2,000 March for School Choice in Florida

Parents and educators march in Tallahassee on day of state supreme court hearing

by Jenny Rothenberg

TALLAHASSEE—As Florida Supreme Court justices heard arguments on June 7 in a court case challenging the state's Opportunity Scholarship program, more than 2,000 parents, teachers, and school administrators rallied outside the building to show their support for school choice.

The Opportunity Scholarship program, enacted in 1999 and now under fire from the American Civil Liberties Union (ACLU), grants scholarships to students in Florida public schools that earn an “F” rating in two of four years, enabling those students to attend the schools of their choice. The failing schools tend to be concentrated in poor, urban areas; 97 percent of Opportunity Scholarship recipients are minorities.

Numerous Programs Threatened

In addition to threatening the educational opportunities of the 700 students currently enrolled in the Opportunity Scholarship program, the case also could affect more than 200,000 students in similar programs statewide—including those on Bright Futures college scholarships, those on McKay Scholarships for students with disabilities, and those on McKay Scholarships for students with disabilities, and...
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NCLB Expansion in High Schools Concerns Congress, Governors

by Robert Holland

The prospect of President George W. Bush’s achieving a stated second-term goal of expanding the influence of the federal No Child Left Behind Act (NCLB) in high school reform looked bleak after a series of congressional actions this spring.

First, the U.S. House of Representatives represented bipartisan opposition to the president’s proposal for funding the NCLB expansion when it voted 416-9 to reauthorize the Carl D. Perkins’ Vocational and Technical Education Act on May 4. In his FY2006 budget, Bush proposed diverting Perkins’ $1.3 billion to a new $1.5 billion High School Initiative that would include annual testing of all students and remedial intervention.

Earlier, the Senate had approved Perkins’ reauthorization 99-0. Republican and Democratic lawmakers argued Perkins supports effective vocational programs in their states. The White House Office of Management and Budget had said, “despite decades of significant federal spending, the current [Perkins] program is not adequately preparing our students to participate in today’s competitive workforce.”

The disagreement over NCLB’s role in high schools goes deeper than which pots of money are available to pay for it. That became clear at a House Education and Workforce Committee hearing May 17 that brought out bipartisan support for the idea that much-needed reform of high school curricula should be driven by states and local communities, not by expanding NCLB.

Flexibility Sought

Iowa Gov. Tom Vilsack (D) declared at the hearing, “the case for change in America’s high schools is well documented: The graduation rate is too low, too many students are struggling learners, and much of the curriculum needs to be revamped to better prepare our youth not just to become employed, but also to be informed, compassionate, and productive citizens.”

Vilsack lauded ventures such as Dual Credit that enable students to earn college credits while still in high school.

However, Vilsack warned against “one-size-fits-all” solutions and said, “just as each student has very individual gifts and needs, each school and each district is unique in its strengths and challenges, and must be allowed to develop its own plan for action, reform, and success.”

IOWA GOV. TOM VILSACK

in education should be “limited” but that NCLB “was necessary and justified because the federal government was already spending billions of dollars a year on K-12 education before NCLB was enacted, and the federal government wasn’t demanding results for children in return.”

Boehner added that because he’s a supporter of NCLB, “I have doubts about the idea of expanding it at this time. I’m not sure we’re ready to require states to do more under No Child Left Behind at a time when some are still seeking; unfortunately, to do less. I think we need to take a look at what states and communities are already doing proactively to transform high schools, and ask whether additional federal requirements are even justified.”

Students with Disabilities

Meanwhile, under Education Secretary Margaret Spellings leadership, the Bush administration is moving to shore up support for NCLB as it currently operates, with a focus on required annual testing of the reading and math skills of children in grades 3-8.

In an effort to provide more flexibility for states without compromising the basic goals of NCLB, Spellings announced that states that failed to achieve Adequate Yearly Progress (AYP) solely because of the test scores of students in the “disabilities” subgroup could adjust their goals to use alternative assessments for those students, who constitute at least 2 percent of the total student population.

In a related move, Edward J. Kane’enui, an international authority on learning problems and special education, was named commissioner of the National Center for Special Education Research, an entity created by the 2004 congressional reauthorization of the Individuals with Disabilities Education Act (IDEA).

Head Start Reauthorized

The House Education Committee ended a partisan impasse by approving a bill to reauthorize Head Start, the preschool program originally begun as part of President Lyndon B. Johnson’s anti-poverty crusade. The bill, sponsored by Education Reform Subcommittee Chairman Mike Castle (R-DE), seeks to beef up Head Start’s academic components, as Bush had proposed.

California Rep. George Miller, the Education Committee’s senior Democrat, thanked Republicans for responding to Democrats’ concerns by dropping proposals to include Head Start in block grants to the states—a step Miller said “would have ended Head Start as we know it.”

Robert Holland (holland@lexingtoninstitute.org) is a senior policy analyst at the Lexington Institute, a think tank in Arlington, Virginia.
Model Scholarship Legislation for Preschool Adopted by ALEC

by Lori Drummer

In keeping with a growing trend among state legislatures to offer pre-kindergarten and full-day kindergarten programs, the American Legislative Exchange Council (ALEC) approved the Smart Start Scholarship Program as model legislation this May.

The model bill offers low- and middle-income families the option of sending their four- and five-year-olds to the public or private preschool or kindergarten program of their choice. On May 30, ALEC approved the Smart Start Scholarship Program as model legislation upon the recommendation of its Education Task Force, which includes state legislative leaders and the nation’s education policy experts. Leading the effort were the Milton & Rose D. Friedman Foundation, the Alliance for School Choice, and the Institute for Justice.

“[T]he American Legislative Exchange Council (ALEC) approved the Smart Start Scholarship Program ... [which] offers low- and middle-income families the option of sending their four- and five-year-olds to the public or private preschool or kindergarten program of their choice.”

Lawmakers and policy experts alike recognize that in the coming years most state legislatures will consider funding full-day kindergarten and preschool programs for children up to age four, if they have not already done so. If a legislature favors that kind of initiative, the ALEC model legislation offers lawmakers an opportunity to achieve the goal with the most efficiency for taxpayers and the greatest satisfaction for parents, according to supporters.

“With the widespread trend toward early childhood education programs gaining momentum nationwide, this legislation will help state lawmakers offer a free-market approach to taxpayer-supported pre-kindergarten and kindergarten programs,” said Wisconsin State Rep. Scott Jensen (R-Waukesha), who also serves as the Alliance for School Choice’s director of state projects.

Pre-K, Kindergarten Choices

Once passed into law, plans based on the Smart Start Scholarship Program model will be able to help parents send their children to the preschool or kindergarten program best suiting their needs—a full or half-day of kindergarten, for instance, or attending preschool on a full-time or flexible basis. Preschool programs in the model legislation are offered in a variety of formats to meet the needs of children and their families. While some parents may wish to send their four-year-old to a preschool for the full day every day, others will choose to send their child for just a few hours two or three times a week.

The point is to let parents, not the state, make the decision. The model allows scholarship amounts to be adjusted to reflect the time the child spends in the preschool program each week.

While every child would qualify for the Smart Start Scholarship Program, the model provides scholarships based on the costs of educating the student and his or her family’s income. A sliding scale based on the family’s eligibility for the federal government’s free- and reduced-lunch (FRL) program is used to determine scholarship amounts. Families with incomes greater than the FRL standard would have their scholarships reduced to reflect their greater ability to contribute to their children’s education.

Accountability Standards

Schools participating in the program will have to show evidence of academic, financial, and administrative accountability to ensure their compliance with state and local health and safety codes (which already apply to private schools), demonstrate financial viability, and report to parents on the child’s academic progress. The legislation clarifies that participating private schools are autonomous, not agents of the state.

“The Smart Start Scholarship Program will offer families the opportunity to begin choosing the education that best fits their needs from the beginning of a child’s formal education,” explained Robert Enlow, executive director of the Milton & Rose D. Friedman Foundation. “Parents will experience the many benefits of educational options with this first taste of school choice.”

ALEC is the nation’s largest nonpartisan, individual membership organization for state legislators who share a common commitment to individual liberty, limited government, and free markets. Members can choose to participate on one of ALEC’s nine task forces, where they can discuss public policy matters with some of the nation’s private-sector leaders. The task forces utilize state legislators’ experiences and the advice of national experts to create model free-market legislation that can be introduced in legislatures across the country.

Lori Drummer (ldrummer@alec.org) is director of ALEC’s Education Task Force.

INTERNET INFO
Vermont Considers Preschool Programs in Public Schools

Private providers fear public programs will squeeze them out

by Aaron Atwood

School choice supporters in Vermont scrambled to shore up support for private preschool providers in early June, trying to keep the state Senate from overriding the governor’s veto of a budget bill when it convenes later this summer.

