Florida Mayor Touts Principal Merit Pay

St. Petersburg, Florida Mayor Rick Baker, shown here in March 2004 at the dedication of the city’s first joint-use playground, at the Mt. Vernon Elementary School, has been praised for his commitment to innovative ideas for education reform.

By Ben DeGrow

A Florida mayor with a pioneering vision for education reform has given new priority to rewarding successful school leaders.

In October, St. Petersburg Mayor Rick Baker unveiled the High School Principal Incentive Program, which will provide financial bonuses to principals and assistant principals whose schools improve their rating on Florida’s School Accountability Report (SAR). The SAR issues letter grades to all Florida schools based on measured levels of achievement and growth in reading, math, and writing from the Florida Comprehensive Assessment Test (FCAT).

To receive an A on the SAR, a minimum of 90 percent of a school’s students must be tested. Participation below 90 percent can reduce a score. At least half of the lowest-performing pupils must demonstrate improvement for a school to earn a C or better.

Struggling High Schools

Leaders of five St. Petersburg high schools with 1,500 or more students are eligible for the bonuses, to be given out after the new SAR.

NJ Considers Tax Credits

By Michael Coulter

This year, the New Jersey General Assembly will consider a bill that would enable children living in troubled school districts to attend a private school.

Defenders of the measure say it would ease financial pressure on several local school districts.

The Urban Schools Scholarship Act was introduced in 2006 but has yet to receive a committee hearing. Proponents both within and outside the legislature have called for action to provide assistance to families in need.

Exit Exam Blamed for CA Dropouts

By Aricka T. Flowers

In 2006, California experienced a slight increase in its high school dropout rate, the first such increase in seven years, according to a study released on October 31 by the 55-year-old Human Resources Research Organization (HumRRO), a coalition of experts who work to improve team performance, based in Virginia.

Though the dropout rate increase was small, from 7.2 percent to 7.8 percent, it has sparked debate within the California educational and legal community. Critics say it’s because the class of 2006 was the first required to pass the California High School Exit Exam (CAHSEE).

The exit exam has been controversial...
School Choice on Audio

Audio recordings from the 2006 Educational Choice Speaker Series are now available online.

The luncheon series is hosted by the Illinois School Choice Initiative (ISCI), a project of The Heartland Institute. The mission of the initiative is to enable all parents in Illinois to choose quality schools for their children. For more information, please contact Ralph Conner, government relations manager for The Heartland Institute, at 312/377-4000, email conner@heartland.org.

Since January, the ISCI has hosted a monthly luncheon at the Metropolitan Club of Chicago, where business and civic leaders and school choice supporters have heard from some of the movement’s most important leaders, including Robert Enlow of the Milton & Rose D. Friedman Foundation, Rebeca Nieves-Huffman of the Hispanic Council for Reform and Educational Options, and Lawrence Patrick III of the Black Alliance for Educational Options.

The audio recordings can be listened to online or downloaded to an iPod or MP3 player by subscribing to the Educational Choice Speaker Series Podcast. Visit The Heartland Institute’s online audio center at http://www.fromtheheartland.org/live/audio.html and scroll down to the ISCI Educational Choice Speaker series.

THE FOLLOWING PRESENTATIONS ARE AVAILABLE:

JANUARY: George Clowes, The Heartland Institute
On January 19, Clowes kicked off the new monthly Educational Choice Speaker Series with a talk titled, “Competition as an Effective Education Reform: What Works and What’s Ahead.”

FEBRUARY: Ken Johnson, Milwaukee Public Schools
On February 16, Kenneth L. Johnson, Milwaukee School Board president, addressed “Milwaukee Public School Reform: Rethinking of Parents as Our Customers.”

MARCH: Virginia Gentles, Florida Department of Education
On March 14, Virginia Gentles, executive director of the Florida Department of Education’s Office of Independent Education and Parental Choice, described the school choice programs available to parents in the Sunshine State.

APRIL: Lawrence Patrick, BAEO
On April 20, Lawrence Patrick III of the Black Alliance for Educational Options (BAEO) addressed the need for educational choice for black parents and students.

MAY: Rebeca Nieves-Huffman, Hispanic CREO
On May 18, Rebeca Nieves-Huffman addressed the education crisis and how it affects Hispanic children. Huffman is president and CEO of the Hispanic Council for Reform and Educational Options (Hispanic CREO).

JUNE: Robert Enlow, Milton & Rose D. Friedman Foundation
On June 15, Robert Enlow, executive director of the Milton & Rose D. Friedman Foundation, gave an overview of the school choice movement, assessing the strength of the movement.

