

58% of state legislators read *School Reform News*

# School Reform News

©2005 The Heartland Institute

THE MONTHLY NEWSPAPER FOR SCHOOL REFORMERS

Vol. 9 No. 10 November 2005

## Fla. Court OKs Class-Action Suit Against Schools

by Jenny Rothenberg

A three-judge appeals panel in Florida granted class-action status September 28 to the plaintiffs in a lawsuit against the Pinellas County School Board that alleges educational inequity. The decision allows more than 20,000 African-American families to stand together in their claim that the board has failed to ensure African-American students are properly educated.

The case, originally filed in 2000, names each member of the school board, along with former superintendent Howard Hinesley, as defendants. The plaintiffs allege the school board is denying black

FLORIDA p. 6

## Mich. Governor, Union Split on Charter Schools

by Michael Coulter

In early October, the Michigan Education Association (MEA) was preparing for a court battle over charter schools with a Native American community college and several state officials including Gov. Jennifer Granholm (D), whom the organization had endorsed in her successful 2002 gubernatorial bid.

MICHIGAN p. 4

## Jailed School Superintendent Denied Bail

by Greg McConnell

Thomas Ryan, superintendent of Community Consolidated School District 168 in Sauk Village, Illinois, was charged August 23 with stealing more than \$100,000 from one of Cook County's poorest districts. He remained in jail at press time after being denied bail September 13 until his October 18 trial.

JAILED p. 5

## Emergency School Vouchers Likely for Katrina Victims



Hurricane Katrina evacuees relocated to the Dallas Independent School District head off to their first day of school.

by Karla Dial

A month after Hurricane Katrina displaced 372,000 schoolchildren and laid waste to portions of three Gulf Coast states, students headed back to class in one of Louisiana's hardest-hit districts, Jefferson Parish. But for thousands more, scattered across dozens of states, relief in the form of emergency school vouchers appeared to be the most likely

way they would start making the journey back to normalcy.

As this issue of *School Reform News* went to press, a federal disaster relief package that included one-year emergency school vouchers for displaced families was being debated on Capitol Hill. (See "Hill Beat" column on page 3.) Several Democrats who ordinarily oppose school vouchers, including Louisiana Sen. Mary Landrieu, are

sponsors of the emergency measure, giving school choice advocates reason to believe the measure is likely to pass.

"Vouchers aren't these ideological things. They're a policy tool," said Chris Kinnan, director of public affairs at FreedomWorks, an organization headquartered in Washington, DC that fights for smaller government and greater personal freedom. "Independ-

EMERGENCY p. 10

### INSIDE SRN

- 3 NEA Opposes Katrina Relief Plan
- 5 Suit Pending Against Calif. Union
- 8 Performance Pay on Denver Ballot
- 12 Thomas Jefferson on Education
- 15 Maine to Scrap State Tests
- 16 New Teacher Award Established
- 19 Review: *Cheating Our Kids*

The Heartland Institute  
19 South LaSalle #903  
Chicago, IL 60603

PRESORTED  
STANDARD  
US POSTAGE PAID  
BEAVER DAM, WI  
PERMIT NO. 412

Joan M. Burnard of Dallas ISD Publication Services



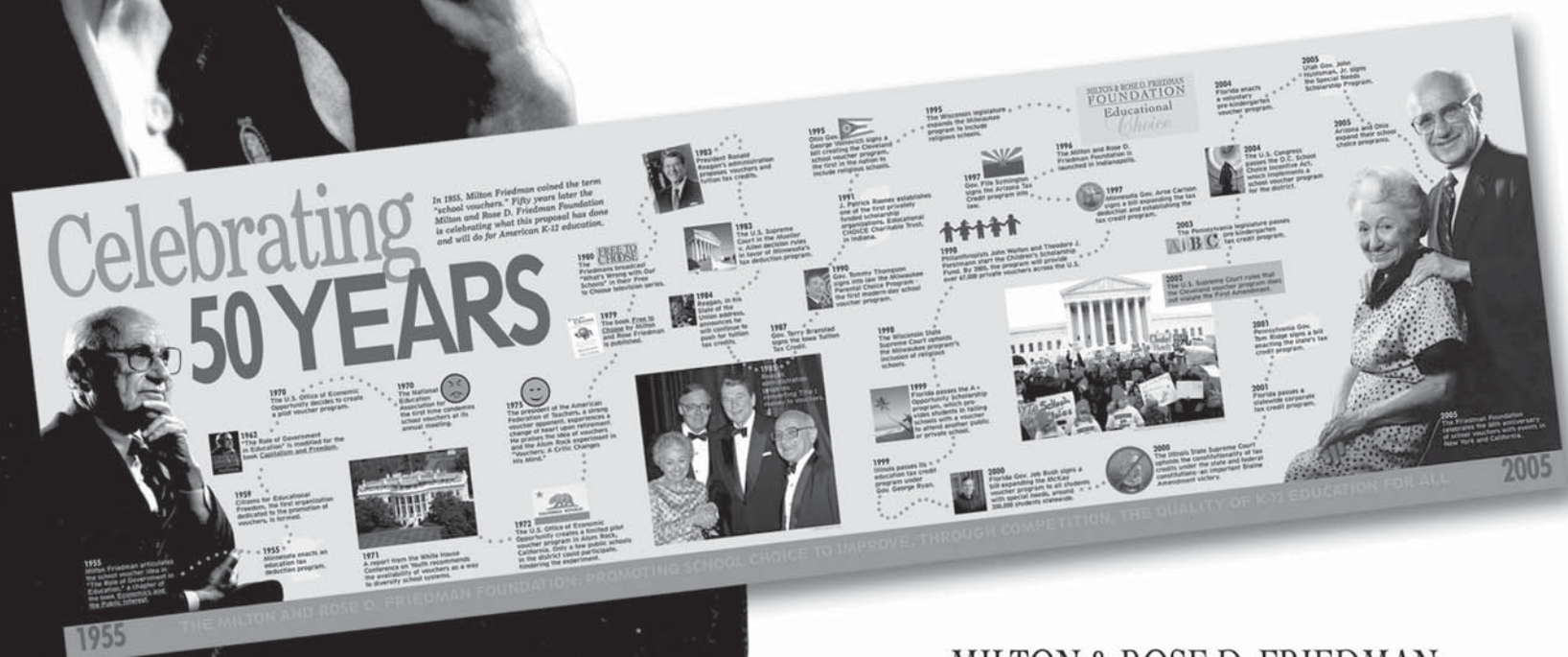
# Celebrating 50 YEARS

CELEBRATE 50 YEARS OF SCHOOL VOUCHERS  
WITH OUR FREE ANNIVERSARY TIMELINE!

Measuring 36 inches by 11 inches, this school choice timeline poster outlines some of the top moments in school choice history.

Starting with Nobel Laureate economist Milton Friedman's school voucher idea proposal in 1955 to the passage of programs in Utah and Ohio during 2005, we highlight the last 50 years.

To request your free copy, go to [www.friedmanfoundation.org/timeline](http://www.friedmanfoundation.org/timeline).



MILTON & ROSE D. FRIEDMAN  
FOUNDATION

*50 years of an idea*

One American Square, Suite 2420  
Indianapolis, IN 46282  
Phone: 317-681-0745  
[www.friedmanfoundation.org](http://www.friedmanfoundation.org)



## School Reform News

### EDITORIAL OFFICES



**The Heartland Institute**  
19 South LaSalle Street #903  
Chicago, Illinois 60603  
312/377-4000 voice • 312/377-5000 fax

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

PUBLISHER  
Joseph L. Bast

ASSOCIATE PUBLISHER  
Nikki Comerford

EXECUTIVE EDITOR  
Diane Carol Bast

SENIOR EDITOR  
S.T. Karnick

MANAGING EDITOR  
Karla Dial  
[dial@heartland.org](mailto:dial@heartland.org)

DESIGN AND PRODUCTION  
Elizabeth Ow, Amy McIntyre

ADVERTISING MANAGER  
Nikki Comerford

CIRCULATION MANAGER  
Latreece Vankinscott

CONTRIBUTING EDITORS  
Mike Antonucci, Robert Enlow  
Robert Holland, Krista Kafer  
David Kirkpatrick  
Nina Shokraii Rees (on leave)  
Paul Seibert, Lisa Snell,  
Don Soifer, Kelly Amis Stewart  
Kevin Teasley, Royce Van Tassel,  
Herbert J. Walberg Ph.D., Lee H. Walker

BOARD OF DIRECTORS  
Rajeev Bal, Joseph Bast  
Walt Buchholtz, Robert Buford  
James Fitzgerald, Paul Fisher  
Dan Hales, William Higginson  
James L. Johnston, Roy E. Marden  
David H. Padden, Frank Resnik  
Elizabeth Rose, Lee Tooman  
Herbert J. Walberg Ph.D., Thomas Walton



**ADVERTISING:** *School Reform News* accepts display advertising and advertising inserts. For an advertising kit with rate card, contact Associate Publisher Nikki Comerford at **312/377-4000**, e-mail [nikki@heartland.org](mailto:nikki@heartland.org).

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

© 2005 The Heartland Institute. Nothing in this issue of *School Reform News* should be construed as reflecting the views of The Heartland Institute, nor as an attempt to aid or hinder the passage of any legislation.

## CAPITOL HILL BEAT

# NEA Opposes Proposed Katrina Relief Plan for Schoolchildren



by Robert Holland

A mong its other devastating effects, Hurricane Katrina ripped 372,000 children in Gulf Coast states from the public, private, and parochial schools they were attending. The debate on Capitol Hill over how the federal government ought to help restore schooling quickly for those displaced students (and presumably for the smaller numbers uprooted by Hurricane Rita) exposed how far some Big Education interest groups and their political friends will go to oppose anything they can label a school voucher.

In proposing almost \$2 billion in education-related relief, President George W. Bush said the assistance should go to help children get in whatever type of school their families can find and prefer, whether that be a public, charter, private, or parochial school. His plan would reserve up to \$488 million to help families pay private school tuition.

His proposal simply reflected the reality of where children had been in school and where they were finding refuge. In the four Louisiana parishes struck hardest by Katrina, 32 percent of the 187,000 K-12 children had been attending private schools. (Nationally, private schools enroll 11 percent of all K-12 pupils.) In addition, disaster relief officials said many families were finding private schools for their children in their newly adopted communities.

The National Education Association, the 2.7 million-member teacher union, wasted no time condemning the idea of any money going anywhere except to shore up the public education system. NEA President Reg Weaver said the most urgent need is "to restore a sense of normalcy" to displaced students.

### Adamantly Opposes Vouchers

"Vouchers do nothing to solve the problems created by Hurricane Katrina," Weaver said in a statement released on September 16. "Vouchers are a flawed and divisive approach that undermines public education. ... Vouchers don't

**"On October 4, [Massachusetts Sen. Ted] Kennedy introduced a proposal to give \$3,750 per semester to each displaced student currently being educated in a religious or private school."**

repair or rebuild neighborhood schools that have been devastated by this storm or provide traumatized children with access to comprehensive services they and their families need. We need to look at real, long-term solutions, not risky band-aid fixes that won't do anything to help these kids find the normalcy they'll need to help them heal."

According to an NEA statement released September 21, the union gave \$500,000 in direct aid to displaced students, teachers, and school employees.

Other lobbying groups such as People for the American Way and the American Association of University Women chimed in with similar anti-voucher statements.

### Opponent Changed Mind

What Weaver and his allies overlooked is that for a large percentage of displaced students, "normalcy" means attending a private school. In a September 19 news release, Clint Bolick, president and general counsel for the Arizona-based Alliance for School Choice, blasted the idea of omitting thousands of private and religious school students from disaster relief as "blatant and outrageous discrimination."

Those arguments appeared to make a difference. Massachusetts Sen. Ted Kennedy, the ranking Democrat on the U.S. Senate Education Committee, who had said he was "extremely disappointed" the Bush administration had "proposed providing this relief using

such a politically charged approach" as vouchers for private school students, changed his mind. On October 4, Kennedy introduced a proposal to give \$3,750 per semester to each displaced student currently being educated in a religious or private school.

### Prominent Dems Support Plan

"The effect of excluding private school students from Katrina relief would be to force thousands of families who have struggled to afford private school tuition to either pay it a second time or to send their children to overcrowded and often poorly performing public schools in their adopted communities," Bolick said. "These families have lost so much already. They shouldn't have to sacrifice their children's education."

At press time, Congress had not enacted a final version of a relief package, but there were indications the NEA could suffer a setback in its effort to keep all education relief within the government system.

At a September 23 hearing, two influential Democrat senators—Connecticut's Christopher J. Dodd and Louisiana's Mary L. Landrieu—expressed qualified support for awarding emergency aid to private schools that accept hurricane victims. *Congressional Quarterly* quoted Dodd saying that even though he has opposed vouchers, "In my view, we've got to accommodate this in a way that makes sense."

### Head Start Reform Passes

In other news, a major development came September 22 when the U.S. House of Representatives passed a bill intended to reform Head Start, the federal government's early childhood education program, by providing more protections against financial mismanagement while strengthening state and local communities' roles.

The measure will likely spark church/state controversy when it reaches the Senate. Rep. Charles Boustany (R-LA) won approval in the House for an amendment allowing religious organizations serving as Head Start providers to continue taking religion into account in their hiring practices.

"Now, more than ever before, we are seeing firsthand the good work these groups are doing in my region of the country," Boustany said in a news release. "In the aftermath of Hurricane Katrina, faith-based organizations were among the first to reach out a hand in service to those impacted by the disaster. It is critical that faith-based organizations that are willing to serve their communities by participating in federal programs are not forced to give up who they are [in order] to participate."

*Robert Holland (rholl176@aol.com) is a policy analyst for the Lexington Institute, a think tank in Arlington, Virginia.*

# Court: State Can't Force Catholic School to Unionize

by Neal McCluskey

The Michigan Education Association (MEA) is deciding whether to appeal an August ruling by the Michigan Court of Appeals that held a state labor relations commission could not force a Roman Catholic high school to permit its teachers to unionize. This marks the latest twist in a two-year battle between Brother Rice High School in Birmingham, several of its teachers, and the MEA.

The case began in July 2003, when 30 of Brother Rice's 42 teachers requested that the school permit the faculty to vote on whether to join the MEA, the state affiliate of the National Education Association (NEA). The school refused, arguing that permitting its teachers to join the MEA, which sends a portion of all dues it collects to the NEA, would conflict with Roman Catholic teachings. The Catholic Church opposes legalized abortion, for instance, while the NEA has cosponsored pro-abortion marches.