Private early education providers, which contract with the state to help prepare at-risk 3- and 4-year-olds for kindergarten, said a rider attached to a state budget bill vetoed June 3 could put them out of business by allowing public school districts to set up free preschools that would siphon $5,000 from the state education fund for every child attending 10 or more hours per week.

Current System Confusing

While the Senate Education Committee deliberated on a bill that would establish public pre-K programs (S.132), Chairman Sen. Don Collins (D-Franklin) took matters into his own hands as the session was drawing to a close. He introduced the universal early education wording in the fiscal appropriations bill as a rider, circumventing the legislative process.

Gov. James Douglas (R) vetoed the budget bill for unrelated reasons, giving opponents another chance to eliminate the rider.

Currently, preschool students in Vermont are supported precariously by public funds—a matter all sides of the issue agree must be clarified. Vermont’s Early Education Initiative, established in 1987, works with private childcare centers, public school districts, Head Start programs, and community agencies to prepare for kindergarten children who are economically disadvantaged, developmentally delayed, at risk of abuse or neglect, or who have limited English skills.

Under the current system, low-income parents can use state-funded subsidies to send their 3- and 4-year-olds to the pre-K program of their choosing.

Vermont Gov. James Douglas (left) vetoed a budget bill that included funding for public school-based preschools, giving supporters of private preschools, including John McClaughry of the Ethan Allen Institute (right), a new opportunity to fight the plan.

Working for Clarity

Libby Sternberg, executive director of Vermonters for Better Education, explained the statutes currently do not specify how to count preschool students.

“The existing program ‘only addresses preschool students when they are at-risk, low income, or ESL [English as a Second Language] students,’” Sternberg said. “In the past two or three years there has been a move to codify the methods for counting students by setting very specific parameters on how to use state funds for public schools. The [existing] statute is murky.”

The complicated formula Collins’ rider proposes to use for determining pre-K funding obscures the real effect of the bill, which is to move children from private preschools into the public schools, said John McClaughry, president of the Ethan Allen Institute, a nonpartisan think tank in Concord, Vermont. The more children a public school district can count in its preschool program, the more money it can claim from the state—up to $21 million more, McClaughry said.

“Free public preschools will destroy independent daycare centers,” he said. “By adding two more grades below kindergarten, the system can find the new pupils that will help to justify its ever-increasing spending. The teachers union, of course, will be delighted to enroll hundreds of new pre-K teachers, collect their dues, and add them to its political action machine.”

Understanding Universal Choice

Though the program was created to serve “at-risk” 3- and 4-year-olds, the current legislation doesn’t limit funding only to those students, Collins said, defending his rider as a strategic move.

“The teachers union, of course, will be delighted to enroll hundreds of new pre-K teachers, collect their dues, and add them to its political action machine.”

JOHN McCCLAUGHRY
ETHAN ALLEN INSTITUTE

“Free public preschools will destroy independent daycare centers.”

McClaughry said the rider may hurt even private facilities that contract with a public school system. The money a private provider is given may be far less than the amount given to the school district.

“If you get public funds flowing, then public school services are free,” she said. “There are only a few public systems that have contracted with private providers, and there is no guarantee that the money would follow the child dollar-for-dollar.”

Giving Providers a Voice

Collins’ rider would give public schools near-total control over pre-K education.

“I can only assume these rules were made specifically to confuse taxpayers,” McClaughry said. “By adding two more grades below kindergarten, the system can find the new pupils that will help to justify its ever-increasing spending. The teachers union, of course, will be delighted to enroll hundreds of new pre-K teachers, collect their dues, and add them to its political action machine.”

The rider “encourages” public school systems to work with private daycare providers, but does not mandate it. That, said Rob Roper, state director of Freedomworks—a grassroots organization dedicated to fighting for lower taxes, smaller government, and greater economic opportunities—hurts religious and private preschools by providing free schooling to all 3- and 4-year-olds.

Dividing Funds

McClaughry agreed. “Vermont schools are losing population but spending more,” he said. “Free public preschools will destroy independent daycare centers.”

Sternberg said the rider may hurt even private facilities that contract with a public school system. The money a private provider is given may be far less than the amount given to the school district.

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Giving Providers a Voice

Collins said his rider is better for students and very clear.

“I’m here for the kids,” he said. “All this language does is basically say to people in the schools, ‘Yes, you can draw down state funds [for early education].’

“The childcare community will have a place at the table; they will be heard,” he said. “I’m not giving them a pen and a blank check, but they will have a voice.”

Aaron Atwood (aatwood5776@yahoo.com) is a freelance writer in Colorado Springs, Colorado.
Maryland

Continued from page 1

essential services from all students to come up with an additional $13 million for charter schools. Maryland State Teachers Association President Pat Forester told the Baltimore Sun on May 24 that if left unchallenged, the “unwise and overreaching” directive would wreck public schools’ finances while profiting the private companies that operate some charter schools.

State Education Board member David F. Tufaro told the paper the board knew the funding plan wasn’t perfect, but “part of the purpose was also to force the parties to work it out.”

Ruling Clarified 2003 Law
The Maryland law, which passed in 2003, says any charter school operating in the state is eligible for the same amount as traditional public schools. The state board’s May ruling was the result of requests from parents and charter school advocates to clarify wording in the 2003 law that suggested school boards should provide charter schools the same amount of money as traditional public schools. The wording was unclear, and charter school advocates wanted the board to require local districts to comply with the legislation.

The state board’s ruling gives charters more control over their financing and makes them less dependent on fundraising. Education reform activists hailed the decision as a step in the right direction. Center for Education Reform (CER) President Jeanne Allen commended the state board for “acting courageously to implement the original intent of the law and reaffirming that all public school kids in Maryland are to be treated fairly and equally.”

“Although the rest of the state’s charter law leaves a good deal to be desired, funding parity is the one area where charter schools are on equal footing with the traditional public schools,” explained Dr. Kirk A. Johnson, a Heritage Foundation senior policy analyst.

Few Charter Schools Opening
CER traditionally has rated Maryland as one of the weakest states in the nation for charter schools because it has only one—Monocacy Valley Montessori School in Frederick County, which opened before Gov. Robert Ehrlich Jr. (R) signed the 2003 law legalizing charter schools in Maryland. But 17 more may be opening across the state this fall, including five in Baltimore and another seven public schools in the city that want to convert to charters.

Charter schools in Maryland are publicly funded and must receive approval from the local board of education. The Maryland state department of education explicitly states, “a charter school is a public school.” Unlike other states, Maryland does not allow other institutions or groups to approve a charter school.

“It’s a shame that no [new charter] schools have opened since Maryland’s charter school law passed in 2003,” said Dan Lips, a policy analyst for Americans for Prosperity, a national grassroots organization. “This law should be improved to allow more schools to be created. Charter schools would benefit both students and teachers by offering greater flexibility.”

Obstacles Could Fall
If Maryland school boards begin to approve more charter school applications, the funding law decision decreases the charters’ need to raise money to compensate for their lack of public funds. Since the state board gives charter schools control over how their funds are spent, the ruling could ease some of the obstacles charter schools face during the start-up phase.

“Hopefully the debate will soon move beyond the ‘money’ aspect with regards to charter schools in Maryland,” Maryland Public Policy Institute President Christopher Summers said. “Success should not be measured, and too often it is, by how much per-pupil expenditure is increased, but instead by the end result—a well-educated child.”

Maryland Gov. Robert Ehrlich Jr. signed a law legalizing charter schools in 2003. None has opened since then, however, because the law is weak and unclear on funding.

Private Companies May Take Over Some Florida Schools
by Krista Kafer

The Florida State Board of Education announced this spring it may grant outside organizations, including for-profit companies, management of some of the state’s persistently low-performing schools—a decision frowned upon by some Florida school districts.

In Florida, a school is deemed chronically failing under the state’s accountability system when it has received a grade of “F” in two of three years based on its students’ academic performance. Of the 14 chronically failing schools in the state, four are high schools.

“Aft three F’s, we’re sort of compelled to acknowledge the situation and do something differently,” State Board of Education Chairman Phil Handy told the St. Petersburg Times in late April.

In 2004, the board declared a state of emergency in certain districts with persistently low-performing schools, prompting changes to curricular and school administration. The Miami-Dade school district worked with 39 schools to improve achievement through curricular changes, establishing a longer school day, and other changes. The district replaced principals in 11 schools. Duval County schools sought changes to Ribault High School, a low-performing school serving predominantly black students, 90 percent of whom were reading below grade level.