JULY: Lisa Snell, Reason Foundation
On July 27, Lisa Snell, director of education and child welfare at the California-based Reason Foundation, spoke about the pitfalls of universal preschool and the benefits of weighted student funding as a viable and effective K-12 reform.

SEPTEMBER: David Brennan, White Hat Management
On September 1, David Brennan’s speech, “The U.S. Education System Is Perfectly Aligned with Cuba and North Korea: Do We Really Treasure Individual Rights? Don’t We Value the Power of Consumer Choice?” stressed the importance of innovation in our education system.

OCTOBER: Clint Bolick, Alliance for School Choice
On October 19, Clint Bolick closed the ISCI’s 2006 Educational Choice Speaker Series with a discussion of school choice cases currently in the courts, and what the future holds.
More Higher Ed Funding on Congressional Agenda

By Dan Lips

Higher education programs are expected to take center stage in the 110th Congress. The Democrats campaigned aggressively in 2006 on a platform of increasing federal subsidies for higher education.

The Democrats’ proposals are said to be geared toward helping American families afford rising higher education costs. But analysts question whether additional federal subsidies will actually make college more affordable.

According to news reports, incoming House Speaker Nancy Pelosi (D-CA) may be planning to slash interest rates on student loans from 6.8 percent to 3.4 percent, at a cost of $2.6 billion. Rep. George Miller (D-CA), the new chairman of the House Education and Workforce Committee, introduced legislation in the last Congress to reduce parents’ loan interest rates from 8.5 to 4.75 percent, costing an estimated $5-12 billion annually.

Record Spending Already

The expected proposals for new higher education funding come as the federal government is already spending at historically high levels on postsecondary education. According to The College Board, federal spending on higher education totaled $80 billion in 2005—a 103 percent increase over the past decade.

The funds are delivered in several ways, including $63 billion in loans, $18 billion in grants, $8 billion in tax credits and deductions, and $1 billion in work-study assistance.

“Higher education programs are expected to take center stage in the 110th Congress. The Democrats campaigned aggressively in 2006 on a platform of increasing federal subsidies for higher education.”

Spiraling Costs

Federal spending on higher education has increased significantly under the Bush administration. For example, annual Department of Education spending on federal Pell Grants grew from $8.7 billion in 2001 to $13 billion in 2006—nearly 50 percent growth over five years.

Even so, the growth in federal support for higher education has not kept pace with rising tuition costs. According to The College Board, tuition costs at four-year private and public colleges increased by 5.9 percent and 7.1 percent, respectively, during the 2005-06 school year.

Analysts question whether additional federal spending on higher education will make education more affordable. Neal McClusky, an education analyst with the Cato Institute, pointed out the likelihood of unintended consequences from further subsidies.

“For students able to get lower-interest loans and bigger Pell grants, the Democrats’ plan will make college marginally more affordable,” McClusky explained. “In the long run, though, making aid cheaper and more plentiful will just perpetuate the insane tuition inflation that’s plagued higher education for decades.”

More Extravagance

McCluskey said federal subsidies create an economic relationship that necessarily inflates tuition prices dramatically.

“By giving students more money—furnished by taxpayers rather than by the students themselves—students and parents will demand even nicer dorms, more posh recreation facilities, more gourmet food, and more of all the other extravagances that have become staples at college over the last couple of decades,” McCluskey explained.

“In the face of that demand, colleges will raise their prices so that they can capture the new aid and offer the luxuries that they demand.”

Lexington Institute Executive Vice President Don Soifer acknowledged that increasing subsidies for higher education may appeal to voters but isn’t necessarily good public policy.

“The notion of lowering interest rates for student loans sounds tempting politically,” Soifer explained. “But how it works and how we pay for it are crucial details. Passing higher subsidies on to taxpayers makes it a lot less attractive.”

Other Solutions

Soifer agreed that increasing subsidies may contribute to escalating tuition prices.

“The costs of higher education have been growing at a rate well above inflation, especially at four-year public institutions,” Soifer said. “Taxpayer subsidies appear to be part of the problem.”

Rather than simply increasing federal subsidies, Soifer and McCluskey suggested alternatives to help curb runaway higher education costs, including greater financial accountability.

“Injecting some transparency for how that public money gets spent, especially at public colleges and universities, might be one way to apply downward pressure to rising tuition,” Soifer said.

McCluskey suggested reducing federal government involvement in education by refocusing remaining aid programs to assist the truly disadvantaged.

“Only then will college be made affordable for the truly poor without constantly driving college prices to ever-more stratospheric heights,” McCluskey said. “And, by the way, sticking taxpayers with bigger and bigger higher education bills.”

Dan Lips (dan.lips@heritage.org) is an education analyst at The Heritage Foundation in Washington, DC.