After Brother Rice rejected the teachers' request, the MEA petitioned the Michigan Employment Relations Commission (MERC) to force the school to let the vote proceed. In August 2004, MERC ruled against Brother Rice, finding the Michigan Labor Relations and Mediation Act required the school to permit the unionization vote.

Brother Rice appealed MERC's ruling to the Michigan Court of Appeals, which on August 16 overturned the commission's decision, declaring MERC did not

have jurisdiction over the matter and that government infringement on a parochial school's labor relations raises "substantial First Amendment concerns." The ruling was consistent with *National Labor Relations Board v. Catholic Bishops of Chicago*, a 1979 U.S. Supreme Court decision in which the Court found federal involvement in labor disputes involving religious organizations violates the religious freedom provisions of the U.S. Constitution's First Amendment.

**"[A]n August ruling by the Michigan Court of Appeals ... held a state labor relations commission could not force a Roman Catholic high school to permit its teachers to unionize."**

#### Balancing Act

Patrick Gillen, an attorney for the Christian Brothers Institute of Michigan—Brother Rice's parent organization—was pleased with the appeals court's ruling. He told the *Detroit Free Press* on August 17 the "delicate balance" between keeping a Catholic school affordable and treating its teachers fairly "should be struck by the school community without any interference from the state."

MEA Communications Director Margaret Trimer-Hartley said the union has not yet decided whether it will appeal the court's ruling. Likely important to that decision will be whether the MEA thinks an entity like MERC or the National Labor Relations Board (NLRB) will ever constitutionally be able to command a religious school to accept a unionized faculty.

Such a command was recently upheld at the post-secondary level. On August 30—just two weeks after the Michigan Court of Appeals overturned MERC's decision—the NLRB ordered Presbyterian-founded Carroll College in Milwaukee to allow its faculty to organize under the United Auto Workers. The NLRB rejected Carroll's argument that a unionized faculty would compromise the school's religious mission.

However, that decision did not necessarily bode ill for schools with clear religious affiliations. The NLRB found Carroll's connection with the Presbyterian Church had become very weak over time, with Presbyterians neither owning nor running the school today.

#### Ongoing Challenges

Justin Hakes, director of legal information for the National Right to Work Foundation in Springfield, Virginia, does not think efforts to unionize religious schools are near an end.

"Though the August ruling signifies a victory both for religious independence

and teacher freedom in Michigan," Hakes said, "union officials will continue to target teachers as they hungrily pursue new sources of forced union dues revenues."

The MEA's Trimer-Hartley, in response to a question about future efforts to organize religious schools, suggested Hakes might be right in predicting continued union involvement.

"[Though] we have not actively sought members in religious schools, and we don't see this decision as changing that strategy," Trimer-Hartley said, "our organizing strategy is to answer the phone and respond to requests to hold elections. We will likely still answer the phone and judge each request individually."

Neal McCluskey ([nmccluskey@cato.org](mailto:nmccluskey@cato.org)) is a policy analyst at the Cato Institute's Center for Educational Freedom.

## INTERNET INFO

More information on teacher unions 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 choose the topic/subtopic combination Education/Teacher Unions.

## Michigan

Continued from page 1

At issue is whether a Native American community college can authorize charter schools, known as public school academies in Michigan. A hearing date had not been set at press time, but attorneys on both sides expected one at any time.

On February 3, the MEA filed suit in Ingham County Circuit Court seeking to shut down the charter schools authorized by the Bay Mills Community College (BMCC), headquartered in Brimley, on Michigan's Upper Peninsula. BMCC is the only tribally operated and accredited community college in the state.

#### 'Union Monopoly' Protection

Michigan's law governing charter schools, enacted in 1994, allows public colleges and universities as well as local school districts to authorize charter schools. The law states colleges and universities can operate charters in the district they serve—usually the immediate geographic vicinity around the college. The law limits the total number of charter schools universities can operate statewide to 150, a limit that has been reached, but it does not place a cap on the number of charter schools community colleges can establish.

The law also allows charter school teachers to opt out of joining the MEA—a possible catalyst for the current lawsuit, said Brian Carpenter, an independent education analyst in Midland, Michigan.

**"This lawsuit is frivolous and a ridiculous waste of money. We think this is a political game the MEA is playing."**

DAN QUISENBERRY  
MICHIGAN ASSOCIATION OF  
PUBLIC SCHOOL ACADEMIES

"I think this [lawsuit] is Union Monopoly 101," said Carpenter. "[The MEA] will go to any length to protect its \$50 million monopoly on teacher membership."

#### Legal Jurisdiction

In December 2000, BMCC began approving charter schools throughout the state because administrators believed the school's status as a tribally controlled community college meant its jurisdiction extended statewide.

In 2001, six state representatives asked then-Attorney General Granholm to issue an advisory opinion on the legality of BMCC authorizing charter schools outside of its immediate vicinity. Granholm concluded in September 2001 that BMCC could operate charter schools throughout the state because Article XI of the BMCC's charter states "the District for the BMCC shall consist of the State of Michigan."

At press time, Granholm had not issued a statement on the current MEA lawsuit.

The MEA suit asserts the state super-

intendent of education, the state treasurer, and the departments of education and treasury have engaged in "unconstitutional and/or illegal expenditures of state funds which jeopardizes the continued integrity and viability of Michigan's system of public education."

"Regarding these particular questions, they've already been asked and answered," said Dan Quisenberry, president of the Michigan Association of Public School Academies. "The last two attorneys general have understood the law to allow Bay Mills to authorize charters."

#### Serving Low-Income, Minorities

The MEA lawsuit also asserts the management contracts used by the school are not legitimate because private companies manage the schools—which, in the union's view, means the BMCC has "illegally delegated its oversight responsibility to a private corporation" and is not close enough to have meaningful oversight of the schools because 12 different firms manage the BMCC's 31 charter schools. The MEA also alleges other technical violations regarding procedures for appointment and removal of board members.

The BMCC's charter schools enroll about 8,000 students, mostly in the Detroit area. The lawsuit has not affected their enrollment for the 2005-06 academic year. According to the BMCC, half its students belong to minority groups, and half are classified as low-income. Statewide, 220 charter schools enroll about 85,000 students.

"The MEA presents an image of caring about kids, but how would summarily closing schools serving 8,000 students serve [kids]?" said Ryan Olson, director of education policy for the Mackinac Center for Public Policy. "Whether the MEA likes it or not, its approach is a betrayal of children."

"This lawsuit is frivolous and a ridiculous waste of money. We think this is a political game the MEA is playing," Quisenberry said. "We are concerned that a judge might just rule in the MEA's favor, but we're confident that [BMCC's charters] will be upheld, even if we have to go to the Michigan Supreme Court."

Michael Coulter ([mlcoulter@gcc.edu](mailto:mlcoulter@gcc.edu)) teaches political science at Grove City College.

## INTERNET INFO

For more information about the legal tactics used by the Michigan Education Association, see "MEA Shouldn't Squelch Speech," *Intellectual Ammunition*, Winter 2003, <http://www.heartland.org/Article.cfm?artId=11646>.

"The Michigan Education Association Tries to Take the 'Free' Out of 'Free Speech,'" Institute for Justice *Litigation Backgrounder*, January 2003, <http://www.heartland.org/Article.cfm?artId=11393>.



# Jailed

Continued from page 5

According to an August 24 *Chicago Tribune* article, investigators found \$730,000 in cash in Ryan's home. The state's attorney charged him with several felonies, including bribery, harassing a witness, intimidation, obstruction of justice, and official misconduct. If convicted, he could be sentenced to 30 years in prison.

Ryan, whose annual salary was \$183,000, resigned as superintendent after the charges were brought. Of the \$100,000 he allegedly stole, he reportedly spent \$70,000 on college tuition for his three daughters, \$2,000 on gifts for them, and \$1,000 on hockey tickets.

## New Claims Arise

Many colleagues and parents now say they saw patterns of abuse and wrongdoing early in Ryan's 16-year tenure as superintendent. In particular, parents and some lawyers criticized Ryan's "zero tolerance" discipline policy.

According to an August 24 news release from the Chicago Coalition for the Homeless (CCH), Ryan expelled a fourth-grader after the child failed to tell a teacher he found two box cutters in the lunch box he borrowed from his aunt, a factory worker, and suspended another child for bringing a water gun to school. He also took disciplinary action against homeless children who were unable to meet the schools' dress code, the release said.

## Sued Three Times

Ryan's discipline policy wasn't the only problem people had with him. Patricia

Nix-Hodes, a senior attorney with the CCH Law Project, had her first run-in with Ryan five years ago over his treatment of homeless children attending schools in his district. After a family lost its housing during the school year, Ryan wouldn't let the children return to class. By law, a child who starts the year in a school district is allowed to finish the year in that district, Nix-Hodes said.

District 168 is the only one in the county the CCH has sued three times. It won all three cases.

"We had issues with fee waivers," Nix-Hodes said. "Families who were entitled to get fee waivers were denied fee waivers; and then because they hadn't paid their fees the children were punished in some way—not being allowed to participate in graduation or go on field trips or go on other activities—all in violation of the law."

"We in no way concede to the allegations," Ryan's attorney, Patrick Cotter, a former U.S. attorney who prosecuted mob boss John Gotti, told the *Daily Southtown*, the Tinley Park, Illinois newspaper that investigated Ryan for a year before his indictment in late August after the charges were filed. But at Ryan's court appearances, no school board members have stepped forward to support him.

## Parents Had Many Complaints

Brenda Core, a Sauk Village resident whose four sons attended schools in the district, said she was glad to see Ryan leave.

"[Ryan and I] didn't really see eye to eye on a whole lot of stuff that was going on in Sauk Village," Core said. "I know I cussed him out on several occasions and told him where to go."

Core compiled a litany of problems with



**"[I]nvestigators found \$730,000 in cash in Ryan's home. The state's attorney charged him with several felonies including bribery, harassing a witness, intimidation, obstruction of justice, and official misconduct. If convicted, he could be sentenced to 30 years in prison."**

the district, including not having access to book-fee waiver forms, broken promises on cap and gown refunds, and the school throwing away one of her son's personal belongings from his locker without his permission at the end of the school year. She also pointed out the district "doesn't have basketball for the boys."

According to the *Chicago Tribune's* August 24 story, the district went without many other sports as well and had no music program.

Core said if she could have afforded it, she would have moved out of the district to send her children to better schools.

Now that Ryan is gone, the district is focused on cleaning up the mess he left behind. That could prove difficult, however, because many people in the district have no confidence in the school district's board of directors. Former School Board President Louise Morales was indicted in July on charges including theft, but the rest of the board remains intact.

"There's no way today that I'm going to take their apology for not being there and

not doing what they should have done, because they knew. They knew [what Ryan was doing]," Core insisted. "How could they let this one man run all of them?"

Nix-Hodes said the board of directors was audited last year, and investigators discovered irregularities in Ryan's accounting. However, the board seems to have ignored it. The state's attorney's office told *The New York Times* on August 25 witnesses said Ryan bullied subordinates into altering the documents. According to an August 24 *Daily Southtown* article, prosecutors said Ryan threatened to break witnesses' legs as investigators closed in.

## Board Members Under Fire

Many concerned residents in the district are looking at the options available to remove the remaining board members.

"There's sort of an issue," Nix-Hodes said, "of should they even be acting as board members [now that we know] all of this was happening?"

The three remaining board members who served under Ryan refused to step down from their posts at a September 22 meeting, asking parents to give them another chance.

Greg McConnell ([gjmc@yahoo.com](mailto:gjmc@yahoo.com)) is a freelance writer in Palatine, Illinois.

## INTERNET INFO

For more information on fraud and corruption in Illinois government, see "Ill. Governor Implicated in Pension Probe," *Budget & Tax News*, October 2005, <http://www.heartland.org/Article.cfm?artid=17820>.

# Class-Action Lawsuit Pending Against California Teacher Union

*U.S. District Court allows union to use forced dues increase for political lobbying*

by Karla Dial

While a class-action lawsuit against the California Teachers Association (CTA) was pending, a U.S. District Court judge on October 6 refused to temporarily freeze funds the union seized from teachers statewide without due process in order to fight Gov. Arnold Schwarzenegger and several measures on the November 8 special-election ballot.

Since September 30, the CTA has been automatically collecting an additional \$60 a year in dues from all 335,000 teachers and college professors statewide. Six teachers, represented by the National Right to Work Legal Foundation, filed a class-action lawsuit against the union in late August, citing a 1986 U.S. Supreme Court decision (*Chicago Teachers Union v. Hudson*) that says all union members

must be notified of how their forced union dues are spent and be given a chance to prevent their money being spent for purposes other than collective bargaining.

Lead plaintiff Judy Liegmann, a fifth-grade teacher from Sunnyvale, said she found out about the three-year increase in late June from the CTA representative at her school. The union never formally notified her or told her of her constitutionally guaranteed options.

"Assessing dues for political purposes without asking permission [from members] ahead of time is very strange," Liegmann said. "That's money that has to do with our convictions. The union has done nothing to let teachers know they voted in an arbitrary way to dip into every teacher's paycheck to fight a political battle whether the teachers liked it or not."

## Money Already Spent

In a sworn statement, CTA accountant Carlos Moreno revealed September 30 that the CTA already has spent on political activities the \$60 million that will be raised by the forced dues increase. At press time, the union was seeking an additional \$40 million loan from a bank.

While the U.S. Supreme Court precedent boded well for the class-action lawsuit, Justin Hakes, a spokesman for the National Right to Work Legal Foundation, said the October 6 ruling

violated teachers' consciences.

"The whole point of [seeking to freeze the funds] was that once the election is over, the money's been spent, and you can't undo the results of the election," he said. "Once someone's conscience has been violated, you can't undo that."

The CTA did not return calls seeking comment.

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

## INTERNET INFO

Streaming video of the September 22 news conference announcing the class-action lawsuit, during which union members tried to drown out the plaintiffs, is available online at [http://www.nrtw.org/california/video\\_wmv.vwx](http://www.nrtw.org/california/video_wmv.vwx) (for Windows Media) or <http://www.nrtw.org/california/video/ctanews.mov> (for Apple Quicktime).

For more information on teacher unions' use of dues for political activities, see "Teacher Union Raises Dues to Fight Vouchers," *School Reform News*, September 2000, <http://www.heartland.org/Article.cfm?artid=10928>;

PolicyBot™, The Heartland Institute's free online research database, offers additional research and commentary on the politics of teacher unions. Point your Web browser to <http://www.heartland.org>, click on the PolicyBot™ button, and choose the topic/sub-topic combination Education/Teacher Unions.