Unpopular Decision
Duval County School Board member Brenda Priestly Jackson promised to fight any decision to have a private company take over Ribault High.

“Give us a chance to implement what we said we were going to do,” Jackson told the St. Petersburg Times. Other district leaders said they were skeptical of third-party takeovers.

In February, the state board began compiling a short list of companies that might take over the failing schools. Some with experience in turning failing schools around, such as Edison Schools, Victory Schools, Community Education Partners, and The Rensselaerville Institute, indicated interest in the task.

Krista Kafer (kristakafer@msn.com) is a freelance education writer based in Denver.
“If all public schools are so good, then why would anyone fear that there would be a mass exodus from our public schools if parents were given that option? It is clear there is a tremendous lack of confidence in the public school system when legislators refuse to provide options to those students who are most in need of help.”

PEGGY VENABLE
AMERICANS FOR PROSPERITY

Texas Governor Calls for Financial Accountability, Takeovers of Failing Schools

On May 18, while the Texas legislature was working on the details of a school finance bill, Gov. Rick Perry (R) addressed more than 300 educators and activists at the Texas Public Education Foundation’s Education Summit. Below are excerpts from his comments, provided by Connie Sadowski, director of the Austin CEO Foundation.

The bottom line, Venable said, is that “parents, not government, should decide what’s best for their children. If all public schools are so good, then why would anyone fear that there would be a mass exodus from our public schools if parents were given that option?”

“It is clear there is a tremendous lack of confidence in the public school system when legislators refuse to provide options to those students who are most in need of help,” Venable said.

Connie Sadowski (connie@ceoaustin.org) is director of the Austin CEO Foundation, a 12-year-old organization of businessmen and community leaders that aims to give parents power over their children’s education.

On financial accountability: “If the taxpayers are going to pick up the tab, they ought to be able to look at every item on the receipt. The only way to ensure more dollars make it to the classroom is to make sure classroom expenditures are disclosed in plain terms. I think taxpayers deserve to know how much is spent on administration and instruction and how much they are paying lobbyists and lawyers to extract more tax dollars from their pockets. Taxpayers should also be empowered to control future spending by having the authority to vote on future property tax enrichment increases. The decision to spend more local tax dollars on local schools should be made by local voters.”

On mentoring and “battle” pay: “Too often our toughest learning environments attract the most inexperienced teachers. That’s why we must make two critical reforms: We must increase funding for teacher mentoring so that young teachers grow professionally and succeed in the classroom, and we must appeal to our best and brightest teachers to teach in difficult settings by paying them significantly more to do so.”

On the goal: “Ultimately, our task is to usher in a new era of academic achievement that is based not on the number of students that pass state assessments, but the number of students that graduate ready for college.”

On May 18, while the Texas legislature was working on the details of a school finance bill, Gov. Rick Perry (R) addressed more than 300 educators and activists at the Texas Public Education Foundation’s Education Summit. Below are excerpts from his comments, provided by Connie Sadowski, director of the Austin CEO Foundation.
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U.S. Public Schools Failing to Combat Predatory Employees

Abuse cases suggest some schools are havens for sexual predators on staff

by Neal McCluskey

Julia Haich had been misled by the school she trusted to protect her, and now another girl was suffering.

On March 20, Steven Ostrin, a 51-year-old history teacher at Jesuit Brooklyn Tech, was arrested for allegedly groping and kissing a 15-year-old student.

It was not his first offense. Haich, now 19, said Ostrin molested her in 2002—-but when she reported the assaults to school officials, they persuaded her not to press charges, promising Ostrin would retire at the end of the academic year. Haich believed them.

“I thought if I spoke up about what happened, it would never happen again,” she told the New York Daily News for a March 29 story. “I was wrong.”

Predators Lurking Nationwide

Haich’s 2002 accusations were not the first ever leveled at Ostrin. According to the Daily News story, in 1992 female students at Boys and Girls High School in Brooklyn complained that Ostrin “told X-rated stories and rubbed their shoulders and arms.”

In response, “officials placed a letter in Ostrin’s file and ordered him to ‘act appropriately,’” the Daily News reported. Despite that admonition, Ostrin continued to make off-color remarks in front of students and to touch them—behavor he attributed to being a “touchy-feely person.”

Assaults like those allegedly perpetrated by Ostrin are not uncommon in public schools. Nor is it uncommon for districts to fail to adequately protect students from them.

According to a report from the state’s auditor general and a Detroit News investigation, Michigan fails to keep tabs on teachers convicted of sexual assault and other crimes. More than 200 licensed school workers in Michigan had criminal records in 2004, and the state didn’t know about 178 of them.

In addition, the state often failed to revoke the certification of teachers found guilty of crimes—including, according to the Lansing State Journal, Matthew Mankoff, a band teacher in Deckerville found guilty of soliciting sex from a minor in 2003, and William Ayler, a Detroit teacher who pleaded guilty in 1997 to one count of second-degree sexual assault.

In Florida, David Mosquera, a 71-year-old Orange County school bus monitor, was arrested in April and charged with eight counts of abuse for molesting a special-needs child.

Complaints Are Common

Earlier this year, a Berwyn, Illinois elementary school band teacher was arrested on charges of molesting five girls between 1999 and 2003. According to court documents, Robert Sperlik, 45, used duct tape to bind his victims to chairs before fondling them.

Although Sperlik’s arrest didn’t come until 2005, the Chicago Sun-Times reported that in 2003 three girls told district officials Sperlik had touched them inappropriately. In response, the district placed in Sperlik’s file a reprimand and guidelines on how to teach without touching.

The police didn’t hear about the 2001 allegations until they were contacted in January 2005.

According to Educator Sexual Misconduct, a 2004 report by Hofstra University professor Charol Shakeshaft, as many as one out of every 10 children will suffer school employee sexual misconduct at some point between kindergarten and 12th grade. That figure includes teachers telling sexually themed jokes or making suggestive gestures—-mild behavior compared to the acts allegedly committed by people like Mosquera and Sperlik, but behavior that can harm students nonetheless.

Of course, no one wants potentially threatening employees in the schools. So why are incidents of misconduct so prevalent?

Communication Is Lacking

“More than 200 licensed school workers in Michigan had criminal records in 2004, and the state didn’t know about 178 of them.”

The first problem is that keeping predators out of schools is difficult because many have no records of abuses before they’re hired. As a result, Shakeshaft noted, “screening will not identify the majority of educators who have or will sexually abuse.”

The system also breaks down, as the Michigan auditor general found, because individuals with criminal backgrounds often aren’t adequately tracked due to communication breakdowns between school districts and police departments.

New York City, in particular, may have a political atmosphere that exacerbates the problem, said Betsy Comhier, president of the E-Accountability Foundation, a local group that keeps tabs on public school officials. She said New York City school board members often are more interested in hiring people who won’t rock the boat about district decisions than they are about safety.

“They] want to hire teachers who are new, who they can mold,” she explained.

Teacher Contracts Impede Removal

Perhaps even more vexing than schools’ inability to find predators in the initial screening is the difficulty officials have in removing them once they have been identified. Policymakers often blame teacher contracts that make removing suspect teachers extremely difficult.

According to an April 22 New York Post article, New York City Mayor Michael Bloomberg blamed the collectively bargained teacher contract for difficulties in heading off predators.

“If you look back in history, [sex abuse is] not a huge scandal. It is unfortunately business as usual,” Bloomberg said, noting that firing teachers is a Herculean task, and because of that, sexual assaults happen far too frequently: “It just goes to reflect the fact that unfortunately at the moment, the city really has little recourse to terminate teachers who abuse their position.”

Mike Antonucci, director of the Education Intelligence Agency, an organization that tracks education labor unions, agreed, saying that in districts around the country union contracts require administrators to follow onerous, costly procedures before they can fire a teacher, and hence “when a case is not clear-cut ... districts will always side with employees.”

Suspected Teachers Collect Pay

Common Good, a group dedicated to restoring “common sense to American law,” corroborates those conclusions, noting in its November 2004 report Over Ruled: The Burden of Law on America’s Public Schools it can take longer than a year in New York City to oust a bad teacher.

In addition, the New York Daily News reported in an April 22 editorial that school officials can’t actually do the firing. The best they can do is assign suspected teachers to so-called “rubber rooms”—where they are segregated from students but continue to collect full pay—until their case is heard by administrators.

Effort Is Just Beginning

Combier believes the solution to the problem is to close the door on predatory teachers. She said districts should hire a neutral third party, such as an education ombudsman, to investigate allegations of teacher abuse.

Shakeshaft prefaced her recommendation by noting, “[b]ecause so little has been done to prevent educator sexual misconduct ... there are no studies of the effectiveness of prevention programs or legislation.” Therefore, any reforms undertaken in the near future will be just the beginning of the effort to combat predators in the nation’s public schools.