Florida

Continued from page 1

is released in June 2007. In 2005-06, St. Petersburg High School earned a B, Northeast High and Gibbs High earned Cs, while Dixie M. Hollins and Lakewood notched D ratings.

“Our high schools are the schools that struggle the most academically right now,” said Deputy Mayor Dr. Sarah Lind, who oversees schools and policy. “This is our last chance to have a positive impact on the lives of our students before they become adult citizens in our community.”

Under the new incentive program, principals receive $10,000 for each letter grade of improvement achieved by their school. At the discretion of the principal and school superintendent, an assistant principal may obtain a bonus worth as much as $2,500.

The incentive program expands on the first year of Baker’s Top Apple award program, which gives similar but smaller bonuses to elementary and middle school leaders. High school administrators are no longer eligible for Top Apple awards, as they can earn more through the new incentive program.

Scientific Research

“There’s plenty of research that points out good schools are led by good administrators,” said Terry Boehm, executive director of the Pinellas Education Foundation, a partnership that acts as a fiscal agent for Baker’s program.

A 2003 report from Mid-continent Research for Education and Learning, a Colorado-based nonprofit group that promotes applied research, found “a substantial relationship between leadership and student achievement.”

In 2004, scholars from the University of Minnesota and the University of Toronto identified leadership quality as “about a quarter of total school effects” and revealed the “impact of leadership tends to be greatest in schools where student needs are most acute.”

‘Gutsy Move’

Boehm applauded the new incentive program as part of a “corporate approach” he said is badly needed in public schools.

“I know it probably tests the comfort level of those who enjoy the status quo, but at the end of the day the principals should be held accountable, and they should also be rewarded if their schools are doing well,” Boehm said. “It’s a gutsy move. He’s not going to make everyone happy.”

Local teachers’ union officials rank among the dissatisfied.

“I think we could come to some other useful means to make that money more directly aligned to student achievement or teacher quality,” said Michelle Dennard, president of the Pinellas Classroom Teachers Association (PCTA).

“I know [Baker] had good intentions to bolster leadership, but the head can’t do without the body—all the teachers and all the support personnel.”

While some analysts may worry the merit-based approach would exacerbate a “teach to the test” mentality, at the expense of a well-rounded education, others said it wouldn’t necessarily pose a problem.

“If the test is testing the standards agreed upon in the state, we want them to be teaching to the test,” observed Lewis Solmon, president of the National Institute for Excellence in Teaching, a California-based group promoting teacher quality.

Under the new incentive program, principals receive $10,000 for each letter grade of improvement achieved by their school. At the discretion of the principal and school superintendent, an assistant principal may obtain a bonus worth as much as $2,500.

Incentives for Teachers

Baker’s other innovative incentives, unveiled since he took office in 2001, include offering as much as $18,000 in housing loan forgiveness for St. Petersburg residents who commit to teach in the city’s schools for up to 10 years, and the Dale Hickam Excellent Teaching Program, which gives teachers with National Board certification a salary increase worth 10 percent of the state average.

In addition, Florida’s Special Teachers Are Rewarded (STAR) Program makes $6.1 million available to the top 25 percent of Pinellas County teachers, based at least partly on learning gains made by their students. A school district can claim the legislative appropriation if it submits a performance pay plan approved by the State Board of Education. Dennard rejects the STAR Program, too. “They want the rest of us to agree that 25 percent should get the bonus,” she said. “It’s like an insult to offer me a bonus when you’re not paying me the national average.”

According to the National Education Association, Florida teachers earned an average salary of $41,587 in 2004-05, while the national average was $47,808.

Multiple Measurements

Dennard said any rewards given to school employees “should be based on multiple measures, not just the FCAT.” She cited parental involvement, volunteer involvement, and safety factors as examples for “a complete report card on what’s a good school environment.” Also, some of St. Petersburg’s schools “have challenging populations that will never do well” on the state assessment, she said.

Lind, however, highlighted an example of achievable success. Despite the fact that 78 percent of its students qualify for free or reduced-price lunches, the city’s Mt. Vernon Elementary School moved from a D in 2001 to an A in 2004 on Florida’s SAR.

Mt. Vernon is a beneficiary of the state’s Partnership to Advance School Success (PASS) program, which provides corporate funding and mentorship from business leaders to help change how low-performing schools function.

‘Shining Star’

Over the five years he’s been mayor, Baker’s initiatives have helped to train hundreds of city and business employees to mentor underprivileged students and have matched 80 corporations with 47 city schools to provide various services. Having made a commitment to provide private scholarships to 1,000 students in his city, Baker has already given away 600 and collected funds for 125 more, said Boehm.