**"[T]o fight Gov. Arnold Schwarzenegger and several measures on the November 8 special-election ballot, ... [s]ince September 30, the [California Teachers Association] has been automatically collecting an additional \$60 a year in dues from all 335,000 teachers and college professors statewide."**

# Florida

Continued from page 1

students equality before the law and depriving them of the right to a high-quality education because of their race.

The suit was brought forth under the Florida Educational Equity Act, which states in part, "no person in this state shall, on the basis of race be denied the benefits of any education program conducted by a public educational institution," and Article IX of the Florida Constitution, which states in part, "adequate provision shall be made by law for a high quality system of free public schools."

**"The decision allows more than 20,000 African-American families to stand together in their claim that the board has failed to ensure African-American students are properly educated."**

## Black Students Lagging

Tola Thompson, a spokesperson for the Black Alliance for Educational Options, applauded the decision. "All students deserve an equal opportunity for a quality education, regardless of the color of their skin or where they live," she said.

The complaint lists eight statistics to support the claim that black students' needs are not being met. Among them:

- in 2000, when the case was filed, black students in Pinellas County were failing in all subjects 2.5 times as often as their white peers;
- by fourth grade, almost two-thirds of all black students were failing at reading to such a degree that the school system was legally required to hold them back or



- enroll them in remedial programs;
- the proportion of black students enrolled in the free/reduced lunch program who read below grade level was 88 percent, compared to 41 percent of white students enrolled in the program who read below grade level at the time; and
- two-thirds of black students who were failing reading in the fourth grade did not graduate from high school, indicating that "no adequate provision is made to provide these children" with a high-quality education, the plaintiffs said.

## No Clear Remedy Available

While the statistics are clear, a solution to the problem is not: The plaintiffs did

not even make a request for a remedy in the lawsuit. Guy Burns, attorney for lead plaintiff William Crowley, told the *St. Petersburg Times* on September 28 it was the school district's job under state law to come up with a remedy.

The lawsuit does not surprise Yvonne Clayton, a 34-year veteran teacher and

administrator of the Pinellas school system, who started her own independent school, Yvonne C. Reed Christian School, nine years ago. Though she accepts students of any race, she founded it especially for black boys who were being incorrectly identified as special-needs students.

"Something should have been done a long time ago," she said. "I retired in 1996, and things were not up to par then. On the whole, black students aren't treated fairly [in Pinellas public schools]. It is a positive thing that people are finally stepping up."

## Florida Law Is Asset

While a class-action lawsuit with 20,000

plaintiffs is rare, lawsuits alleging educational inequity are not. Nationwide, plaintiffs bringing equity suits have won about 50 percent of their cases, said Dick Komer, a senior litigation attorney for the Institute for Justice. However, Florida law could be an asset for the plaintiffs in this case, he said.

"The Florida Constitution is the best in terms of trying to crystallize the guarantee of quality education," Komer said. "If you are going to do this under a state constitutional provision, Florida is the best place to do it."

Jenny Rothenberg ([jrothenberg@stepupforstudents.com](mailto: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.

## INTERNET INFO

Class-action lawsuits have been filed against school districts in the past. See, for example, "Children Forced to Attend Dangerous Schools," *School Reform News*, October 2000, <http://www.heartland.org/Article.cfm?artid=10895>.

Additional information on funding equity suits 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 choose the topic/sub-topic combination Education/Funding: States.

# Education and Capitalism

## How Overcoming Our Fear of Markets and Economics Can Improve America's Schools

By Herbert J. Walberg and Joseph L. Bast

"Walberg and Bast have written a scholarly, readable, and timely book that cogently explains how market competition can promote school improvement. I recommend it as a college-level text in economics, education or public policy, and to anyone who cares about the education of our children."

JOSEPH P. VITERITTI, NEW YORK UNIVERSITY

Send check or money order for \$15 + \$3 shipping and handling to The Heartland Institute at 19 South LaSalle Street #903, Chicago, IL 60603. This and other great books are also available for purchase on our Web site at [www.heartland.org](http://www.heartland.org).



The  
*Heartland*  
INSTITUTE

The Heartland Institute  
19 South LaSalle Street #903  
Chicago, IL 60603



# School Choice Advocates Optimistic About Roberts

by Kate McGreevy

On October 3, the Supreme Court of the United States began its 2005-2006 term, and newly confirmed Chief Justice John Roberts began what could be a long tenure presiding over the highest court in the land.

Some school choice advocates say they are heartened to see the new chief justice, confirmed in a 78-22 vote by the U.S. Senate on September 29, beginning work. Richard W. Garnett, a Notre Dame University law professor and former clerk to the late Chief Justice William Rehnquist, said Roberts' career and general judicial approach bode well for the school choice movement in future court proceedings.

"Those of us who care about school choice don't need an ideologue or an activist on the Court—after all, we have the Constitution, properly understood, on our side," Garnett said. "All we need from John Roberts, and all we are entitled to expect, is that he approaches school choice-related cases with the same modesty, deference, and respect for the rule of law that he has exhibited throughout his legal career."

## Court Okayed Vouchers

School choice opponents often claim government-funded school vouchers vio-

**"Those of us who care about school choice don't need an ideologue or an activist on the Court—after all, we have the Constitution, properly understood, on our side. All we need from John Roberts, and all we are entitled to expect, is that he approaches school choice-related cases with the same modesty, deference, and respect for the rule of law that he has exhibited throughout his legal career."**

**RICHARD W. GARNETT**  
NOTRE DAME UNIVERSITY

late the so-called separation of church and state if parents use the money to send their children to religious schools. But the U.S. Supreme Court upheld the constitutionality of choice in its landmark 2002 decision, *Zelman v. Simmons-Harris*, which maintained vouchers are permissible so long as the law does not limit parental choice only to religious schools. Garnett believes Roberts' approach most likely will favor upholding such school choice programs as constitutional.

"I do not think we can 'know' much about how nominees will rule—after all, so much depends on the facts and procedural posture of particular cases," he explained. "That said, I think Judge

Roberts' record makes it very clear that he is not disposed toward thinking that the Constitution's Religion Clause, properly understood, stands in the way of choice-based education reform."

Clint Bolick, president and general counsel of the Alliance for School Choice, noted that during his career as a lawyer, Roberts participated in school law events sponsored by the National School Boards Association, which Bolick called "virulently anti-choice." Still, Bolick was more encouraged by Roberts' general judicial philosophy than he was concerned about the judge's former clients.

## Chief's Powers Limited

Garnett noted that as chief justice, Roberts is "first among equals" and enjoys certain privileges, along with additional administrative duties accorded the position.

"The chief can 'exert power' in the sense that, by assigning opinions to some justices rather than others, he can influence an opinion's tone and content, even if he does not write it," Garnett said.

Bolick added that the chief justice's judicial influence also lies in his right to assign an opinion to himself.

"Sometimes the chief will vote with a majority with which he doesn't agree, assign the decision to himself, and write a very narrow opinion," Bolick explained.

## Blaine Amendment Ruling Likely

Both Bolick and Garnett believe school choice cases might reach the Supreme Court again, and the constitutionality of states' Blaine Amendments could be the focus. Blaine Amendments are provisions found in most state constitutions prohibiting direct government aid to schools that have religious affiliations. School choice advocates argue that vouchers are aid to students, however, not schools, and the Supreme Court agreed in the *Zelman* case.

"The radical version of 'strict separation'—under which the flow of any public funds to any religiously affiliated schools is the first step toward theocracy—is not likely to hold any appeal for Roberts," Garnett said. "At the same time, he is not likely to think it is the job of courts to tell legislatures and school boards how to run schools."

"Cases raising the constitutionality of the Blaine Amendments in terms of excluding religious schools from choice programs may be working their way up to



Chief Justice John Roberts

the Supreme Court in Florida and Maine," Bolick noted.

## Questions Remain

But Roberts' approach to Blaine Amendment cases cannot be determined at this time, Garnett said.

Roberts' opponents expressed frustration both before and during the Senate confirmation process about his apparent reluctance to address specific issues. But Garnett said Roberts' refusal to specifically answer many of the questions asked was fair.

"I do not know what substantive views Judge Roberts would bring to this question; it is possible, on the one hand, that he would be inclined to defer to the state-law provisions," he said. "On the other hand, he could also conclude that, under controlling precedents, state laws that discriminate against religion are invalid."

Roberts, who clerked for Rehnquist in the early 1980s, was initially nominated by President George W. Bush to replace retiring associate justice Sandra Day O'Connor. Roberts' nomination was elevated to the role of Chief Justice following Rehnquist's death in early September.

Kate McGreevy ([mcgreevy@gmail.com](mailto:mcgreevy@gmail.com)) is a freelance education writer living in New Mexico. She formerly worked with the Cesar Chavez Public Charter Schools for Public Policy in Washington, DC.

# Get it FREE Read it FIRST SUBSCRIBE ONLINE

This newspaper is sent electronically to thousands of subscribers, elected officials, and reporters before the Postal Service delivers it to your desk. See it **first** by signing up for a **free online subscription**. Simply visit [www.heartland.org](http://www.heartland.org) and click **Subscribe**.

For thousands of additional articles and reprints on tax and budget issues, go to [www.heartland.org](http://www.heartland.org) and click on the *PolicyBot*™ button.

## INTERNET INFO

To learn more about the U.S. Supreme Court's current term, visit <http://www.supremecourtus.gov>.

For more information on the Alliance for School Choice, visit <http://www.allianceforschoolchoice.org>.

Scores of education-related opinions rendered by the U.S. Supreme Court and other courts are 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 choose the topic/subtopic combination Education/Court Decisions.

# Denver Teachers, City Leaders Support Pay-for-Performance Ballot Measure

by Ben DeGrow

Denver, Colorado could become the nation's first urban school district to implement a pay-for-performance plan, if voters approve a November 1 ballot measure that already has the support of local teachers and city officials.

Since 1999, Denver Public Schools (DPS) and the Denver Classroom Teachers Association (DCTA), the local bargaining union, have collaborated to develop the Professional Compensation System for Teachers (ProComp) and run a limited pilot program. In 2002, the Cincinnati Federation of Teachers overwhelmingly rejected a similar plan in Ohio.



**"ProComp takes the district's single largest expenditure, teacher salary, and aligns it more closely with our intended outcome as a district, improving the learning of our students."**

**BRAD JUPP**  
PAY FOR PERFORMANCE DESIGN TEAM

ProComp will phase out the traditional "steps-and-lanes" salary schedule, which compensates classroom instructors and professional specialists based on years of experience and earned graduate school credits, replacing it with a new system of pay incentives based on four major components: knowledge and skills; market incentives; professional evaluations; and student growth.

A ballot measure to fund ProComp's new bonuses and salary increases will determine whether it becomes permanent and is implemented district-wide. If so, the plan will cost taxpayers \$25 million the first year, with the annual price tag rising at the rate of inflation thereafter. If voters approve the ProComp funding, veteran teachers will have several opportunities to opt in over the next few years, starting in 2006. None will earn less than their current salaries, while all will have a chance to earn more.

"I believe [ProComp] is worth it," DPS Board President Les Woodward said. "This is real money for real improvement."

## Supporting Teachers

The limited scope and small number of schools in the pilot program, as well as the limited availability of earlier testing data, make any broad appraisal of ProComp's success so far in raising achievement incomplete. But there is plenty of room for improvement in the city's system. On the last round of state tests, 25 percent of DPS 3rd- through 10th-graders rated "unsatisfactory," and more than 30 percent rated only "partially proficient," in read-



(from left) Less Woodward, Denver school board president; Denver Mayor John Hickenlooper; superintendent Jerry Wartgow; and Becky Wissink, president of the Denver Classroom Teachers Association discuss the city's ProComp performance pay system at a news conference.

ing. Nearly 75 percent of the district's 5th-through 10th-graders failed to achieve proficiency in math.

In March 2004, 59 percent of DCTA members followed the DPS Board of Education's lead and ratified a 10-year ProComp agreement. In so doing, DCTA bucked its parent affiliate, the National Education Association, still an ardent defender of the traditional salary schedule.

Numerous private foundations contributed to the research, development, and outreach that won support for alternative compensation from Denver's teachers. Another instrumental figure in the cause was Brad Jupp, a teacher and leader of the Pay for Performance Design Team who recently joined new DPS Superintendent Michael Bennet's cabinet as a senior academic policy advisor.

"ProComp takes the district's single largest expenditure, teacher salary, and aligns it more closely with our intended outcome as a district, improving the learning of our students," Jupp said.

## Innovating Structures

The plan's most promising and innovative aspect, supporters say, is the permanent salary increase offered for setting and meeting two measurable "student growth objectives" a year, such as 85 percent of students in a class gaining a year of proficiency on a measurable assessment. A four-year study of the DPS pilot program by the Community Training Assistance

Center found teachers who set higher-quality objectives showed better results in raising student performance.

"If you know where you're going, you've got a better chance of getting there," Woodward explained.

The plan also rewards teachers with a salary increase for exceeding expectations on their students' Colorado State Assessment Program (CSAP) scores. If the teacher fails to meet CSAP expectations in a subsequent year, the extra pay is lost.

## Spotting Weaknesses

Though American Enterprise Institute President Frederick Hess said he is excited by the precedent of a major district preparing to establish a plan that would "link pay to various metrics of teacher performance," he also sees weaknesses in it.

"It's a promising first step," Hess said. "But it's only a baby step and a very gentle, very milquetoast approach to reform."

An optional plan that gives less-capable instructors less incentive to join and holds participating teachers blameless for poor performance is "not a promising approach," Hess said. ProComp raises teachers' salaries for satisfactory evaluations, but tenure laws still prevent district leaders from removing ineffective teachers quickly and inexpensively.

Also, Hess said, the weight given to certain incentives within ProComp weakens its potential effectiveness—particularly the idea of giving the largest salary increase to teachers who get certified by

the National Board for Professional Teaching Standards. At best, certification has a "very mild" positive or even mixed effect on student learning, he said. Paying certified teachers more allows them to receive substantial pay raises without positively affecting academic achievement.

Hess also said the market incentive component of ProComp, which grants \$1,000 annual bonuses to teachers working in "hard-to-serve" schools or filling "hard-to-staff" specialties, is a step in the right direction but does not offer enough money "to have much impact."

## Recognizing Effort

Woodward acknowledged many qualified teachers will not accept assignments to challenging or understaffed schools, even for a bonus. "But because we have introduced the incentive they will recognize that the district values the challenging assignment," he said.

Jupp also recognized ProComp's weaknesses, but highlighted the collaborative achievement as an adaptable, "well-crafted compromise."