Neal McCluskey (mmecluskey@cato.org) is a policy analyst at the Cato Institute’s Center for Educational Freedom.

INTERNET INFO


by Robert Enlow

How well has the school choice message been promoted to the public since we started in 1996? What have we done well since then? And what do we need to do?

In 1996, when the Milton & Rose D. Friedman Foundation was founded, the school choice movement had a very fractured message. There was a lot of conservative rhetoric, a focus on how markets work, and a lot of groups speaking with a lot of different voices—nothing really cohesive. On the other hand, school choice opponents have and will always continue to speak with one voice against the movement. It’s a simple but dramatic difference.

Multitude of Opponents

Whether it’s the school boards, the National Education Association, or their various allied advocacy groups, opponents of school choice speak with one voice, using similar phrasing, labels, and stories to make a persuasive case against allowing parents to choose their children’s schools. The school choice side was handicapped because there were too few programs in place in the country to draw stories from, so we didn’t have enough real-life examples.

We also really didn’t have many good messengers at that stage. Who could deliver this message of school choice and freedom in a credible way to members of the public? It was right-wing white folks who were delivering the message, and that doesn’t sell in many ways.

That’s where we were in ’96, and when the Friedman Foundation started, we said, “We need to change the message on school choice. We need to get groups speaking with one voice.”

Laying Groundwork

The first thing we did was commission a national study to come up with a common message, and we shared the results with everyone. We wanted to create an environment where school choice became a widely accepted policy alternative everywhere in the nation—and frankly, right now, school choice is on the menu of policy options in almost every state. It was not in 1996.

The story that America wanted to hear was all about giving children a greater opportunity to achieve goals and succeed in the future. We had to claim that ground in order to win the next level of the school choice message. And that’s what we have been doing.

Doing the Right Thing

The most powerful message for school choice is that children learn more and gain knowledge from school choice, and that leads to a more prosperous future.

That’s where we were in ’96, and when the Friedman Foundation started, we said, “We need to change the message on school choice. We need to get groups speaking with one voice.”

The powerful message for school choice is that children learn more and gain knowledge from school choice, and that leads to a more prosperous future. The story that America wanted to hear.
CONTINUED from left

about the money. We spend half-a-tril-
lon dollars on K-12 education every
year. The public does not understand—most
think we don’t spend enough. They don’t
know how much we actually spend. It’s a
pretty well-kept secret.

We need to better understand the pub-
lic’s attitudes on money and leverage this
issue. One thing we do know is that most
people don’t think public schools spend their
money wisely. We need to do a lot more messaging on just how badly the money’s being spent.

Earning Trust

We also need more messengers the pub-
lic can trust. The moral message stays the
same: School choice is already avail-
able for some, but it should be available for
all. School choice and the idea of free-
dom in education. It’s not something we
should be for some groups of people only. It should be for all groups of people.

We’ve done a great job at getting the
beneficiaries of school choice out in front of
the debate, but we have a critical lack of
civic and business leaders out front. Corporate America is not on board for
school choice, in terms of being willing
to speak out for it. We need the presi-
dent of a nationally prominent company to
lead this charge and make calls to leg-
islators. Vостиы, but they are more likely to
support political candidates who say they
support school choice, so we know this is a winning issue for voters if we do it right.

Explaining Vouchers

We need to better understand the word
“voucher,” in terms of our messaging. Does using the “v-word” make a differ-
ence any more? We all know that “vouch-
er” is a demonized word, but when we
conducted polls asking people’s opinions
about school choice, using the word
“voucher” in a question asked of one
group and the same question without the
word “voucher” to another group, there was
absolutely no difference in the responses.

We need to avoid defining school choice
by specific terms such as “vouchers” or
“tax credits” or “charter schools,” and
instead position the concept as an objec-
tive that can be achieved in a wide vari-
ety of ways. Otherwise we get caught up
in debates about means instead of bene-
fits. We need to have a better response to
questions about holding choice schools
accountable to taxpayers and elected offi-
cials. The debate right now consists of
school choice opponents saying choice
schools should be subjected to the same
types of rules as public schools, and are
saying, “No, no, no,” and that’s the end of
it. We should be saying, “We think
accountability for schooling should look
like this, and this is what we’re going to
promote,” instead of being reactive.

Seeking Choice for All

Finally, we need to shift away from the
message that school choice is primarily or
only for the benefit of the poor, and move
instead to a message about the import-
ance of freedom in education. Freedom has
no boundaries. According to one of the
polls we’ve done, 41 percent want all
parents to be able to exercise choice in
education, and only 10 percent believe
choice ought to be limited to people with
low incomes.

We also conducted polls in Washington,
DC before and after we ran ads there, to
see if people believed school vouchers
should be available only to low-income
people. Before the ads, 50 percent believed
choice should be provided to all
parents. After the ads, 51 percent believed
that.

In that same poll, 49 percent said,
“Let’s just make public schools better.”
That’s our fight right there. That is the
moral fight we need to be aware of. It’s
imperative that we get involved in all
aspects of education reform, as people
who believe in liberty. It’s not just vouch-
ers, it’s not just tax credits. We live in
areas where there are bond issues going
on. Here in Chicago, Renaissance 2010 is
expanding the limits of school choice.
Are we involved in that? If we are not, we
can’t be credible.

We need to define a positive, pro-active
agenda for school choice, and not be, or
appear to be, reactive. We’ve made a
remarkable amount of progress since
1996 in doing this. Now we need to
redouble our efforts in order to win.

Robert Enlow (rcenlow@friedman
foundation.org) is executive director of
the Milton & Rose D. Friedman
Foundation in Indianapolis, Indiana.

“[W]e need to shift away
from the message that
school choice is primarily or
only for the benefit of the
poor, and move instead to
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no boundaries.”

Colorado Homeschoolers Fear New State Database Threatens Freedom

by Ben DeGrow

Homeschool activists in Colorado
knew they had reason to be wary
of the new majority in the state legis-
lature, but they also were disappoint-
ed—by one of their allies this spring
when Gov. Bill Owens (R) signed a bill
changing the state’s immunization
tracking system.

In the 2004 elections, several state
lawmakers who had demonstrated
support for the homeschool agenda
were replaced by less-supportive offi-
cials. Familiar legislation that had
been opposed—and previously defeat-
ed—by the homeschool community
progressed this year through the
House and Senate.

On April 29, Owens signed into law
Senate Bill 87, which allows Colorado’s
health department to create a
statewide database of immunization
records and to contact parents direct-
ly when their children are due or over-
due for immunizations.

Treon Goossen, a spokeswoman for
Concerned Parents of Colorado—a
grocery list that lobbying group
of whom said the boycott against S.B. 87—said the homeschool com-
mand’s opposition focused on priva-
cy issues. While some homeschool
families choose not to get certain inocula-
tions for medical or religious reasons,
she said immunization itself was not
the primary objection.

Individual Privacy vs. Public Health

Goossen said creating such a compre-
ensive database is a frightening
prospect for some families, who fear
the information in it could be misused.
This spring, a laptop computer con-
taining sensitive medical and person-
al information on 1,600 children was
stolen from a state health department
employee’s car. Even more disturbing,
Goossen said, was the fact that an
autism study on the computer’s hard
drive contained information obtained
without any of the parents’ consent.

Some homeschooling families fear
compromised medical privacy could be
used to justify removing children from
their custody. “There is no way to guar-
antee the privacy issue,” Goossen said.
“Where are we out there, and it’s to
do away with our freedom of choice.”

Owens said he understands these
concerns but his decision to sign S.B.
87 reflected various elements of his
political philosophy. “It gets to my
fusonist view of balancing libertarian
values with what’s in the interest of
the community good,” he said.

Owens said he took into account not
only individual privacy, but also the
state’s responsibility to prevent the
spread of potentially serious childhood
diseases by reminding parents when
it’s time to inoculate their kids.

“I thought we had a different
agenda out there, and
it’s to do away with our
freedom of choice.”

TREON GOOSEN
CONCERNED PARENTS OF COLORADO

Competing Interests

The second-term governor, who as a
state representative in 1988 cospon-
sored the measure legalizing home-
schooling in Colorado, pointed to
key protections in the immunization
bill as sufficient justification for authoriz-
ing changes to the tracking system.
The bill gives parents the option of not
participating in the database “on the
grounds of medical, religious, or per-
sonal belief considerations.” Further,
health department officials are
required to inform parents of their
right to opt out.

