federal policymakers to give states greater flexibility in dealing with "unique schools and districts," such as urban and rural dis-

tricts, and in setting teacher qualification standards. Among its recommendations, the task force suggested states be given flexibility in determining when and how to provide supplemental services and school choice to students in schools that fail to meet AYP.

The report also argued NCLB's "highly qualified" teacher standards are too strict, especially the requirement that middle and high school teachers prove they are highly qualified in every subject they teach. NCSL recommended teachers should have to pass only a single evaluation, not one for each subject they teach.

In response to questions about flexibility, officials at the U.S. Department of Education pointed to Assistant Secretary for Elementary and Secondary Education Ray Simons' February 23 statement about the NCSL report, in which he promised "the Department will continue to work with every state to address their concerns," while adding NCSL's "report could be interpreted as wanting to reverse the progress we've made" in improving student achievement.

## Funding Inequities Noted

The NCSL task force report also tackled funding questions, finding that although federal elementary and secondary education outlays increased by nearly \$10 billion in the first three years following NCLB's passage, "for some states, the new funding may barely cover the costs; for other states the new costs exceed the additional funding by a significant margin."

The task force recommended Congress ask the Government Accountability Office (GAO) to study the costs of complying with NCLB, peg funding to cost estimates, and let states choose not to participate without losing funding for programs not integral to NCLB, like technology programs or those for safe and drug-free schools.

U.S. House Committee on Education and Workforce spokesman Josh Holly said the NCSL report's demands made it appear states want "a blank check" from the federal government. Holly noted both Democratic and Republican leaders oppose amending the law before the next reauthorization of the Elementary and Secondary Education Act, scheduled for 2007, likely ruling out the possibility that statutory changes might come soon.

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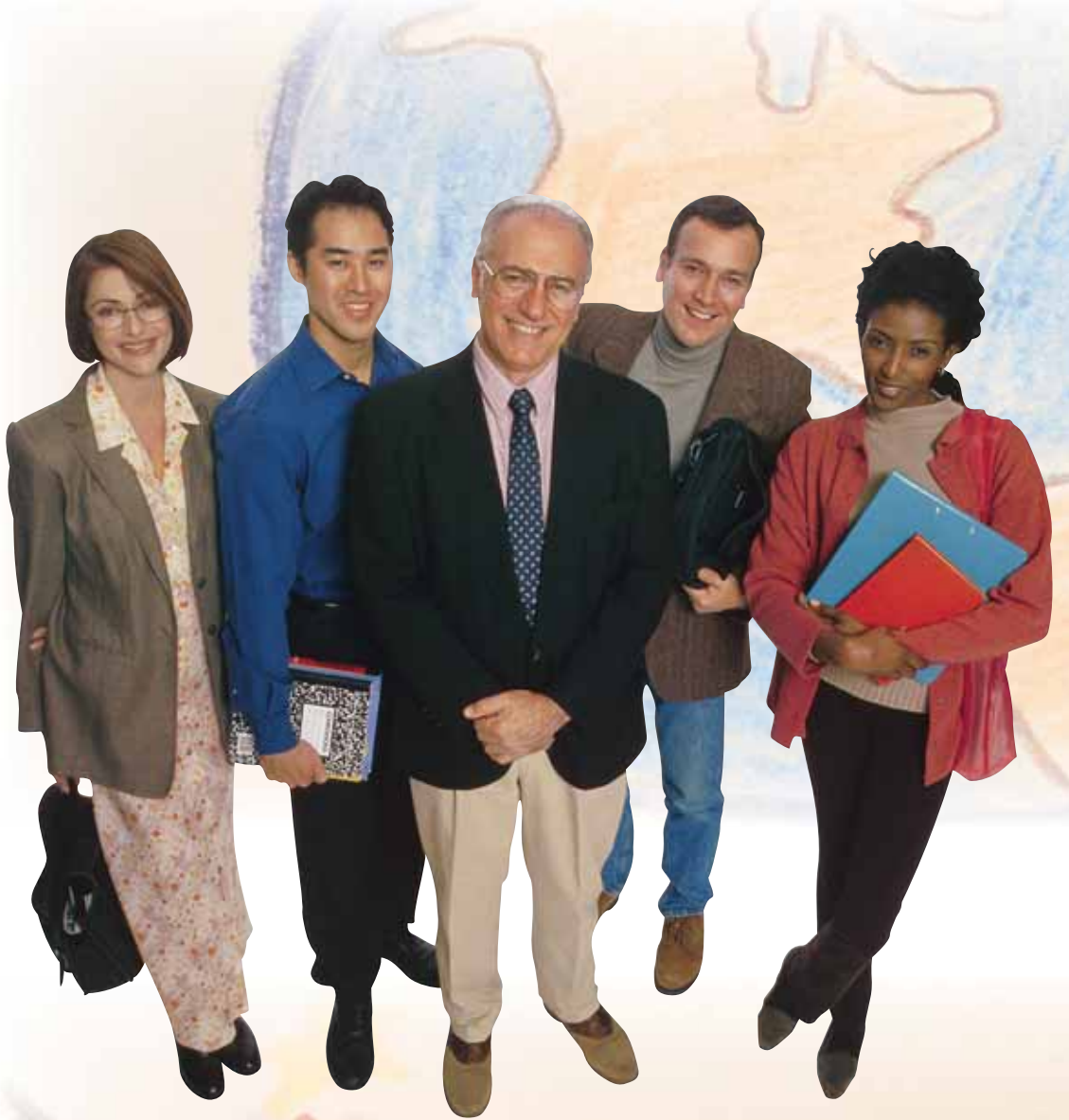
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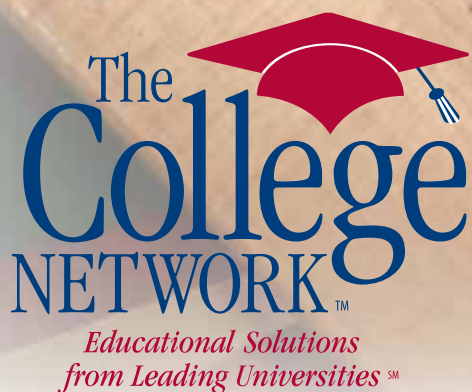
The final report of the NCSL task force on No Child Left Behind is available through PolicyBot™, The Heartland Institute's free online research database. Point your Web browser to <http://www.heartland.org>, click on the PolicyBot™ button, and search for document #16848.



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