"We know that it will not provide an educational silver bullet," Jupp said. "We must do more than change the way teachers are paid if we are to improve the learning of all of the students in our schools. But we are committed to improving the system based on careful evaluation in the upcoming years."

## Forging a Path

Hess said implementing ProComp in Denver is likely to inspire other urban school districts and bargaining unions to collaborate on teacher compensation reform.

"The question is whether the union leadership will see this as a way to bolster the public view of teachers, get additional compensation for teachers, and really make life better for their membership," Hess said. "In some states and cities, union leadership is going to make that calculation."

Speaking from experience, Woodward warned other districts that undertaking such reform is not easy work. "You can't be Pollyannish. It takes time, and it takes guts," he said. "You can't just impose our system somewhere else."

ProComp also has earned the support of Denver Mayor John Hickenlooper and other city officials. At press time, no organized opposition had arisen to protest the November 1 ballot proposal.

*Ben DeGrow (ben@i2i.org) is a policy analyst for the Independence Institute, a free-market think tank in Golden, Colorado.*

## INTERNET INFO

Additional information on pay for performance and other teacher-focused reforms 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 choose the topic/subtopic combination Education/Teacher Pay.



# “SCHOOL CHOICE AND THE REAL ESTATE BUBBLE”

*“Every cloud has a silver lining.”*

*“Make lemonade from lemons.”*

*“The glass is half full, not half empty.”*



A MESSAGE FROM THE YANKEE INSTITUTE

<http://www.yankeeinstitute.org>

*T*hese sayings may be worn, but they express an eternal truism: every setback or misfortune creates an opportunity for progress.

For school reformers that opportunity is the widely predicted pop of America's real estate bubble. The muckraking author Upton Sinclair famously observed that no revolution succeeds in America without the support of middle and upper-middle class voters. And for too long the costly inefficiency of public schools, which most parents would find intolerable under normal circumstances, has been made palatable by ever-rising home values.

Indeed, even before the current worries about real estate inflation, many taxpayers had begun to complain about rising property taxes to support education. A July 14, 2004, front page story in the *Wall Street Journal* reported on this growing unrest, particularly in the suburbs outside of large metropolitan areas, where taxes went up an average of 23.3% between 2000 and 2004. In 2003, says *Fortune* senior writer Shawn Tully, “... total property taxes on homes and condos reached about \$235 billion — about 87% of what Americans annually spend in mortgage interest.”

Until recently, the true cost of suburban education was obscured in many parts of the country by regionalized school systems, which tap a labyrinth of funding sources, including state income taxes, state and local sales taxes, casino gaming licenses, and lottery profits. But ever since the 2000 stock market meltdown and the ensuing explosion of state budget deficits, politicians have been reluctant to raise state income and sales taxes. These same politicians have also been cutting back on statehouse subsidies to local school districts.

The result, according to William Fischel, a professor of economics at Dartmouth College, has been a clearer connection in the minds of middle class voters between skyrocketing school costs and ever steeper real estate levies. Dissident taxpayer groups in Maine, Ohio, New Jersey, and Texas have succeeded in getting property tax reduction initiatives on state or regional ballots, while politicians in Nevada, Iowa, and Indiana have been forced to establish commissions on tax reduction.

In Connecticut the state's Advisory Commission on Intergovernmental Relations (ACIR) found that the number of communities able to pass school-related budgets by the beginning of the 2002-2003 fiscal year was “the fewest number since ACIR

started tracking these figures.” Just under half of the budgets going to referendum were approved on the first vote.

Of course, the best case for school choice has, and will continue to be, a moral one. Children, especially poor and minority children, deserve the best education public dollars can buy, and competition fosters quality.

But in the years to come, as the cost of public education soars relative to home values in middle class and affluent suburbs, savvy reformers will be prepared to make the financial case for school choice in all communities.

To help in that effort, the Yankee Institute has created a *District Grants for Non-public Schooling* (DGNS) calculator. Easy to download from our website, it shows voters how much their school districts can save by sending a few children to private institutions instead of bonding expensive additions to existing buildings.

The Yankee website also has a study called “The Early Graduation Reward Plan.” It shows how much taxpayers can save by offering to pay high school students to graduate in three years — in effect, turning the senior year into a choice between conventional public schooling or a partly subsidized first year of college.

Other groups are also creating tools to help education reformers make the economic case for choice. The Cato Institute has just published “Saving Money and Improving Education: How School Choice Can Help States Reduce Education Costs” by David Salisbury.

And a pioneering taxpayer group in the town of Redding, Connecticut, publishes an internet newsletter called *NABRbrief*, which promotes ideas for advancing school choice in small and mid-sized communities. Sample copies and a free subscription are available at [www.betterredding.org](http://www.betterredding.org).

If school reformers prepare now to help their communities cope with the predicted real estate correction, American parents will not only survive the coming financial turmoil, but their children will benefit in unexpected ways.

*Lewis M. Andrews, Ph.D.*

**Executive Director**



# Emergency

Continued from page 1

ent of the political debate, they closely meet the specific needs of the student—especially at a time like this when the centralized monopoly isn't operating and kids are scattered across multiple states. It's hard to conceive of another system that could help these kids out."



**"This is a great opportunity for the school choice movement, because if we establish the proposition that vouchers are appropriate in emergency situations, then the next step is to show that there is a much broader emergency than Katrina."**

CLINT BOLICK  
ALLIANCE FOR SCHOOL CHOICE

## Limited Awareness

At press time, approximately 60,000 Katrina evacuees were being educated in school districts in Texas, and thousands more were spread across Alabama, Georgia, and states as far away as California, Illinois, and Maryland.

Though schools nationwide have joined forces with private companies and individuals to offer help—from raising money for cash donations to providing housing, clothing, and school supplies (see "Homeschoolers, Charters Reach Out to Help Katrina Victims," page 11)—most of the schools that have absorbed displaced students will at some point need some federal reimbursement.

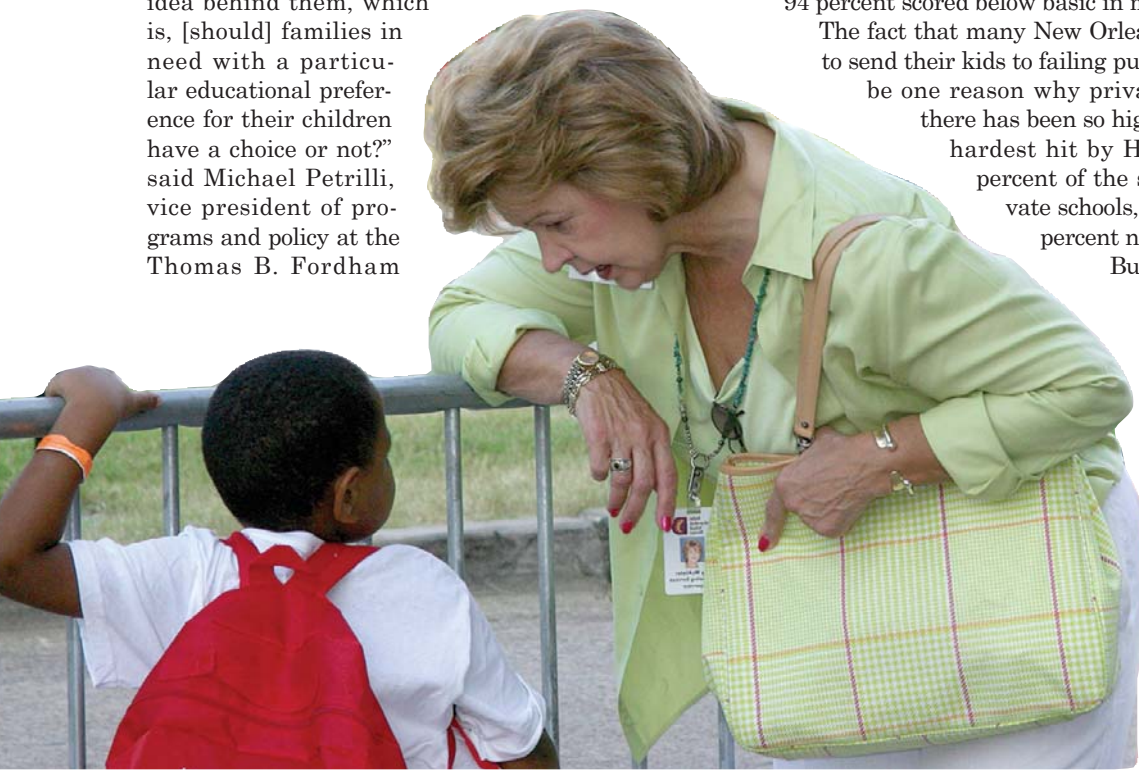
If dollars freely followed scholars, school choice advocates say, that problem would be mitigated.

Though it's been 50 years since Milton Friedman first wrote about the idea of using school vouchers to give parents greater control over their children's education—a concept he modeled after the G.I. Bill was used to further the education of veterans returning home from World War II—it's only been in the past 15 years that the idea has begun to be put into limited use, generally on the community level. The majority of the public—particularly outside of cities like Milwaukee, Cleveland, and the District of Columbia, where voucher programs exist—still doesn't seem to have a good idea of what they are or how they work, school choice advocates say.

## Silver Lining

But emergency vouchers could be the silver lining in the storm clouds that brought Hurricane Katrina to the Gulf Coast on August 29.

"I think what's interesting here is not so much the mechanics of vouchers, but the idea behind them, which is, [should] families in need with a particular educational preference for their children have a choice or not?" said Michael Petrilli, vice president of programs and policy at the Thomas B. Fordham



## Hurricanes Katrina and Rita:

BY THE NUMBERS

- **372,000** Gulf State schoolchildren were displaced by Hurricane Katrina
- **50,000** students were enrolled in Catholic schools operated by the Archdiocese of New Orleans when Katrina hit
- **61,000** students were enrolled in private schools in the four Louisiana parishes most affected by Katrina
- **33 percent** of students in those four parishes were enrolled in private schools
- **11 percent** of students nationwide are enrolled in private schools
- **200,000** private school students throughout Louisiana, Mississippi, and Alabama were displaced by Katrina
- **489** Louisiana schools were forced to close by Katrina
- **226** Mississippi schools were forced to close by Katrina
- **30** Mississippi schools were completely destroyed by Katrina
- **700** schools were closed by Katrina and Rita in Louisiana and Mississippi
- **73,000** college students were displaced by Katrina and Rita
- **\$4,000** per child has been proposed as the voucher amount in a bill sponsored by Sens. Mary Landrieu (D-LA) and David Vitter (R-LA) to provide educational aid to schools affected by the Katrina and Rita
- **\$7,500** has been proposed by the Bush administration for each displaced family preferring to send their children to private or religious schools
- **126** public schools operate in New Orleans
- **73** public schools in New Orleans are currently failing the state's educational accountability standards. New Orleans was ranked the state's lowest-performing district before the storm.
- **96 percent** of New Orleans high schoolers scored below basic in reading on the Graduation Exit Exam (GEE) in 2004
- **94 percent** of New Orleans high schoolers scored below basic in math on the GEE test in 2004
- **\$69 million** in Title I funds weren't properly accounted for in a 2005 federal audit of the New Orleans school system
- **96 percent** of New Orleans public school students are black
- **50 percent** of New Orleans public school students graduate from high school
- **1,000** students in New Orleans were using vouchers to attend private preschools before Katrina
- **\$62 billion** was allocated for emergency relief by Congress by mid-September
- **\$2.8 billion** would be needed to give each displaced child a \$7,500 school voucher
- **5,700** Hurricane Katrina evacuees are currently being educated in the Houston Independent School District
- **305** schools are part of the Houston Independent School District

Source: Compiled by School Reform News from various news sources. School Reform News reporter Connie Sadowski contributed to this report.

Foundation, a school choice advocacy group based in Virginia.

"Clearly the families affected by Katrina are in need, and before the storm they were making certain choices for their children. After this trauma, we certainly want to send kids to a similar school and culture where there can be some continuity. That argument resonates with people, even those who ordinarily oppose vouchers. We need to do what's best for kids, and some of that sentiment can translate to the larger debate [about vouchers in general]."

## Dire Straits

Educators of all stripes agree that before Katrina practically wiped them out, New Orleans' schools were greatly in need of reform. Seventy-three of the city's 126 public schools were failing Louisiana's educational accountability standards before the storm, and the district was the lowest-performing in the state. Ninety-six percent of the city's high school students scored below basic in reading on the state Graduate Exit Examination test in 2004, and 94 percent scored below basic in math.

The fact that many New Orleans parents don't want to send their kids to failing public high schools might be one reason why private school enrollment there has been so high. In the four parishes hardest hit by Hurricane Katrina, 33 percent of the students attended private schools, compared with just 11 percent nationwide.

But underperforming public schools, and parents who want to break free from them, can be found nationwide, said Clint Bolick, president of the Arizona-based Alliance for School Choice.

"The New Orleans schools were a disaster

long before the hurricane hit, and many other school districts are devastated even though they haven't had a hurricane," Bolick said. "This is a great opportunity for the school choice movement, because if we establish the proposition that vouchers are appropriate in emergency situations, then the next step is to show that there is a much broader emergency than Katrina."

## New Incentives

School choice advocates agree that if displaced families get a taste of the empowerment school vouchers provide, it will be politically difficult to take that freedom away once the one-year period President George W. Bush has proposed in his federal aid package ends. Most likely, they say, it would spur a greater push for school vouchers, either on a universal or income-level basis, in more communities and states.

Bolick said, "I think that if [emergency school vouchers are passed] this time, [they] will be a routine part of future emergency relief. I'm also hopeful that when the No Child Left Behind Act is modified, that it will be easier for Congress to add vouchers to the remedies available under that law."

Kinnan sees further significance in the plan. "Having those vouchers for a couple of years would change the way parents and students and even educators think about them," Kinnan said. "The impact would be so powerful that if you did it right, [school] systems would be competing to attract these [kids with vouchers]. It's all about changing the incentive. Once you have that freedom, it would be very difficult to go back to the community control system."

"But from our view, these programs should be administered by state and local governments," Kinnan added.

Bolick agrees that implementation of school choice creates greater support for the concept. "One of the cardinal rules we've discovered is that choice begets choice," he said. "Once parents are able to choose in any capacity, they don't want to give that up."

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



# Homeschoolers, Charters Reach Out to Katrina Victims

by Karla Dial

In the wake of Hurricane Katrina, homeschooling families and charter schools nationwide have created ongoing efforts to help evacuees and other victims of the storm.