But Goossen and other activists
believe the measure’s protections
are inadequate. She said homeschool
parents could not truly opt out of the
tracking system since their names and
birthdates would remain in the data-
base. She also said several legislators
during the legislative session suggested
mandating all immunizations for every
child unless there was a valid medical
reason for failing to immunize. Under
such a system, Goossen said, “Any par-
ent that did not comply would face pos-
sible charges of medical neglect, and
the children would be forcibly immu-
nized and possibly removed from the
home or forced into the public school
system for ‘monitoring’.”

Goossen argues that even though
S.B. 87 stipulates parents cannot be
charged with abuse or neglect for opt-
ing out of the database, some state
officials eventually could use the new
database as a tool to single out non-
participating homeschool parents for
prosecution for those kinds of crimes.

Homeschool activists had little con-
fidence that they could convince
enough members of the legislature to
block passage of S.B. 87. Instead, they
worked with the National Vaccine
Information Center (NVIC), an orga-
nization dedicated to informing par-
ents about the risks of vaccinations,
resumes the governor to wield his
veto pen.

“Still Fighting

According to NVIC, the extent of vac-
cine-related problems is unknown.
Although 12,000 to 14,000 injuries or
deaths are attributed to vaccines each
year, those figures are based on reports
from fewer than 10 percent of all doc-
tors. The organization seeks to empow-
er parents and to oppose the imposi-
tion of mandatory immunization,
according to the group’s Web site.

At press time, House Bill 1161—the
measure needed to fully fund the new
immunization database—was on the
probation of the governor’s desk awaiting his signa-
ture.

Goossen said homeschool activists
planned to promote a repeal of the new
law in a future legislative session.

“We will revisit it,” she said. “It’s not
a done deal.”

Ben DeGrow (ben@i2i.org) is a research associate for the Education
Policy Center at the Independence
Institute in Golden, Colorado.
Are Tax Credits Really Not “Public Money”?

by George Clowes

Some education policy analysts say tuition tax credit programs such as Arizona’s, which a federal district court judge on March 24 upheld as constitutional, are preferable to vouchers because they do not involve “public money” and are therefore less likely to be subject to government regulation.

Recent objections to tax credit programs raised in Florida, Pennsylvania, and South Carolina suggest school choice opponents see little difference between the two policy options, even though they involve fundamentally different approaches toward the goal of advancing parental choice in education.

The voucher model enables parents to access the tax dollars already designated for their children’s education and redirect them to the public, private, or religious school they choose for the children. The tax credit model enables parents to access new dollars for education, either through an individual-use tax credit taken against the cost of private education or through scholarships from an organization funded by donations that qualify their givers for tax credits ...

“[S]chool choice opponents see little difference between [vouchers and tax credits].”

Opponents Disregard Court’s Ruling

Plaintiffs in the Kotterman lawsuit had argued the credit was “public money” because, without it, an equivalent amount of tax revenue would flow into the public treasury. However, the court ruled that reducing an individual’s tax liability is not the same as the government spending a certain amount of money. The tax credit cannot be considered “public money” because no money enters the state’s control as a result of the tax credit...

Opponents of school choice ignored the ruling. In their criticism of scholarship programs funded by tax credits, they have consistently made no distinction between privately funded tax credits and publicly funded vouchers.

For example, critics of Florida’s corporate tax credit scholarship program have consistently characterized it as a “corporate voucher” program to imply the scholarships are publicly funded by the state rather than privately funded through tax credits. Specific criticisms of the scholarship program also have been virtually identical to the attacks leveled at publicly funded voucher programs—they argue that private schools participating in tax credit programs should be accredited, private school teachers should be certified, private school students should have to take state tests just like those in public schools, and the program “drains” money from underfunded public schools.

Defenders of the tax credit programs, on the other hand, have consistently characterized it as a “corporate voucher” program to imply the scholarships are publicly funded by the state rather than privately funded through tax credits. Specific criticisms of the scholarship program also have been virtually identical to the attacks leveled at publicly funded voucher programs—they argue that private schools participating in tax credit programs should be accredited, private school teachers should be certified, private school students should have to take state tests just like those in public schools, and the program “drains” money from underfunded public schools.

Distinctions Ignored

Newspaper reports in Florida typically make no distinction between the different funding sources for the tax credit program and the state’s two publicly funded voucher programs. For example, a May 3 Tampa Tribune story about voucher accountability described the Sunshine State’s three school choice programs as “three voucher programs” and stated, “[a]ll are paid for with tax-payer dollars.”

Critics of Pennsylvania’s Educational Improvement Tax Credit Program have made similar calls for fiscal and academic accountability standards for schools chosen by parents using the state’s tax credits. Last year, State Rep. Phyllis Mundy (D-Luzerne) proposed that private schools benefiting from tax credits—which she called “backdoor vouchers”—should be subject to the same state assessment tests as public schools.

Before South Carolina Gov. Mark Sanford’s (R) tuition tax credit proposal was stymied by the legislature in May, the Charlotte Observer ran a February 14 article on the proposal under the headline, “Should public money be used for private schools?”

The article, while not addressing the question of whether tax credits were in fact public money, quoted critics of Sanford’s proposal who raised the common objections to vouchers. They said the money was needed for underfunded public schools, the credits would go to families who already had children in private schools, and there weren’t enough private schools to handle additional students.

George Clowes (clowesga@aol.com) is associate editor of School Reform News.
Continued from page 1

those hoping to enroll in the state’s new Voluntary Pre-Kindergarten program.

This past March, the American Civil Liberties Union sent a letter to Florida legislators citing a lower court’s ruling against Opportunity Scholarships, warning that the new pre-kindergarten program, which includes religious and secular options, “will inevitably [lead to] more litigation.”

Elsewhere in the media and court filings, school choice opponents have signaled their belief in the pre-kindergarten, McKay scholarships, and possibly other programs may be challenged if the court rules against Opportunity Scholarships.

“There is simply no reason to remove hundreds of kids from the only good schools they have ever known, and we will take the fight to save their scholarships to the U.S. Supreme Court if we have to.”

CLARK NEILY
INSTITUTE FOR JUSTICE

“Clear Choice”

“The Florida Supreme Court faces a clear choice: Will Florida continue to lead the nation in educational opportunity, or will teachers’ unions and other special-interest groups succeed in thwarting proven education reform?” said Clark Neily, a senior attorney at the Institute for Justice, a Washington, DC-based group representing the Opportunity Scholarships in the case.

“There is simply no reason to remove hundreds of kids from the only good schools they have ever known,” said Neily, “and we will take the fight to save their scholarships to the U.S. Supreme Court if we have to.”

Under Opportunity Scholarships and similar programs, parents and students are awarded scholarships that can be used at the school of their choice, with no consideration as to whether the school is religiously affiliated or not. The case hinges on the Florida Constitution’s Blaine Amendment—an amendment preventing the public funding of parochial schools.

“These scholarships aid students, not schools,” explained John Kirttley, vice chairman of the Alliance for School Choice in Tampa. “Opportunity Scholarships work identically to scholarship programs like Bright Futures college scholarships—students and parents use publicly funded scholarships to choose from religious and non-religious providers. So why has the teachers’ union not sued to remove Bright Futures? Perhaps it is because their own economic interest is not threatened?”

The Florida Education Association did not return calls for comment.

**Florida**

**Floridians Support Choice**

Support for K-12 school choice in Florida—where the average annual graduation rate at public high schools hovers near 50 percent—has grown steadily since 1998. Under Gov. Jeb Bush (R), several choice programs have sprung up to serve low-income, disabled, and high-achieving college-bound students. Tallahassee has been the site of several school choice rallies in the past, most notably a March 2004 rally of 5,000 participants, the largest school choice rally in the nation’s history. No school choice opponents appeared outside the court building on June 7.

Rally participants traveled from as far away as Miami; most rode on a bus overnight to arrive in Tallahassee on time.

Organized by individual schools, the trip also served as a civics lesson on participation in government. Following lunch on the capitol grounds, students toured the Historic Capitol Building, Museum of Florida History, and the Challenger Learning Center.

**Sponsors Were Minority Groups**

The rally was sponsored by the Black Alliance for Educational Options (BAEO), Hispanic Council for Reform and Educational Options (HCREEO), and Florida State Hispanic Chamber of Commerce. The event was endorsed by BAEO President Howard Fuller.

Featured speakers included Virginia Walden Ford, president of D.C. Parents for Choice, a leader in the movement to bring school choice to the nation’s capital and one of the first African-American students to attend Little Rock’s Central High following Brown v. Board of Education. Florida Hispanic Chamber of Commerce President and HCREEO board member Julie Puentes also spoke, as did John McKay, the former state senator who sponsored the bill creating Florida’s McKay Scholarships for Students with Disabilities.

The state supreme court is expected to rule on the case later this year.

Jenny Rothenberg (jrothenberg@stepupforstudents.com) is a public relations associate at Step Up for Students, a Tampa-based initiative of the Florida Corporate Tax Credit Scholarship Program.

More than 2,000 parents, educators, and students marched in Tallahassee on June 7 in support of Florida’s Opportunity Scholarship program.

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**Paige, Petrilli Join Fordham Foundation**

*by Krista Kafer*

The Thomas B. Fordham Foundation, a Washington, DC-based education research organization, gained two education experts formerly with the U.S. Department of Education this spring.

Rod Paige, U.S. secretary of education during President George W. Bush’s first term, was elected to the Foundation’s Board of Trustees, and Michael J. Petrilli, former assistant deputy secretary in the department’s Office of Innovation and Improvement, will serve as the foundation’s vice president for national programs and policy.

**Advocates for Standards, Choice**

Foundation President Chester E. Finn Jr. said in a news release it was a “thrill to welcome onto the Fordham team two of the wisest, most ardent and effective education reformers in the land. Rod Paige and Mike Petrilli embrace both standards-based and choice-based reform strategies and appreciate the crucial nexus between them.”

**Chester E. Finn Jr.**

**Thomas B. Fordham Foundation**

“Rod Paige and Mike Petrilli embrace both standards-based and choice-based reform strategies and appreciate the crucial nexus between them.”

Prior to his appointment in 2001, Paige served as superintendent of the Houston Independent School District, where he was elected National Superintendent of the Year in 2001 by the American Association of School Administrators. During his lengthy career, he served as a classroom teacher, coach, and dean of students at Texas Southern University, where he established the Center for Excellence in Urban Education. He is now writing a book on African-American leadership and the achievement gap.

**Pressing for Continued Innovation**

Paige, also in the news release, said he is “honored to join the distinguished individuals who comprise the Foundation’s board and staff, people whose work I have long respected,” and that “no organization surpasses Fordham at positing and illuminating the fundamental issues that confront American K-12 education. ... I look forward to helping to advance that vital work.”

This is Petrilli’s second stint with the Fordham Foundation. In the late 1990s, before being tapped to work for the federal government, he served as the foundation’s program director, editing reports and directing its reform programs in Dayton, Ohio.

At the federal level, Petrilli supervised reform-centered discretionary grant programs, coordinated evaluation and dissemination activities, and promoted innovations such as charter schools and alternative certification programs. Prior to that, he served as a special assistant for policy and planning in the deputy secretary’s office.

“I will never forget the four historic, rewarding years I have spent at the U.S. Department of Education,” Petrilli said in the release, “and I look forward to continuing to fight for the principles embodied in the No Child Left Behind Act” as a senior officer at Fordham.

Krista Kafer (kristakafer@msn.com) is a freelance education writer based in Denver.
increases in retirement benefits for some individuals.”

“Under the current system,” explained a May 29 news release from Blagojevich’s office, “school districts can increase salaries by up to 20 percent every year to boost pension benefits, with the state having to cover those costs. Under the new plan, the state’s share will be capped at 6 percent.”

“Taxpayers across Illinois shouldn’t have to pay billions of dollars more in increased pension costs,” Blagojevich had said in his state budget speech last February, “just to cover those end-of-career raises.”

But Illinois Education Association spokesman Charles McBarron told Education Week the raises are unjustified.

“Local unions negotiate the pay raises as ‘deferred compensation’ for years of working for low salaries,” he said. “This is simply a way to compensate teachers at the end of their career.”

Tax Swap Proposed
Blagojevich’s pension reform was not the only education funding alternative on the table before the Illinois legislature adjourned at the end of May.

House Bill 750—a proposed “tax swap”—would have increased personal income, corporate, and sales taxes in order to fund education more substantially through state government than through local property taxes. Proponents claimed the measure would have reduced property taxes by as much as 25 percent.

Opponents of the bill warned the promised property tax relief would not materialize, meaning Illinois taxpayers would be worse off than ever. “Proponents will put $2 billion into edu-

La. Lawmakers OK 65 Percent Education Funding Measure

by Nancy Salvato

On June 9, the Louisiana Senate passed a measure requiring the State Board of Elementary and Secondary Education to require every school district in the state to spend 65 percent of its education budget on classroom instruction. The measure passed 36-0, with one senator absent. The House had earlier passed the provision by a unanimous vote. It does not require action by the governor to take effect.

“The state Senate’s vote in favor of this provision is an outstanding step forward for public schools, teachers, and students in Louisiana,” said Patrick Byrne, advisory chair of First Class Education and developer of the 65 percent proposal. “By re-prioritizing the funding so that 65 cents out of every education dollar goes to the classroom, upwards of $200 million will be available to increase teacher pay and to put more computers and other supplies in the classroom—all without a tax increase,” he said.

Only four states—Maine, New York, Tennessee, and Utah—currently spend at least 65 percent of their money in the classroom. On average, the nation sends 61.5 percent of its education funding to the classroom. The 3.5 percent needed to bring classroom spending up to 65 percent would make a huge difference, providing an additional $13 billion for classroom teaching, according to an April 10 commentary from syndicated columnist George F. Will.

The 65 percent solution has been warmly received by state legislators in Arizona, Michigan, Minnesota, and Pennsylvania. Illinois State Sen. Chris Lauzen (R-Aurora) is considering introducing 65 percent legislation next year.

According to a November 2002 Chicago Tribune article, “just 45.8 percent of school budget statewide [in Illinois] was devoted to teachers, textbooks, and other basic instructional costs in 2000-01.”

— Nancy Salvato

SCHOOL REFORM NEWS | JULY 2005
Defeats, Some Victories Scored by School Choice Supporters

by Lisa Snell

As many state legislative sessions drew to a close for 2005, the fate of several school choice initiatives was decided for the year.

In Arizona on May 20, Gov. Janet Napolitano (D) vetoed corporate tax credits legislation school choice supporters had expected to become law as part of a budget deal made a few weeks earlier. The budget Napolitano signed included her funding priorities, such as a new medical school branch campus, expansion of all-day kindergarten, and funding for social programs—all of which she negotiated in exchange for approving the tax credit legislation.

Napolitano said she vetoed the tax credit initiative because Republicans did not include a five-year sunset on the legislation. School choice advocates accused the governor of breaking her promise to Arizona children.

“The governor is a liar,” Rep. Eddie Farnsworth (R-Gilbert) told the Arizona Daily Star afterward.

“It’s unfortunate that for the moment this bipartisan agreement has been turned on its head,” Milton & Rose D. Friedman Foundation President Gordon St. Angelo said in a May 20 news release.

“Children in Arizona shouldn’t have to wait for greater educational freedom because of legislative wrangling.”

The tax credit legislation would have allowed scholarships for 1,000 economically disadvantaged children to attend private schools. At press time, Napolitano was considering calling a special session to resolve the matter, indicating she may approve the corporate tax credit legislation if it includes the five-year sunset provision.

Amendments Overwhelm Florida Bill

In Florida, the 2005 session closed on May 6 with the legislature failing to agree on school choice accountability legislation. The proposed measure would have barred schools that accept vouchers from discriminating on the basis of religion, required progress to be measured using one of four standardized tests, and subjected voucher schools to unscheduled visits by an auditor. On the last day of the session, House members opposing the bill tacked 281 pages of amendments onto it, and the Senate did not take it up again.

Gov. Jeb Bush (R) has promised to tighten up school choice accountability and monitoring through an executive order.

In addition, Bush had hoped to expand the state’s voucher program dramatically this year. The Reading Compact Scholarship program would have given a taxpayer-funded voucher to any student scoring at the lowest level on the reading portion of the Florida Comprehensive Assessment Test for three consecutive years. The Senate voted to reject the program, saying it didn’t want to expand vouchers before the state supreme court rules on the Opportunity Scholarship program. Oral arguments on that case were held June 7.

Some Existing Programs Expand

Florida’s corporate scholarship tax credit program’s fund cap rose from $50 million to $88 million. A May 8 news release from the Alliance for School Choice noted the tax credit expansion—passed by the legislature as part of an omnibus budget package—nearly doubles the current expenditures and will enable up to 9,000 additional low-income students to use scholarships to attend private schools over the next 18 months.

Approximately 11,500 students are currently enrolled in the state’s scholarship tax credit program. That number could swell to 15,000 students this fall and to 20,000 students by the 2006-07 school year. Scholarship funding organizations may award up to $3,500 per student.

In Ohio, the Senate version of the state budget, released May 24, maintained the statewide voucher program passed by the House on April 12. The House created the program with 18,000 vouchers for children in low-performing districts. The Senate kept the concept, but scaled it back to 10,000 students in low-performing schools.