The Homeschool Legal Defense Association (HSLDA), based in Purcellville, Virginia, responded faster than the federal government in devising ways for members of the homeschooling community to help their own. Within two days, the grassroots organization had more offers to help replace curricula, give cash donations, and provide housing and jobs than it had takers. More than a month later, as the Gulf Coast region was still getting its power back on, victims were beginning to take them up on the offers.



**"Charter schools have really come together and filled this need. They're exempt from a lot of the state and local education regulations, so they have more flexibility and are better able to accept the students."**

LYNN KEPFORD  
NATIONAL CHARTER SCHOOLS CLEARINGHOUSE

"We have received over \$110,000 in donations from homeschoolers to help other homeschoolers," said Patty Taylor, the HSLDA's hurricane fund administrator. "We are replacing people's curricula, if they lost it in the flooding or won't have access to it for a significant time. We are also giving people \$1,000 to \$3,000 in emergency funds if they need help getting back on their feet. We even had a family write in and say they couldn't house anyone but they would like to adopt a family for Christmas and give them Christmas gifts."

By early October, Taylor said, the HSLDA had received 4,200 e-mails offering help for hurricane victims, had given out emergency relief checks totaling \$34,700, and was still matching victims with housing offers.

## Charter Schools React

Charter schools nationwide also were busy with fundraising and donation drives for victims, housing and schooling evacuees, and helping the initial search and rescue efforts in Louisiana.

The Center for Education Reform, a grassroots group that advocates for stronger charter school laws and other reforms, responded by setting up a Children's Emergency Education Hotline. (See "Technology Unites Hurricane Victims, Helpers" on this page.) Within a week, 205 charter schools from 20 states had made room for 5,000 displaced students in their classrooms.

"Charter schools have really come together and filled this need," said Lynn Kepford, director of the National Charter Schools Clearinghouse in Tempe, Arizona. "They're exempt from a lot of the state and local education regulations, so they have more flexibility and are better able to accept the students."



## School Provided Direct Help

At Paradigm Accelerated Charter School—a unique K-12 school that focuses on teaching character and reclaiming at-risk youth from gangs in central Texas—staff and all 72 students alike practiced what they were taught.

As soon as Katrina struck, said Ronald Johnson, Ph.D., chairman of the school's board, principal Darren Browder left for Louisiana, driving a school bus as part of a convoy doing search-and-rescue work directed by the Federal Emergency Management Agency. After two days, he drove evacuees to Austin.

In the meantime, the school was hard at work, setting aside an annex building as a collection point for donated goods. In conjunction with local churches, Spanish teacher Tom Shelton arranged large donations from Walgreens and Wal-Mart stores and sent two moving vans filled with everything from water and diapers to Band-Aids and hydrogen peroxide to Louisiana. Students put together one-gallon Ziploc bags of emergency kits filled with personal care items such as soap and toothbrushes. And as evacuees began filtering into local shelters, the school donated its athletic mats for temporary bedding.

"One of our teachers [Rebecca Browder, the principal's wife] found 20 Mexican people just standing by the side of the road, wondering what to do," Johnson said, "so she just said, 'Come on with me,' and kept them at her house for three days. The principal was in Louisiana at the time.

"She didn't even ask him."

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

## Technology Unites Hurricane Victims, Helpers

by Karla Dial

On October 3, 77 of the 84 schools in Louisiana's Jefferson Parish—one of the four that bore the greatest brunt of Hurricane Katrina—reopened. At press time, classes were meeting an extra hour each day to make up for the 24 days of instruction lost since the hurricane struck on August 29.

Tens of thousands of other students and their families, however, were still scattered nationwide, and many still needed help in the form of permanent housing, curricula, school supplies, and personal needs. To that end, several interactive Web sites have been established that allow people and organizations making donations and displaced families in need of education supplies and services to find each other. To help, please visit any of the following sites.

- Displaced families seeking schools that can take in their children may call the Children's Emergency School Hotline, established jointly by the Center for Education Reform and the National Council of Education Providers, at 1-800/291-7809.

- The U.S. Department of Education has established Hurricane Help for Schools, an interactive Web site for schools serving displaced students who are in need of books, clothes, or other supplies, and companies or other organizations seeking to donate needed items, at <http://hurricanehelpforschools.gov/index.html> or [www.ed.gov/news/hurricane/index.html](http://www.ed.gov/news/hurricane/index.html).

- A similar site is being operated by Icurio, a resource management software company serving the education industry. Its Surplus module allows the public to donate goods and those in need to search for them, at <http://www.icurio.org>.

- The Mississippi Department of Education features an "Offering Assistance" link on its Web site for those willing to donate supplies, materials, or equipment. See <http://www.mde.k12.ms.us/Katrina>.

- Blackboard, Inc., a company providing e-learning software, has made several of its features free to schools affected by the hurricane, including its online course creation site where instructors can develop online courses that Blackboard will host for free for the rest of the academic year. See <http://www.katrina.blackboard.com>.

- During November and December, the College Board is offering free SAT tests to high school seniors and free PSAT/NMSQT tests to high school juniors and sophomores displaced by the storm. To take advantage of the offer, students must request SAT fee waiver forms from the counselor at the school they are now attending and mail them in with their registration forms or, if registering online, to use the fee waiver code indicated on the online form at <http://www.collegeboard.com>. Schools requiring additional fee waiver forms are urged to contact the College Board as soon as possible at 888-SAT-HELP or 888-477-PSAT.

- Calvert Education Services has free Disaster Relief Education Scholarships for families who want or need to educate their children at home, to enroll in a Calvert School. The program includes all the textbooks, workbooks, and supplies for a year of instruction, and the materials can move with the families as they identify permanent housing. For information or to apply, visit <http://www.calvertschool.org/katrina>, or call 888/487-4652.

- In Houston, the Knowledge is Power Program (KIPP), a private educational contractor, opened Douglas Elementary School, which had been scheduled for closure, to serve strictly children evacuated from Hurricane Katrina. Superintendent Mike Feinberg, who oversees four KIPP schools in the Houston area, wrote in the September 20 edition of the Center for Education Reform newsletter, "achievement levels in the New Orleans schools were not all that great before the hurricane, and now that more stress and trauma have been added to the mix, we face a very difficult task to add significant value this year to help the children and their families get back on the road that leads to great lives. Whether you can help with time in the school, donations of supplies for the students or other items for their families, or funds to pay for all of our academic and social services, we will greatly appreciate your assistance." To help the students at Douglas Elementary, write KIPP Public Affairs Officer Steve Mancini at [smancini@kipp.org](mailto:smancini@kipp.org), or call him at 415/531-5396.

- Homeschooling families who need help with curricula, housing, or other needs can get it from the Home School Legal Defense Association by e-mailing [hurricanehelprequest@hsllda.org](mailto:hurricanehelprequest@hsllda.org).

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



by David Kirkpatrick

One advantage of interpreting the words of those no longer with us is that it is frequently possible to imply they said what we would like them to say. In that regard, no Founding Father is cited more favorably by the public school establishment than Thomas Jefferson.

Probably the most often cited is his statement, “if a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.” That is not a statement about schools, of course. One can be educated without being schooled. One also can be schooled without being educated.

In 1814, Jefferson made a clear distinction between the two as he said, “I hope our successors will turn their attention to the advantages of education. I mean education on the broad scale, and not that of the petty academies.”

#### Opposed Government Control

While governor of Virginia in 1779, Jefferson proposed a school bill. There would be scholarships for elementary pupils whose families could not afford the cost. Tuition at the 20 secondary schools should be paid for by the students, Jefferson proposed, with financial aid for

#### Three Years Sufficient

Jefferson suggested there be available “to the wealthier part of the people convenient schools, at which their children may be educated.” For children whose parents could not afford further education, each year the best boy—and he did say “boy”—would be chosen to attend one of the 20 advanced regional schools. “By this means,” he said, “twenty of the best geniuses will be raked from the rubbish annually.”

**“I hope our successors will turn their attention to the advantages of education. I mean education on the broad scale, and not that of the petty academies.”**

THOMAS JEFFERSON, 1814

After six years of further schooling, half of the students would end their education, from whom future grammar school teachers could come. The other half would study “such sciences as they shall chuse [sic], at William and Mary College.”

Jefferson was still advocating his plan years later, as he did in a letter to John Adams on October 28, 1813.

Participation would be voluntary. For his “Bill for the Establishment of

# Thomas Jefferson on Education

bright but needy students.

That sounds like vouchers.

When a 1780 bill proposed placing education in the hands of state officials, Jefferson said, “If it is believed that these elementary schools will be better managed by the governor and council or any other general authority of the government, than by the parents within each ward, it is a belief against all experience.”

In 1781-82, in his *Notes on Virginia*, Jefferson proposed three years of free basic schooling. He said that should be done by dividing each county into small districts five or six miles square, called hundreds, in which reading, writing, and arithmetic would be taught for three years in a school created, controlled, and supported locally.

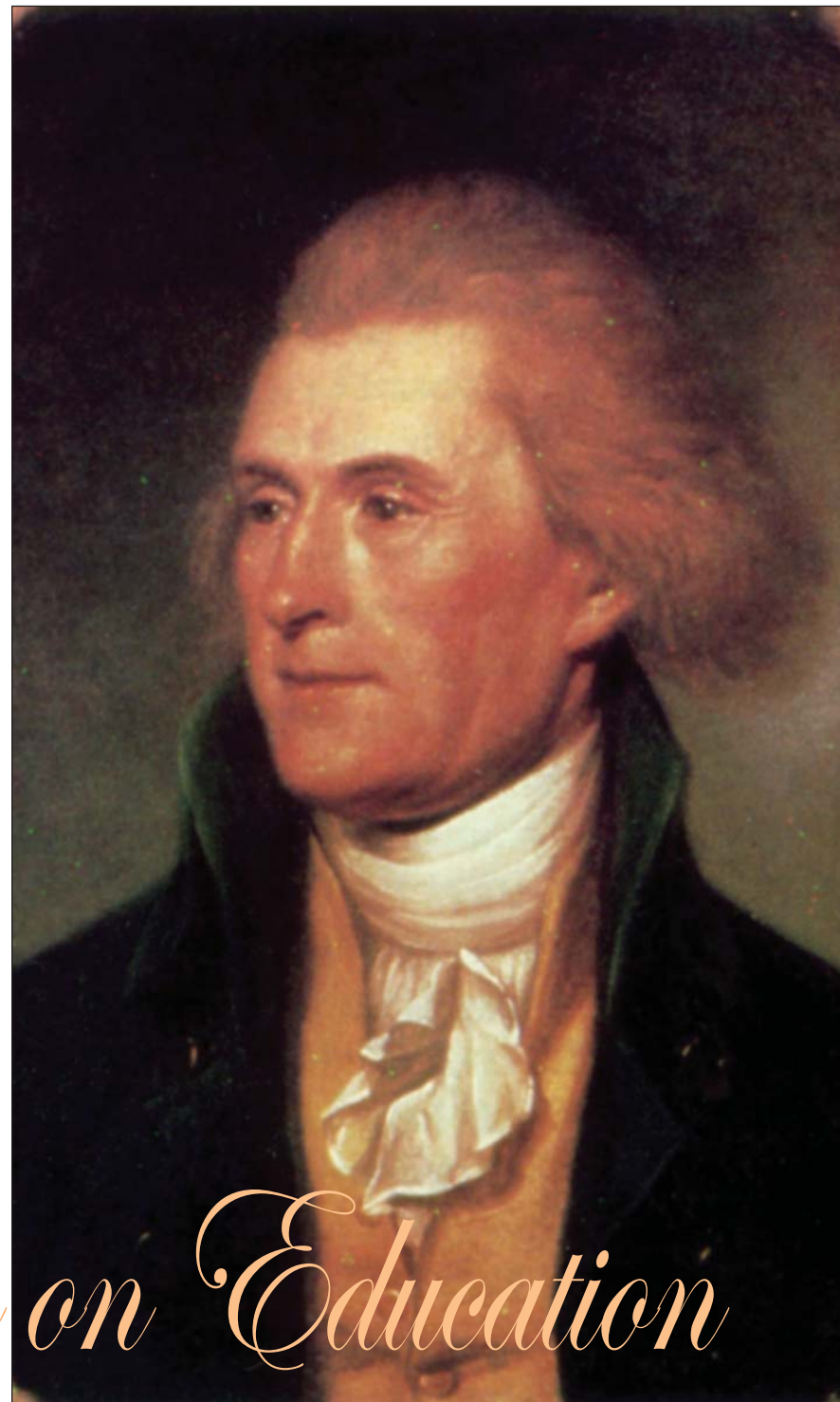
Jefferson believed that amount of schooling was sufficient for the majority of the population, as the best education was to be obtained by activity in the society at large.

Religious Freedom” in 1786, Jefferson had written, “To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical; even forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern.”

Recognizing there might be some few parents who might neglect the education of their children, Jefferson declared, “it is better to tolerate that rare instance of a parent’s refusing to let his child be educated, than to shock the common feelings by a forcible transportation and education of the infant against the will of his father.”

#### Dreaded Federal Courts’ Mandates

U.S. Supreme Court decisions regarding schooling and the First



**“If it is believed that these elementary schools will be better managed by the governor and council or any other general authority of the government, than by the parents within each ward, it is a belief against all experience.”**

THOMAS JEFFERSON, 1780

Amendment didn’t really become an issue until the *Everson* decision in 1947 initiated a history of judicial controversies that continues today.

That was something Jefferson foresaw ... and dreaded. He said, “The great object of my fear is the Federal judiciary. That body, like gravity, ever acting, with noiseless foot, and unalarming advance, gaining ground step by step, and holding what it gains, is engulfing insidiously the special governments into

the jaws of that which feeds them.”

Clearly, Jefferson favored student grants, parental control of their child’s education, and minimal government interference in the education process.

David Kirkpatrick ([tchrwrtr@aol.com](mailto:tchrwrtr@aol.com)) is a senior education fellow at the U.S. Freedom Foundation. This article was reprinted with permission from the January 27, 2005 issue of SchoolReport.



# Georgia Schools Cut Travel in Response to Katrina

by Sean Parnell

Responding to rising fuel costs and fears of gas shortages related to Hurricane Katrina, elected officials and local school districts in Georgia have taken measures to reduce fuel consumption.

Gov. Sonny Perdue (R) drew national attention in late September when he called for schools across Georgia to cancel classes for two days in order to conserve fuel used to transport students in school buses.

In a September 23 statement, Perdue said, "In recent weeks, the nation has experienced temporary disruptions of gas supply as a result of Hurricane Katrina." In response to those disruptions, Perdue asked that "all Georgians ... make a sincere effort to conserve gas" and outlined several measures the state would take to reduce fuel consumption.