Lisa Snell (lsnell@reason.org) is education director at the Reason Foundation, a Los Angeles-based think tank.

New Chicago High School to Split Voc-Ed, College Prep Students

by Greg McConnell

Chicago Mayor Richard Daley (D) announced a controversial plan in April to build the first new public high school on the city’s west side in 29 years—and splitting its 1,200 students evenly between a selective-enrollment college prep school and a vocational-education magnet school.

Daley claims the school will meet a demand and could be a positive model for other Chicago high schools to follow.

The new school—which will replace Westinghouse Career Academy on West Franklin Boulevard and is being built across the street from the old school—will cost $17 million. Construction is scheduled to begin in 2006, with doors opening to students in 2008.

“Chicago public schools are trying lots of techniques that public school districts try. They’re creating charter schools, creating magnet schools, ... but fundamentally, the problem is that it’s all part of an education-finance monopoly.”

JOHN NORQUIST
CONGRESS FOR NEW URBANISM

Demand Is High

In 2004-05, only 233 of the 1,700 students applying to Chicago’s eight college prep schools from the communities surrounding Westinghouse—where it has been strictly a vocational-ed school since 1997—secured places in a college prep school.

“Chicago public schools are trying lots of techniques that public school districts try. They’re creating charter schools, creating magnet schools, ... but fundamentally, the problem is that it’s all part of an education-finance monopoly.”

FINANCE MONOPOLY REMAINS

JOHN NORQUIST
CONGRESS FOR NEW URBANISM

There also will be some crossover rules on the Opportunity Scholarship program. Daley told the Chicago Sun-Times on April 19 some of the new school’s voc-ed students could take college prep classes, and some of the college prep students could take voc-ed classes.

Finance Monopoly Remains

John Norquist, president of the Congess for New Urbanism and former mayor of Milwaukee, isn’t convinced the new Westinghouse is the best way to improve Chicago’s high schools.

“Chicago public schools are trying lots of techniques that public school districts try,” Norquist said. “They’re creating charter schools, creating magnet schools, ... but fundamentally, the problem is that it’s all part of an education-finance monopoly.

“Even if the public money all goes to the public school district and the parents don’t really control it, then you get what you have in all major metropolitan areas, which is selection against the city—or wherever poor people live, you get school choice by geography.”

Daley, Norquist said, is a prime example: There, people who can afford to do so move to suburbs like Grosse Pointe Farms to escape low-performing urban school districts. But in Chicago, a little more choice is provided by the city’s private school network, often used by wealthier parents. Chicago also has more political accountability than other urban school systems, Norquist said.

“Everyone knows who the mayor is,” Norquist noted, “and if the schools get worse, then that would be part of the record he’d have to defend at the next election.”

Vouchers Are Best

Norquist said he’d like to see Chicago adopt a voucher model similar to the ones already operating in Milwaukee, Cleveland, Washington, DC, and parts of Florida, where state aid follows the parents’ wishes to public, private, or parochial schools. Such programs are also being used in Canada and western Europe.

“Even socialist Sweden has private school choice,” he said.

Greg McConnell (gjmcc@yahoo.com) is a freelance writer in Palatine, Illinois.
Tax Credit Program Could Save New Mexico Millions

by Kate McGreevy

Providing students with scholarships financed by tuition tax credits could save New Mexico more than $42 million in 10 years, according to a study released April 28.

“The Fiscal Impact of Tuition Tax Credits in New Mexico,” a rigorous economic study conducted by PolEcon, was commissioned jointly by the Milton & Rose D. Friedman Foundation and Albuquerque Partnership.

“Students from families with money can afford to choose a different school if their assigned public school doesn’t serve them. Students from low-income families have the same right,” said Troy Williamson, executive director of Educate New Mexico, a scholarship-granting organization in Albuquerque.

“This right becomes especially important in a state like New Mexico,” said Williamson, “a state that consistently ranks at or near the bottom of every educational assessment in our nation.”

New Mexico posted the nation’s lowest scores on the reading portion of the National Assessment of Educational Progress ... in 2002-03, with just 20 percent of eighth graders scoring in the proficient range.

Scholarships Spreading

Six states—Arizona, Florida, Illinois, Iowa, Minnesota, and Pennsylvania—have laws that give individual or corporate tax relief for contributing to scholarship organizations, which in turn provide grants for students to attend private schools.

New Mexico legislators are considering a tuition tax credit for individuals and corporations contributing to a “Citizen Educational Support Fund” (CESF) such as Educate New Mexico. CESFs would be nonprofits that provide either scholarships for students to attend private schools or education materials to teachers in public schools, but not both.

Brian Gottlob, author of PolEcon’s study, believes the plan is fiscally promising.

“In order for the program to have no cost to the state ... the tax revenue lost as a result of the contributions to CESFs from individuals and businesses must be offset by lower expenditures for educating public school students,” Gottlob said. “The way New Mexico saves money is that while it may cost them anywhere from $1,000 to $3,500 in tax credits for every scholarship, it will save over $5,300 for every student that leaves public school to attend an independent school.”

Migration Won’t Hurt Schools

Gottlob’s calculation is based on a conservative estimate of student migration from public to private schools. In the first year, about 1,700 students will need to transfer from public to private schools; by the third year, about 1 percent (fewer than 4,000 students) will need to migrate for the state to achieve an even fiscal break.

“I think the numbers of public school migrants we are forecasting, while saving the state money, is likely to be small on a percentage basis and should allay fears of tax credit critics that the proposal would somehow decimate public schools,” Gottlob said.

The study suggests the predicted level of migration is not unreasonable because parents will likely treat the scholarship as a limited form of income, and with the rise of income comes increased movement to independent schools, according to PolEcon’s analysis of U.S. Census data from 2000.

Natural Balance

Gottlob’s research indicates New Mexico stands to benefit fiscally if at least 60 percent of the scholarships are awarded to students who qualify for the free- and reduced-price lunch program. He notes “the 60 percent rule” could bring balance to the entire program.

“In order to meet the 60 percent criterion, CESFs will have to provide scholarships to a large number of students currently enrolled in public schools, thus ensuring a savings to the state,” Gottlob said, referring to the fact that most low-income students are not currently enrolled in independent schools. “The final implication is that in order to meet the 60 percent rule by inducing migration from public schools, you will have to offer scholarships of a larger dollar value because lower-income students will require a greater subsidy to migrate. When you offer higher dollar value scholarships you will be able to give fewer of them, so it acts as a check on migration.”

The optimal scholarship would be $1,750, Gottlob said. Even though that would cover only half the cost of annual tuition at the average New Mexico private school, Williamson said most families would gladly make up the difference to give their kids a better education, given the number of private school applications he sees every year.

“Families,” he said, “are standing in line to pay for what is being offered them for free down the street.”

The New Mexico Education Association did not respond to interview requests.

Kate McGreevy (mcgreevy@gmail.com) is a freelance education writer from Indiana and formerly worked with the Caesar Chavez Public Charter High School for Public Policy in Washington, DC.
The state of Maine is moving to become the next state to sue the federal government over the No Child Left Behind Act (NCLB). As many as 17 states already have brought suit.

In late May, both houses of the state legislature passed a bill directing the state to investigate the costs of implementing NCLB and compare them to the federal funding allocated for compliance.

At press time, Maine’s Department of Education (MDOE) was finishing a study on what NCLB’s testing requirements would cost the state, and it was scheduled to send the report to the attorney general for review in June. If the attorney general determines NCLB is an insufficiently funded mandate, a lawsuit against the federal government could soon follow.

**Older Program Deemed Adequate**
The issues behind the lawsuit have been simmering for 15 years. In the early 1990s, State Sen. Michael Brennan (D-Portland), then a state representative, sponsored a bill creating the state’s Learning Results program—the result of a decade-long effort to develop a broad range of educational standards for each grade level, adapting standards from associations such as the National Council of Teachers of Mathematics.

The program’s guidelines were published in 1997. Under the plan, students have been taking a battery of tests administered annually by local school districts, as well as the state-run Maine Educational Assessment (MEA) test.

The complex, expensive testing process has yet to yield the desired results. In 2004 only 12 percent of low-income high school juniors in the state were proficient in math, and 13 percent were proficient in science—yet most of them received diplomas the next year.

Despite this lack of success for the state’s own Learning Results program, in June 2003 Brennan sponsored a bill directing the MDOE to undertake “a thorough investigation of the costs and benefits of participation in NCLB.” The bill, titled “Resolve, Regarding the No Child Left Behind Act of 2001” (LD 676), passed May 24, 2005 by a vote of 85-58 in the state House. The Senate had passed it on May 20.