The most controversial of those was Perdue's recommendation that school districts take "two early snow days" on Monday and Tuesday of the following week. His office estimated that would save approximately 450,000 gallons of diesel fuel and noted there would be additional savings from building closures that would "allow further heating and cooling energy conservation."

## Response to Closings Mixed

According to a September 23 article by The Associated Press, all but four of the state's 181 school districts announced they would follow the governor's recommendation. The school days will be made up later in the school year.

Many parents had to spend their weekend trying to arrange for child care for Monday and Tuesday. One parent, Barbara Sutton, told the *Atlanta Journal-Constitution* she agreed with Perdue's decision, but she also said it was a little unfair.

"I went to the Gwinnett County public school Web site and [the announcement to close schools] was there in big, bold print," she told the *Atlanta Journal-Constitution* on September 25. "I was like, 'I don't have childcare!'"

Perdue's decision drew criticism from several newspapers. In a September 27 editorial, the *Rome News-Tribune* said it was "no doubt ... well intentioned" but went on to note better options existed for saving fuel, including canceling football games and going to a four-day school week with longer school days.

The Rome school district did not take the early snow days.

## Teachers, Parents Upset

Rogers Wade, president of the Georgia



Gov. Sonny Perdue

Public Policy Foundation, said Perdue made the decision after consulting with the state school superintendent, and that he based it on the assumption refineries in the Gulf region would be shut down, leading to fuel shortages.

"Parents were upset about the late nature of the decision," Wade said. "But the teachers were even louder in their criticism than parents, complaining that they had been inconvenienced by the decision and not consulted in advance."

Perdue wasn't the only one looking for ways to reduce fuel use in Georgia schools. Many school districts were restricting or even eliminating field trips in an effort to save on fuel costs, according to an October 3 *Atlanta Journal-Constitution* article. Athletic programs are also facing travel cutbacks.

## Field Trips Canceled

Danny Reed, an associate superintendent in charge of transportation in DeKalb County's schools, told the *Atlanta Journal-Constitution* the district's budget was set when the price of diesel was \$1.45 a gallon. At the end of September, the price was \$2.41 a gallon.

"Every time I have a penny increase, that's worth \$25,000," Reed said. "I burn 11,000 gallons every day."

If diesel prices remain at current levels, the school district could be looking at a \$2.4 million gap between what was budgeted and what would be needed to run its buses. One solution, some policy experts said, might be to privatize school bus services.

"There are tremendous opportunities for savings if schools privatize their buses," said Joseph Bast, president of The Heartland Institute, a public policy think tank in Chicago. "Grand Rapids, Michigan privatized its school buses and will save \$18 million over the next five years. For schools in Georgia and elsewhere that are having to cut back on field trips and other important educational activities because of rising transportation costs, privatization of bus services should be at or near the top of the list of solutions."

Sean Parnell ([parnell@heartland.org](mailto:parnell@heartland.org)) is vice president of external affairs at The Heartland Institute.



"Gov. Sonny Perdue (R) drew national attention in late September when he called for schools across Georgia to cancel classes for two days in order to conserve fuel used to transport students in school buses."

# Tell Us What You Think!

Write to us at:

School Reform News

The Heartland Institute

19 South LaSalle Street #903

Chicago, Illinois 60603

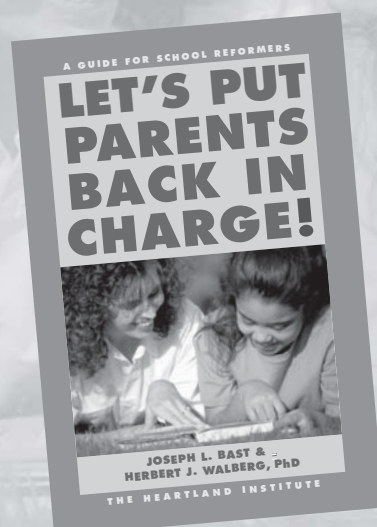
Or drop us  
an email:

[dial@heartland.org](mailto:dial@heartland.org)



## New Bilingual Edition!

A Guide for School Reformers



# LET'S PUT PARENTS BACK IN CHARGE!

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

In December, The Heartland Institute will release a new bilingual edition of its popular book, *Let's Put Parents Back in Charge!* The new edition will include both English and Spanish texts in the popular "flip book" style.

*Let's Put Parents Back in Charge!* was written by Joseph L. Bast and Herbert J. Walberg and first published by The Heartland Institute in 2003. It was a groundbreaking tool in the school choice movement, making the case for competition and markets in K-12 education in clear and easy-to-understand language. Some 60,000 copies have been distributed throughout the country by elected officials, education reform advocates, parent groups, and others.

Heartland plans to work closely with grassroots school choice organizations, charter schools, Hispanic business and civic groups, and national school choice groups to distribute the new book. If you are interested in assisting with distribution, please contact Heartland Public Affairs Director Ralph Conner at 312/377-4000, email [conner@heartland.org](mailto:conner@heartland.org).

Individual copies can be ordered for \$11.95 in

The Heartland Institute's online store at <http://www.heartland.org>.



# Colleges Welcome Texas Homeschoolers

by **Connie Sadowski**

While Texas homeschools often field inquiries from public school officials, social service workers, law enforcement officials, and employers who question their legitimacy, graduates are finding most colleges and universities eagerly accept them, and some are actively recruiting them.

The colleges' newfound appreciation of homeschooled students is due in part to the efforts of a grassroots organization founded in 1986. The Texas Home School Coalition (THSC) was formed to advocate for homeschooled students' rights after the Texas Education Agency (TEA) began seeking criminal prosecution for truancy against 100 homeschooling families statewide in 1985.

Homeschool parents responded with a class-action lawsuit against every school district in Texas—all 1,060 of them. The case progressed all the way to the Texas Supreme Court, where justices ruled in 1994 that Texas homeschools legally could operate as private schools, which have no compulsory attendance requirements, as long as they were "conducted in a bona fide manner using a written curriculum consisting of reading, spelling, grammar, math and a course in good citizenship."

But state-supported colleges and universities continued to discriminate against homeschooled applicants until 2003, when the Texas legislature passed a law forcing them to stop. Now, a new generation of homeschooled graduates is reaping the benefits.

## Fighting for Equality

THSC serves as a liaison between colleges and universities and the homeschooling community. Homeschooled students receive guidance in developing transcripts and meeting the admissions requirements for Texas colleges and universities, while admissions offices are informed of legal requirements regarding admission of homeschooled students.

Obtaining federal financial aid was overly cumbersome for homeschooled students until recently. In 1998, Congress clarified the law regarding federal financial aid, stating homeschool graduates were eligible for aid without having to take an additional test other applicants were not required to take.

Prior to 2003, the college admissions process was likewise difficult for homeschooled students. Many colleges required homeschooled students to achieve higher SAT or ACT scores than public high school graduates. Others required homeschooled students to write essays not required of other applicants, THSC President Tim Lambert said.

"We worked for six years through three legislative sessions just to amend the code to stop colleges from discriminating against homeschool students in the admissions process," Lambert said.

## Paving the Way

Though Stephen Swanson was homeschooled from kindergarten through 12th

grade, he recalled no great difficulties in being admitted to Oklahoma Christian University, where he is a sophomore. His college routine, he said, is similar to what he experienced in homeschooling. Over the past few years, he has studied on his own, using a self-guided approach that has served him well in college.

"The hardest thing for me was exercising the discipline I learned through homeschooling to meet the challenge of a heavier workload at college," Swanson said. "I seek to 'just say no' to outside activities when they conflict with my studies. My drive to excel away from home at college is due to my parents' emphasis on character development. My faith-based homeschool education gives me incentive to use wisely the abilities and opportunities God has given me."

Lubbock Christian University freshman Thomas Kennedy was homeschooled for nine years. He said his professors are all aware he is a homeschool graduate, and they have received him well so far.

"One of my professors told me that he looks to homeschool students in his classroom to pave the way and set the pace for the classroom," he said, adding that being homeschooled has made him a lifelong learner. "I have chosen to continue my education after undergraduate school because I like school."

## Adjusting to Campus Life

Isaac Garcia, homeschooled throughout his K-12 years in Texas, is a senior at Lubbock Christian University majoring in computer information systems. Garcia said the hardships other homeschoolers faced before him made the way easier for him.

"Because of the efforts of those before me to ease the process for homeschoolers to be admitted to college, I had no extra requirements to be accepted other than to demonstrate competence on the ACT or SAT," he said. "I have an inner desire instilled in me by my homeschool teachers, in this case my parents, to work hard in college and to aim high, and with God's help I will accomplish anything I set my mind to."

Craig Barnes, a Tarrant County Community College sophomore, was homeschooled in Texas from 7th through 12th grade. He said he has been tested in keeping up with the much faster pace required by his college instructors, but he noted the admissions process was simple. He merely mailed his application along with copies of his transcripts and SAT scores, just as his peers from public schools must do.

Most colleges and universities have realized homeschooled students in general are an asset to the campus, THSC President Lambert said. Texas homeschool graduates as a group score significantly higher than the state average on SAT and ACT tests.

Connie Sadowski ([connie@ceoatx.org](mailto:connie@ceoatx.org)) is director of the Education Options Resource Center at the Austin CEO Foundation.



**"The hardest thing for me was exercising the discipline I learned through homeschooling to meet the challenge of a heavier workload at college."**


STEPHEN SWANSON  
STUDENT  
OKLAHOMA CHRISTIAN UNIVERSITY

Stephen Swanson studies at Oklahoma Christian University. Now a sophomore, this is Swanson's first experience outside of being homeschooled.


## INTERNET INFO

For more information on homeschooling in Texas, visit the Web site of the Texas Home School Coalition at <http://www.thsc.org>.

Additional information on homeschooling 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 choose the topic/subtopic combination Education/Home Schooling.



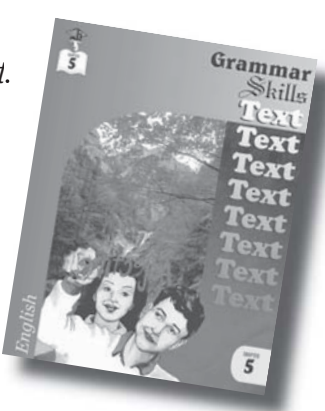
## Paradigm Accelerated Curriculum



**GIVES TEENS A REASON TO READ FROM A TEXTBOOK!**

- *Easy Magazine Like Format.*
- *Light-Weight*
- *Easy To Use*
- *Fun To Read*

Choose from



**Language Arts, Math, Science, History, & More!**

These books include the virtues & principles needed to build character.

Call Paradigm Accelerated Curriculum Today  
(254) 445-4272 or visit us at [www.PACworks.com](http://www.PACworks.com)



# Maine Moves to Scrap State Student Competency Tests

*Will use PSATs,  
SATs instead*

by Frank J. Heller

Maine's public education establishment was shocked in early October to learn state Education Commissioner Susan Gendron planned to use the national Scholastic Aptitude Test (SAT) and Preliminary SAT (PSAT) to measure high school juniors' academic performance, instead of the Maine Educational Assessment (MEA). On October 7, state Senate Majority Leader Michael Brennan (D-Cumberland County)—who has sponsored much of the legislation regarding the MEA—announced plans to introduce a bill blocking the switch.

For the past decade, the state education department has promoted the MEA as an authentic measure of how well students have attained state learning standards, spending tens of millions of dollars along the way to modify it.

The law creating the MEA included a provision, set to be implemented in 2011, requiring high school seniors to achieve various core competencies, which the test measures, before receiving diplomas. Brennan did not respond to interview requests.



## 'A Valid Replacement'

According to a September 27 article in the *Portland Press Herald*, on September 20 Gendron sent letters alerting school districts to the change, which will take effect in the spring. The PSAT, which has always been optional for high school sophomores, will become mandatory effective October 2006. The tests will be paid for by the Maine Department of Education (MDOE).

Gendron decided to make the change after an independent researcher and the College Board—the SAT provider—deter-

**"When the 2005 MEA results were released in mid-September, they revealed more than 50 percent of the high school juniors taking the test did not meet overall grade-level standards; only 39 percent met or exceeded math standards; and only 4 percent met or exceeded standards in science and technology."**

mined it is "a valid replacement" for the MEA, according to the article.

Though Gendron was unavailable for comment, she said in her letter to the districts that she hoped switching from the MEA to the SAT would encourage more Maine students to apply for college. Though the state has an above-average high school graduation rate compared with the rest of New England, it trails in college graduation rates. Other educators, including South Portland High School Principal Jeanne Crocker, told the *Press Herald* it was a good idea because students tend to take the SAT more seriously than the MEA.

But others disagreed. The college admissions community began responding September 21, when Joyce E. Smith, executive director of the National Association for College Admission Counseling (NACAC), sent Gendron a letter of protest.

## Angered by Change

"Our most prominent concern regarding the use of the SAT as an assessment of student achievement in high school is that the SAT is not validated for this purpose," Smith wrote. "The SAT was originally designed as a test of aptitude. Though it has changed since its origin, it is not now, nor has it ever been, intended to measure performance in [a] high school curriculum. As administrator of the test, the College Board has repeatedly indicated that its use has only been validated as an admission entrance exam."

Thomas K. Edwards, principal of Freeport High School in Freeport, seconded that sentiment in a letter published by the *Press Herald* on October 2.

"Maine's high schools have spent three years of scarce staff development time to prepare students to 'meet' Maine Learning

Results standards," he wrote. "The Commissioner told us this was essential work. ... The SATs, designed to 'rank' students, will not measure Maine's students' preparedness to graduate in English, math, social studies, science, health, art, foreign language and technology. If seniors do not meet the Maine Learning Results standard, they are not to graduate! Where are we headed?"

## Dismayed by MEA

When the 2005 MEA results were released in mid-September, they revealed more than 50 percent of the high school juniors taking the test did not meet overall grade-level standards; only 39 percent met or exceeded math standards; and only 4 percent met or exceeded standards in science and technology.

The test also revealed 69 percent of the 706 public schools that were tested did not meet Adequate Yearly Progress goals as outlined by the federal No Child Left Behind Act, according to a September 22 MDOE news release.

Frank J. Heller ([global3004@awi.net](mailto:global3004@awi.net)) is an educational public policy analyst and consultant in Brunswick, Maine.

## INTERNET INFO

As Frank Heller reported in the July issue of *School Reform News*, Maine is suing the federal government over the cost of implementing the No Child Left Behind Act's testing requirements. See "Maine Prepares NCLB Lawsuit," <http://www.heartland.org/Article.cfm?artid=17378>.

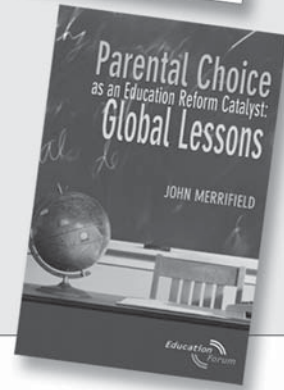
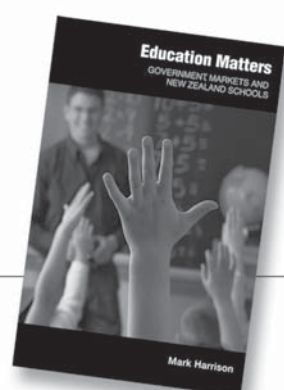
**Education Forum**

**A forum for new thinking in education**

**For research, publications, opinion and resources on school choice and school reform, visit this website – [www.educationforum.org.nz](http://www.educationforum.org.nz)**

The Education Forum is a leading school reform advocacy organisation in New Zealand. It believes in: the encouragement and recognition of personal responsibility, goal setting and achievement in all endeavors, through self discipline and hard work; the key involvement and responsibility of parents in their children's education; and the emphasis on the value of parental choice and the self-management of education institutions.

[www.educationforum.org.nz](http://www.educationforum.org.nz)





# Largest Unrestricted K-12 Teaching Award Created by Kinders, KIPP

by Kate McGreevy

Houston philanthropists Rich and Nancy Kinder announced in September they have partnered with the Knowledge Is Power Program (KIPP) to create the Kinder Excellence in Teaching Award. The \$100,000 unrestricted award is the largest ever to honor a teacher in the United States.

"Rich and Nancy Kinder's philanthropy and vision made this possible," said Steve Mancini, KIPP's director of public affairs. "Rich's mother, Edna, was a beloved teacher devoted to the profession. This award honors her commitment."

## Honoring Demonstrated Results

The Kinder Award will be made in the summer of 2006, presented to a teacher who has demonstrated strong results with students—at least 50 percent of whom must qualify for the federal free- and reduced-price lunch program. Both public and private school teachers are eligible. The deadline for nominations is December 31.

Mancini emphasized nominees must have a proven track record in the classroom and "measurable results [in] improving student achievement."

KIPP is nationally regarded for its academic successes with previously underserved students. Its network of 45

public schools serves a population that is 90 percent minority, with roughly 75 percent qualifying for the free- and reduced-price lunch program.

KIPP spokeswoman Debbie Fine said the organization's partnership with the Kinders is not new, noting the couple has commended more than 30 KIPP teachers with \$10,000 awards over the past four years.

**"The Kinder Award will be made in the summer of 2006, presented to a teacher who has demonstrated strong results with students—at least 50 percent of whom must qualify for the federal free- and reduced-price lunch program."**

"As an administrative partner in this award process, no KIPP teacher will be eligible this year," Fine clarified. "We believe that our role is indicative of our commitment to the larger debate surrounding teachers and the teaching profession."

## Stoking Debate Over Salaries

Mancini said the award was created not simply to reward one teacher but also to bring attention to the connection between talented teachers, academic gains for students, and the value of teacher compensation.

"Teachers are the heart and soul of education in America," Mancini said. "We hope to send a message: If successful businessmen, lawyers, and doctors earn six-figure salaries, so should exemplary teachers. To close the achievement gap, we need great teachers."

Mancini explained KIPP co-founder Mike Feinberg has long hoped an award like this might help stimulate respect for the teaching profession. Ultimately, Mancini said, both the Kinders and KIPP envision a teaching profession where six-figure salaries are the norm, rather than the exception.

## Expecting Thousands of Nominations

Hundreds of nominations already have been submitted, Mancini said, and he believes thousands more will come in before the deadline.

After that, a screening committee will select 20 finalists to be reviewed by a panel that includes the Kinders,

Feinberg, two former KIPP teachers, and a handful of other education experts. The panel will then choose the award recipient.

*Kate McGreevy (mcgreevy@gmail.com) is a freelance education writer living in New Mexico. She formerly worked with the Cesar Chavez Public Charter Schools for Public Policy in Washington, DC.*

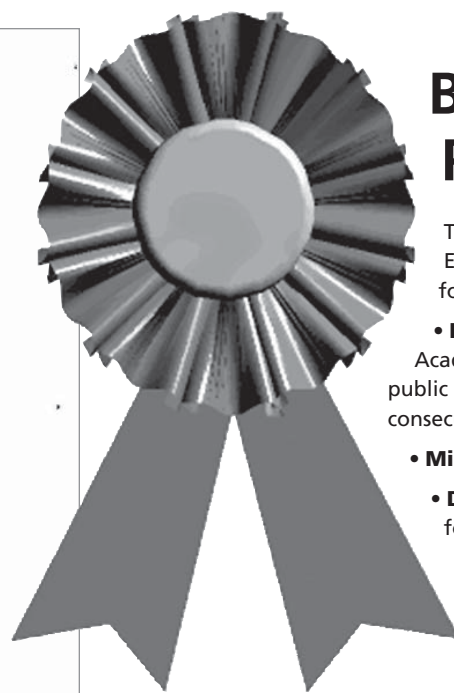
## INTERNET INFO

To learn more about the Kinder Awards or nominate a teacher, please visit <https://www.kinderaward.org/pages/homepage.cfm>.

Information on the Knowledge Is Power Program is available online at <http://www.kipp.org>.



"SHE SAYS SHE THINKS I'M CAPABLE OF DOING BETTER WORK. I THINK SHE IS TOO."



## Blue Ribbon Panel

The Blue Ribbon Panel for the Kinder Excellence in Teaching Award consists of the following individuals:

- **Frank Corcoran**, founding teacher of KIPP Academy New York, the highest-performing public middle school in the Bronx for eight consecutive years
- **Mike Feinberg**, KIPP cofounder
- **Dr. Howard Fuller**, director of the Institute for the Transformation of Learning at Marquette University
- **Kati Haycock**, director of the Education Trust, a national nonprofit advocacy group working to close racial and socioeconomic achievement gaps
- **Nancy Kinder**, president of the Kinder Foundation, a family foundation in Houston
- **Rich Kinder**, cofounder, chairman, and CEO of Kinder Morgan, Inc., one of the largest energy transportation and storage companies in America
- **Rebeca Nieves-Huffman**, president of Hispanic CREO (Council for Reform and Educational Options)
- **Sha Reagans**, founding math teacher at TEAM Academy Charter School, a KIPP school in Newark, New Jersey
- **Adam Urbanski**, president of the Rochester Teachers Association, vice president of the American Federation of Teachers, and director of the Teacher Union Reform Network, a group that challenges teacher union leaders to become agents of education reform



# School Choice Academy Spurs Legislative Interest

by Lori Drummer

The American Legislative Exchange Council (ALEC) hosted 52 state legislators from 24 states at its first School Choice Academy in Philadelphia the weekend of September 16-17. The conference, sponsored by the Milton & Rose D. Friedman Foundation and the Alliance for School Choice, was designed to provide an enhanced educational and legislative training opportunity for lawmakers interested in advancing education options.

The legislators joined policy advisors and school choice experts for a full day of seminars on current school choice programs, litigation strategies, research conclusions, and successful policy development. The goal was to identify the facts and myths surrounding school choice issues and to provide lawmakers with the information and tools needed to successfully advance education options across the nation.

Virginia Walden Ford, executive director of D.C. Parents for School Choice, and Dr. Howard Fuller, chairman of the board of the Black Alliance for Educational Options, delivered keynote speeches at separate meal sessions, highlighting the need for school choice in low-income communities with firsthand accounts about their successful battles to promote expanded education options.

## Walden Inspires

"I looked out at the faces of the legislators attending ALEC's School Choice Academy as I began my speech. As I spoke those faces became more and more animated," Ford said later. "I felt energy coming from them that encouraged and compelled me to provide information to them that they would need to go back to their states and make getting school choice legislation passed a priority."

Ford's new book, *Voices, Choices and Second Chances: How to Win the Battle to Bring Opportunity Scholarships to Your State*, was donated to all attendees by the Institute for Justice.

"It was extraordinary sharing my story and the stories of the D.C. families with those present," Ford said. "These were people who genuinely cared and would do something to change how children in this country are educated."

In the workshops, top policy analysts and experienced legislative leaders bridged the gap between political theory and real world practice. Legislators of varying experience with school choice policy attended the academy, but the event was useful to all attendees, said Virginia State Delegate Chris Saxman (R-Staunton).

**"I looked out at the faces of the legislators attending ALEC's School Choice Academy as I began my speech. ... I felt energy coming from them that encouraged and compelled me to provide information to them that they would need to go back to their states and make getting school choice legislation passed a priority."**

VIRGINIA WALDEN FORD  
D.C. PARENTS FOR SCHOOL CHOICE

## Experts Share Experience

"What a great conference!" Saxman said, noting he has sponsored school choice legislation for several years. "I learned so much more about the issue than I ever thought possible, and made a ton of contacts that will significantly help our efforts in Virginia."

Friedman Foundation Executive

Director Robert Enlow and Alliance for School Choice President Clint Bolick taught attendees about the variety of school choice programs across the nation. Wisconsin State Rep. Scott Jensen (R-Brookfield) advised lawmakers on how to draft an effective and successful bill.

Bolick and Clark Neily, a senior attorney at the Institute for Justice, spoke about defending school choice laws in the courts—from their 2002 defense of the Cleveland voucher program before the U.S. Supreme Court, to their current work defending Florida's school choice programs before the Florida Supreme Court.

Lori Drummer ([ldrummer@alec.org](mailto:ldrummer@alec.org)) is director of the American Legislative Exchange Council's Education Task Force.

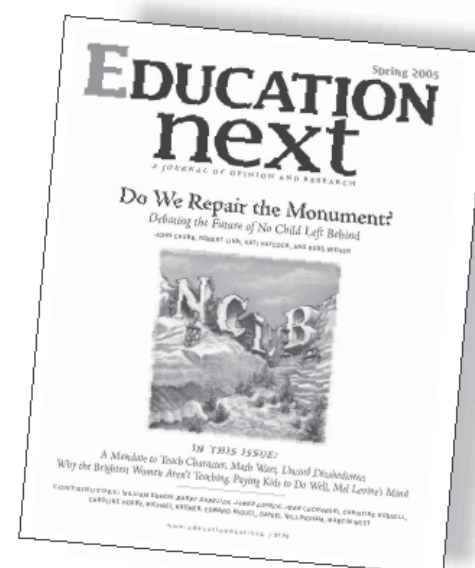
## INTERNET INFO

The education task force of the American Legislative Exchange Council has developed model legislation for school choice and other reforms. See, "Organization Provides Model School Choice Bills for State Legislators," *School Reform News*, February 2005, <http://www.heartland.org/Article.cfm?artid=16289>.

Interested in Education?

Wonder what's happening in our schools?

Read **Education Next**:  
A Journal of Opinion and Research



**Education Next** gives you

- Cutting-edge research by famous scholars
- Provocative features on contemporary issues
- Honest exchanges of opinion
- Great graphics, engaging text

Subscription information for *Education Next* is available on our website, [www.educationnext.org](http://www.educationnext.org), or by calling 1-800-935-2882.

You'll also find the journal in many bookstores.

# No Parent Left Behind

It might just be an urban legend, but an e-mail purporting to be compiled from notes written by real parents in a real Tennessee school district implies we're long overdue for some real improvements in education. Spelling and punctuation been left intact.

1. My son is under a doctor's care and should not take PE today. Please execute him.
2. Please exkuce lisa for being absent she was sick and i had her shot.
3. Dear school: please ecsc's john being absent on jan. 28, 29, 30, 31, 32 and also 33.
4. Please excuse gloria from jim today. She is administrating.
5. Please excuse roland from p.e. for a few days. Yesterday he fell out of a tree and misplaced his hip.
6. Carlos was absent yesterday because he was playing football. He was hurt in the growing part.
7. Megan could not come to school today because she has been bothered by very close veins.
8. Chris will not be in school cus he has an acre in his side.
9. Please excuse ray friday from school. He has very loose vowels.
10. Please excuse pedro from being absent yesterday. He had diahre dyrea direathe the sh\*\*s.
11. Irving was absent yesterday because he missed his bust.
12. Please excuse jimmy for being. It was his father's fault.
13. I kept billie home because she had to go christmas shopping because i don't know what size she wear.
14. Please excuse jennifer for missing school yesterday. We forgot to get the sunday paper off the porch, and when we found it monday. We thought it was sunday.
15. Sally won't be in school a week from friday. We have to attend her funeral.
16. My daughter was absent yesterday because she was tired. She spent a week end with the marines.
17. Please excuse mary for being absent yesterday. She was in bed with gramps.
18. Gloria was absent yesterday as she was having a gangover.
19. Please excuse brenda. She has been sick and under the doctor.
20. Maryann was absent december 11-16, because she had a fever, sorethroat, headache and upset stomach. Her sister was also sick, fever an sore throat, her brother had a low grade fever and ached all over. I wasn't the best either, sore throat and fever. There must be something going around, her father even got hot last night.



## HILLSDALE COLLEGE ANNOUNCES THE TENTH RECIPIENT OF THE



## \$25,000 Henry Salvatori Prize FOR EXCELLENCE IN TEACHING

**EACH FALL**, Hillsdale College seeks nominations for the Henry Salvatori Prize for Excellence in Teaching. This prize honors teachers in grades K-12 who are committed to rigorous standards and to a traditional, time-tested approach to education. Endowed by the late businessman and philanthropist Henry Salvatori, this competition is open to teachers in non-profit private and public schools who have employed the *Hillsdale Academy Reference Guide*. Winners receive a \$25,000 cash award payable to their school.

Kjerstie Keen of Cheyenne Mountain Charter Academy in Colorado Springs, Colorado, is hereby named the recipient of the 2005 Henry Salvatori Prize for Excellence in Teaching.

The *Hillsdale Academy Reference Guide* is an invaluable resource for teachers, administrators and parents who seek to educate their children in a well-balanced core of essential subjects. Based on the daily operation of Hillsdale Academy, the K-12 model school of Hillsdale College, the *Guide* contains course syllabi, supplementary reading lists, school handbooks and administrative policies. It is currently being used by more than 500 schools nationwide, as well as by countless home-schooling parents.