Brennan said he wants Maine to return the NCLB money and stay with Learning Results. “No Child Left Behind is the single most intrusive piece of federal education legislation in the history of our nation. In a time of budget cuts and military base closures, we just can’t afford an unfunded mandate,” Brennan said. NCLB could cost the state an additional $100 million, and it hinders the implementation of the state’s Learning Results curriculum.

“If the attorney general’s office determines NCLB is an insufficiently funded mandate, a lawsuit against the federal government could soon follow.”

**State Accepted NCLB Funds**
The MDOE favors Learning Results over NCLB as well. In his written testimony on LD 676, Deputy Commissioner Patrick Phillips said, “determining the costs of NCLB has been a controversial issue. … The most contentious area has been defining what the federal law actually requires in terms of student achievement … and whether federal funds are ‘adequate’ to allow student achievement,”

One problem is that the state accepted the NCLB money and all the conditions attached. According to the U.S. Department of Education (USDOE), Maine has seen a “47 percent funding increase over the last five years while the student census has declined 30 percent.” Phillips, however, said the MDOE never requested additional funding from USDOE, and that the state had even returned some of the money.

Nonetheless, Phillips estimated Maine needs approximately $11 million more to comply with NCLB’s accountability requirements, as well as any others that go beyond those listed in the Elementary and Secondary Education Act.

Complexities in the accounting process—including separating which administrators are to be paid for routine tasks from federal, state, or local budget accounts—make it difficult to determine whether the underfunding problem exists because MDOE failed to estimate the full cost of administering NCLB or because it failed to reallocate monies to administrative and other tasks in a timely manner.

Frank Heller (global3004@gwi.net) is cofounder of the Maine Children’s Scholarship Fund in Brunswick, Maine.
Defective Educational Philosophy Is Real Culprit in K-12 Education Failures

Review of Doomed to Fail: The Built-In Defects of American Education
by Paul A. Zoch

Doomed to Fail: The Built-In Defects of American Education
by George A. Clowes

Home Schools Remedy Public School Woes, New Book Says

Review of Public Schools, Public Menace: How Public Schools Lie to Parents and Betray Our Children
by Joel Turtel

Doomed to Fail: The Built-In Defects of American Education
by Paul A. Zoch

Student Responsibility Essential

Until this philosophy is repudiated and students are required to assume individual responsibility for their achievement, reforms will fail, Zoch concludes. He proposes the following:

1. a challenging, rigorous national curriculum detailing the facts and concepts students must know in every subject at every level;
2. fact-based, end-of-course tests in each subject that students must pass to gain credit for the course; and
3. recognition and adoption by public schools of the effective practices of successful schools, he offers no incentives to spur changes in the system, and it's not clear why his reform proposals would not also be "doomed to fail."

A market-based public education system, in which schools compete for funds and students, would provide those missing incentives for change.

Geoff Cates (clowesga@aol.com) is associate editor of School Reform News.
School Choice Is Good Politics in New Zealand

by Adam Shelton

A n education policy that leans toward giving parents their choice of schools and schools control of their finances and curricula has been released by New Zealand’s leading opposition party in the build-up to the country’s general election to be held this year.

The National Party’s school choice advocacy contrasts boldly with the position of the current Labour Party government. That contrast, along with National’s other policies, seems to have hit a note with voters: A National Business Review-Phillips Fox poll, conducted by UMR Research and published in early June, put National ahead of the government for the first time. The election date has not yet been announced, but by law it must be held before September 25.

National has been looking to play up its education differences with Labour, using large, colorful campaign billboards appearing in June proclaiming, “Which school? You decide” above a photo of a smiling National leader, Don Brash, and “We decide” above a grim-looking Prime Minister Helen Clark.

National’s policy contains several school choice initiatives that were part of the market-oriented Tomorrow’s Schools program implemented in 1989 initiatives that have since been dumped under political and union pressure. It also includes innovation, said the most heartening aspect of the National Party’s proposed policy was "[The National Party’s proposed policy would] shift the focus of decision-making from a cabal of teacher union leaders to where it truly belongs and has been shown to get the best results—families and education professionals.”

Norman LaRocque

Educational Forum

It has set the ground for a heightened awareness of education failure statistics five times more likely to leave secondary school with the top qualification if they have been educated in a private school.

In a 2003 National Business Review poll, conducted by UMR Research, 63 percent of Maori surveyed said they thought private education was better than public education.

Parents Would Make Decisions

When the National Party released its policy statement in April, the New Zealand Herald argued in an editorial that the proposal would put public education “back on track,” and NewsTalk ZB, a national radio station, gave it extensive and supportive coverage on a morning show.

Norman LaRocque, policy advisor to the Education Forum, a leading New Zealand school choice advocacy organization, said the most heartening aspect of the National Party’s proposed policy was that it would “shift the focus of decision-making from a cabal of teacher union leaders to where it truly belongs and has been shown to get the best results—families and education professionals.”

He said the policy had all the ingredients needed to provide real improvements in teacher quality, school management, and learning outcomes.

In addition to the proposed policy, LaRocque said, ongoing work from several education and business advocacy organizations has helped promote the benefits of school choice for New Zealand.

Teacher Unions Condemn Plan

“The activities of everyday families up and down the country in looking for education alternatives make it clear that school choice policies are just what they need to escape the narrow confines of the current ‘one-size-fits-all’ system,” LaRocque said.

Joy Quigley, executive director of Independent Schools of New Zealand, described the policy as pragmatic, non-bureaucratic, and built around children’s needs. She said it would help reverse New Zealand’s decline in the rankings for education and economic standards listed annually by the Organization for Economic Cooperation and Development.

Teacher unions, however, condemned the policy.

“The head of the secondary school teachers’ union, the Post Primary Teachers’ Association, claimed the policy’s calls for parental choice and education excellence really meant privatization, and that the National Party intended for the few schools termed “excellent” to get all the resources while leaving the rest to struggle.”

American Experiments Criticized

“The primary school teachers’ union said overseas experiments with vouchers—most notably in the United States—had failed.”

“Vouchers are a device governments use to privatize education,” union president Colin Tarr said in a statement.

The governing Labour Party, with several former teachers in its cabinet, reacted with scorn to the National Party’s policy, saying it had spent “the last five years rebuilding the state school system after National’s decade of neglect and failed policies.” However, it said the Labour Party that wrote the Tomorrow’s Schools legislation in the late 1980s.

In other countries, support for school choice policies spans the political spectrum, with parties similar to New Zealand’s governing party in favor. In Britain, Labour Prime Minister Tony Blair made choice and self-management policies a key component of his education platform in Britain’s general election this year. In the United States, some Democrats have supported expanding some forms of choice such as charter schools—essentially the same as National’s proposal for self-managing schools.

Parents’ Choices Limited

New Zealand does have some school choice, but only in the early childhood and post-secondary sectors.

Kate Ormsby, an accountant for a property development company in Wellington, New Zealand, said her experience in choosing a suitable early child care center for her daughter highlighted the value of giving parents control over where their children are educated.

“It infuriates me that under current policies I won’t have that choice when Tui gets to primary school,” Ormsby said.

“It’s also amusing to see parents who say they do not support school choice taking a very active role in deciding which childcare center would be best for their preschoolers.”

“Choice is really important. Parents know what’s best for their children and should have the right to make those decisions. They just need the relevant information to base their decisions on.”

Although National’s policy captured headlines and the attention of families like the Ormsbys when it was released in April, analysts say it is unlikely to be an election决定 for voters. However, it has set the ground for a heightened school choice debate between politicians, educators, and families.

Adam Shelton (ashelton@actrix.co.nz) is a communications consultant to the Education Forum.
Parents in many other countries have more freedom of choice in education than Americans do. In Chile, Sweden, and the Netherlands, they can choose private schools without financial penalty. As we expand school choice in the United States, reformers and policymakers should look beyond our borders and learn from the examples of other countries. Critics in America claim that school choice would benefit a minority of students at the expense of the majority, drain funding from public schools, and segregate students into racial or economic groups. Are these claims based on fact or fear?

In this collection, scholars from Europe, South America, New Zealand, Australia, Canada, and the United States examine other countries’ experiences with school choice and draw out critical lessons for America. What school choice policies are most effective? How well do private schools serve the poor? What policies are necessary to promote the widest selection of educational opportunities for the largest number of children? Also, what controls and regulations are most harmful to the development of a competitive education industry? Has school choice in other countries led to a free education market, or has it, at least in some cases, led to increased regulation, regimentation, and uniformity among private and public schools?

The wealth of information and insight contained in this volume will aid policymakers and reformers as they search for the best ways to improve American education.

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