To learn more about the Henry Salvatori Prize for Excellence in Teaching or the *Hillsdale Academy Reference Guide*, call (800) 989-7323 or log on to [www.hillsdale.edu/academy](http://www.hillsdale.edu/academy).

"The traditional, **CHARACTER-DRIVEN, BACK-TO-BASICS** model for education set forth by Hillsdale Academy has helped shape the underlying culture of Cheyenne Mountain Charter Academy . . . The **SUCCESS** of our method of instruction is evident as CMCA continues to receive recognition as a **SCHOOL OF EXCELLENCE.**"



**KJERSTIE KEEN**  
2005 Henry Salvatori  
Prize Recipient





## BOOK REVIEW

# Tax-Funded Schools Are Political Machines, Author Says

review by Nancy Salvato

In *Cheating Our Kids: How Politics and Greed Ruin Education*, author Joe Williams makes the case that as long as tax dollars fund public schools, education will be a political operation.

Traditional public schools, Williams notes, have a captive audience and a continuing supply of money to spend on the adults lining the system. Alternative options, such as charter schools, are able to make more efficient use of per-pupil funding—if only because there are fewer hands grabbing for a piece of the pie.

## Entitlement Mentality Pervades

Williams provides many anecdotes showing how an entitlement mentality permeates school districts. Their highest priority, he says, is to make sure contracts with the adults benefiting from the system aren't violated: Teachers with no knowledge of sign

language are hired at a school for the deaf; janitors refuse to clean carpet squares in classrooms because it isn't in their contract to do so.

Reformers are always calling for more transparency and for school districts to share critical information that could improve education, but contracts negotiated out of the public eye make it difficult to know who should be held accountable when the system doesn't run smoothly. Contracts shouldn't work against the kids and the teachers, Williams argues. Case in point: Administrators should not purchase supplies through contracted vendors, who charge much more than Sam's Club or other local retail outlets.

Taxpayers' education dollars are used improperly in other ways as well, Williams points out. For example, during the 2004 presidential election, the National Education Association (NEA)

## Cheating Our Kids: How Politics and Greed Ruin Education

Joe Williams

New York: Palgrave Macmillan, 2005

\$16.47 cloth, 272 pages,  
ISBN 140396839X

was the single largest contributor to the Floridians for All Political Action Committee, providing \$250,000 to its campaign to raise the minimum wage as part of a greater strategy to make sure people would vote against President George W. Bush.

Because union dues are tax deductible, tax dollars pay for such activities.

## CHEATING OUR KIDS

HOW POLITICS  
AND GREED

RUIN

EDUCATION

JOE WILLIAMS

## Philanthropy Involves Risks

There is considerable debate about whether reforms driven by philanthropists are further disenfranchising the public from the public school system. The latest fad is small schools within schools, a trend that may be driven by the accompanying funding.

All philanthropy comes with strings, and whoever accepts the money should understand the long-term consequences of implementing any reforms, Williams says. Philanthropically driven reforms should be evaluated for their impact by unbiased sources. Moreover, Williams argues, educators should turn down money offered by philanthropists who interfere with the public's role in making important policy decisions.

Unarguably, Williams says, philanthropy has helped fuel the school choice movement. Organizations such as Partners Advancing Values in Education, the Bradley Foundation, the Walton Family Foundation, and the Friedman Foundation helped create the Milwaukee Parental Choice Program school voucher system 15 years ago.

In fact, because the late Wal-Mart heir John Walton gave large sums of money to support charters and private school choice, the NEA urges its members to boycott Wal-Mart. This leaves many business leaders somewhat squeamish about funding education alternatives.

But as Williams points out in this well-written book, the data are in: Competition has improved all of Milwaukee's public schools since vouchers were approved. Parents across the country must assert themselves as customers in the system. They must educate themselves on what is happening in schools, because knowledge is power.

When parents understand how schools work and how their children's schools compare to others in the system, they will be more inclined to level the playing field for their own kids.

Nancy Salvato ([nancysalvato@basicsproject.org](mailto:nancysalvato@basicsproject.org)) is president of The Basics Project.

## Boston MATCH School Goes Beyond "No Excuses"

by George Clowes

Since its inception in 2000, the Media and Technology Charter High (MATCH) School in Boston has drawn its predominantly black and Hispanic students largely from the city's poorest demographic, and most of its students enter ninth grade achieving well below grade level. Yet 100 percent of its 2005 graduates went on to college.

Among the Bay State's 334 open-admissions schools, MATCH's 2005 tenth-graders ranked first in math (96 percent) and 14th in English (92 percent) for the percentage of students scoring at proficient or above on the Massachusetts Comprehensive Assessment System (MCAS) exam.

## Tutoring Program Worked

Adopting a "no excuses" approach will produce a big gain in achievement, but more is needed at the high school level, said MATCH School founder and CEO Michael Goldstein. It's not plausible, he argued, for a teacher to concurrently teach new material and remedy large accumulated deficits in basic skills.

At the MATCH School, remediation is accomplished through an extensive tutoring program. (See "MATCH School Shows Poverty Isn't Destiny," *School Reform News*, October 2003.)

Last year, the school scaled up its tutoring effort by launching the MATCH Corps Urban Fellowships. In that pioneering program, 45 top college graduates from universities nationwide work as full-time, one-on-one tutors at the MATCH School for one year in exchange for housing and a small stipend.

The goal of the corps is to eliminate the achievement gap between MATCH students and their suburban peers, first by improving math and English skills in grades 9 and 10, and then by improving critical-thinking skills in grades 11 and 12.

## Lives Have Changed

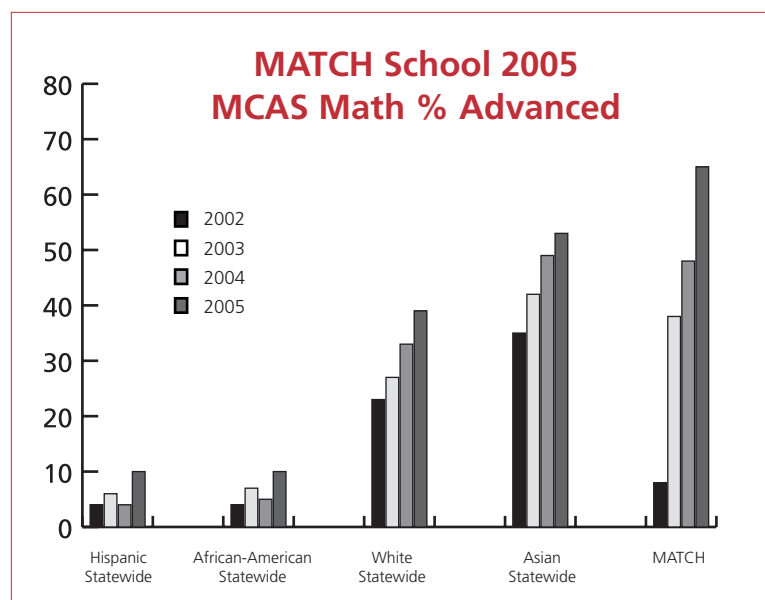
"In the first two years, a lot of the focus is on being able to learn how to read, how to write a short essay, how to do algebra and geometry, and all of the basics behind that," Goldstein said. In the final two years, the focus is on learning to handle more complex subject matter, such as Advanced Placement calculus, and more challenging reading material.

Jonathan Correia, a University of Massachusetts Lowell student who graduated from MATCH School in June 2004, was one of the school's first students. Based on his experi-

ences there, his younger sister, Margaret, also chose to attend MATCH School even though she had been accepted by one of Boston's selective-enrollment schools. She graduated in June 2005 and is now a student at the University of Massachusetts Amherst.

"[Jonathan] was good in math but not in English, and he kept falling through the cracks," said his mother, Sarah Correia, of Brighton, Massachusetts. "He did much better once I got him to the MATCH. It made a lot of difference because they worked hard with him and he got more attention. With Margaret, I think it made a difference because her teachers pushed her."

George Clowes ([clowesga@heartland.org](mailto:clowesga@heartland.org)) is a Heartland Institute senior fellow.



## INTERNET INFO

For more information, visit the MATCH School's Web site at <http://www.matcheschool.org>.

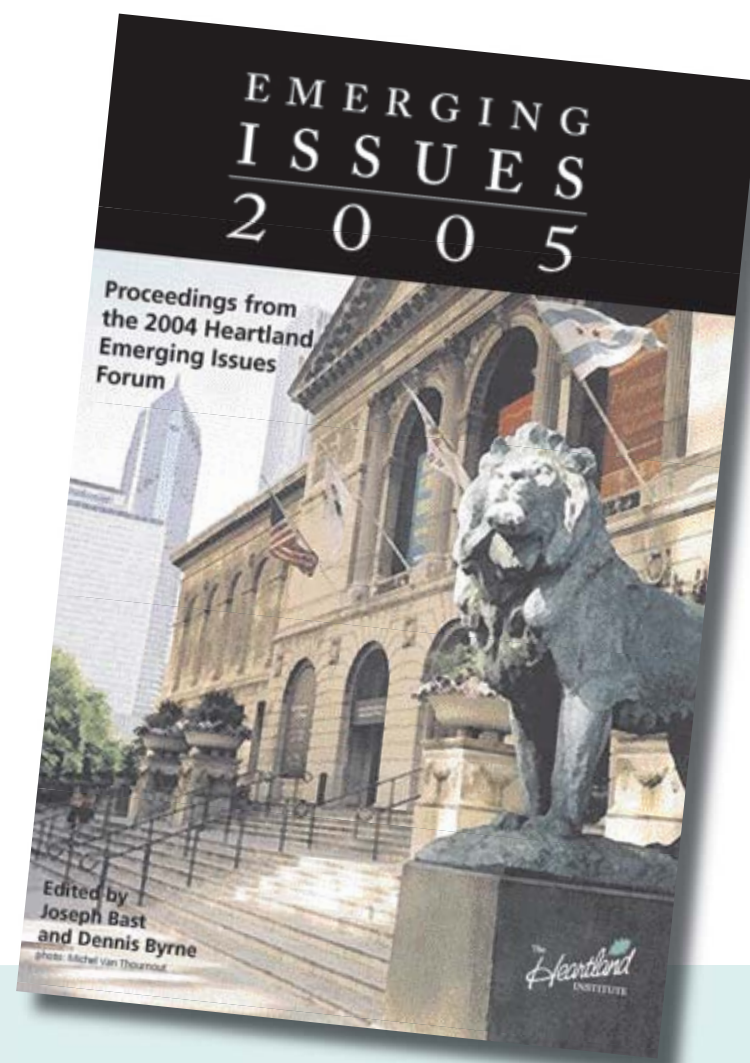
Also see "MATCH School Shows Poverty Isn't Destiny," *School Reform News*, October 2003, <http://www.heartland.org/Article.cfm?artid=12948>.

# Now available!

## ***Emerging Issues*** **2005**

Edited by Joseph L. Bast and Dennis Byrne  
The Heartland Institute, 2005

Penetrating analysis of many of the major public policy issues of the day, written by 28 of the nation's leading experts!



On September 23, 2004, 120 elected officials, public policy experts, and grassroots activists from across the country gathered in Chicago to look forward to the shape of public policy debates in the coming years. Twenty-eight short presentations were delivered by many of the country's leading free-market thinkers. *Emerging Issues 2005* contains the edited proceedings of this remarkable conference.

All the major public policy topics of the day are covered: Taxes and budget issues, environmental regulation, school reform, health care finance, telecommunications, tort reform, and more. The authors include elected officials at the front lines of public policy change, leaders of major think tanks and foundations, and highly respected scientists, economists, and legal authorities.

*Emerging Issues 2005* is a timely and authoritative guide to the public policy debates that lay ahead, yet it is short and written in plain English, making it an excellent introduction to public policy debates for an entire government affairs or public affairs staff. It can provide essential background and perspective for everyone from the boardroom to the mailroom.

### Ordering Information

Copies are just \$5.95 each (plus 6.25% if ordering from Illinois and 9% tax if ordering from Chicago).

Volume discounts are available:

1-10 copies	\$5.95 per copy
11-50 copies	\$4.95 per copy
51-100 copies	\$3.95 per copy
101 or more	\$2.95 per copy

To order, call 312/377-4000 or go to [www.heartland.org](http://www.heartland.org)



### Table of Contents

#### Introduction

Joseph L. Bast, *The Heartland Institute*

#### 1. Taxes and Budgets

Scott Hodge, *Tax Foundation*  
Robert Genetski,  
*Robert Genetski Financial Advisors*  
Greg Blankenship, *Illinois Policy Institute*  
Hon. Frank Lassee, *Wisconsin -*  
*Second Assembly District*  
Jon Caldara, *Independence Institute*

#### 2. Environment

James M. Taylor, *Environment & Climate News*  
Jim Johnston, *The Heartland Institute*  
S. Fred Singer, *Science and Environmental Policy Project*  
Wendell Cox, *Wendell Cox Consultancy*  
Jay Lehr, *The Heartland Institute*

#### 3. Keynote Address

John Fund, *The Wall Street Journal*

#### 4. Education

George Clowes, *School Reform News*  
Robert Enlow, *Milton and Rose D. Friedman Foundation*  
David Salisbury, *Cato Institute*  
Lee Walker, *The New Coalition for Economic and*  
*Social Change*

#### 5. Health Care

Conrad Meier, *Health Care News*  
Jane Orient, *Association of American Physicians and Surgeons*  
Lee Tooman, *Golden Rule Insurance Co.*  
Merrill Matthews, *Council for Affordable Health Insurance*

#### 6. Digital Economy

Steven Titch, *IT&T News*  
Raymond Gifford, *The Progress & Freedom Foundation*  
Lynne Kiesling, *Center for Applied Energy Research*  
Dan Miller, *Chicago Sun-Times*

#### 7. Law

Maureen Martin, *Lawsuit Abuse Fortnightly*  
Andrew Stephens, *U.S. Chamber Institute for Legal Reform*  
Paul Fisher, *McGuire Woods, LLC*  
Joseph A. Morris, *Morris & De La Rosa*

**"A crash course in free-market research and policy recommendations for virtually every important public policy area."**

Walt Buchholz  
Government Relations  
and Issues Advisor  
ExxonMobil Corporation

**"Absolutely essential reading not only for people in government affairs but anyone with a role in shaping or coping with changes in public policy."**

Raj Bal  
Executive Vice President-  
Individual Markets  
Assurant Health

**"A cornucopia of free-market research and prognostications. Highly recommended."**

Tom Walton  
Director of Economic Policy  
General Motors Corporation

• For more information visit The Heartland Institute's Web site at [www.heartland.org](http://www.heartland.org).