“I don’t know any other [mayor] who is raising millions of dollars for education or who is placing such a high priority on schools,” said Boehm.

Baker also meets monthly with Pinellas County Superintendent Dr. Clayton Wilcox to share ideas and chart progress.

“The partnership with the district is important,” Lind said. “They tell us whether it’s a good time to launch [a particular] program, and we really work together.”

Even his recent critics are impressed with the overall direction of Baker’s reform efforts.

“He’s a shining star,” Dennard said. “He has a vested interest in wanting the schools to be successful.”

Ben DeGrou (ben812I.org) is a policy analyst for the Independence Institute, a free-market think tank in Golden, Colorado.
Denver Expands Merit Pay to Include Principals

By Ben DeGrow

A n urban leader in teacher pay innovation has won a federal award to revamp how school administrators are compensated.

In November, the United States Department of Education gave Denver Public Schools (DPS) a $22.6 million, five-year grant from its Teacher Incentive Fund (TIF) to expand the district’s Professional Compensation System for Teachers (ProComp). DPS will receive $5.7 million in the first year.

The TIP is a U.S. Department of Education initiative created to promote the development of performance-based incentive programs that reward both teachers and principals. DPS received the second-largest of 16 TIP awards, totaling $42 million, for the federal program’s first year of funding. Other major recipients were the District of Columbia, Houston, Ohio, and South Carolina.

“I applauded the efforts of Denver Public Schools in securing this grant,” said Patricia Chlouber, the U.S. Secretary of Education’s regional representative. “While the immediate benefit is for teachers and principals, it will also greatly impact student achievement. It is our hope that this teacher incentive grant will encourage and reward teachers for being the very best they can.”

Building on Changes

A portion of Denver’s $22.6 million grant will be used to implement a multiple-measure structure to reward principals of successful schools.

The alternative compensation model for principals follows the successful implementation of the school district’s innovative teacher pay system. Denver voters approved a renewable $25 million-a-year tax increase in November 2005 to fund ProComp, which rewards teachers for a range of factors beyond years of seniority and graduate-degree coursework.

“But we’ve made headway with ProComp in the arena of teacher compensation, it was a common-sense next step for us to develop a similar framework for paying principals,” said Brad Jupp, DPS senior academic policy advisor.

Jupp said rewards for school leaders will be based partly on measurable student achievement data, including state assessment scores and longitudinal growth results. School leaders can benefit from helping teachers set and achieve Student Growth Objectives: measurable goals that are “focused on growth in student learning,” related to course content, and tied to specific instructional strategies.

Like Denver teachers, principals also will be eligible for Distinguished Schools bonuses, based on high marks and demonstrated improvement on Colorado’s School Accountability Report (SAR). The district also is investigating knowledge and skills pay for school principals.

“DPS now has the power to subsidize tuition for programs that they think will develop the kind of leaders we want,” Jupp said.

“In November, the United States Department of Education gave Denver Public Schools a $22.6 million, five-year grant from its Teacher Incentive Fund to expand the district’s Professional Compensation System for Teachers.”

Upgrade in Progress

Under ProComp in 2006-07, teachers can receive a $1,026 bonus for agreeing to work in a school designated as being “Hard to Serve” based on measures of student poverty, language acquisition, student achievement data, including state assessment scores and longitudinal growth results. School leaders can benefit from helping teachers set and achieve Student Growth Objectives: measurable goals that are “focused on growth in student learning,” related to course content, and tied to specific instructional strategies.

“...my early favorite for Best School Reform Book of 2001. Even school reformers committed to an incrementalist approach will benefit from Merrifield’s instructions on the proper use of rhetoric and the importance of communicating the goal of creating a truly competitive education industry.”

—Joseph L. Bast, author of True Competitive Education Industry.

The TIF is a U.S. Department of Education regional initiative created to expand the district’s Professional Compensation System for Teachers.

In addition to rewards for principals, grant money will be used to provide “real-time access” to student data, develop better assessment tools, and increase capacity for professional development so teachers and principals have “rigorous and consistent expectations,” according to the grant.

DPS has partnered with New Leaders for New Schools, a national organization dedicated to recruiting high-quality principals. New Leaders is at the forefront of a coalition of education reform institutions working to create an online database that will enable teachers and principals nationwide to share successful ideas.

“We’re excited to learn from Denver and their groundbreaking experience with ProComp to help take the lessons they’ve learned to districts around the country and to help them create effective incentive systems,” said Michael Gross, New Leaders project manager for the Effective Practice Incentive Fund.

New Leaders’ input is driving the development of the new principal component of the ProComp system, Gross said.

Essential Rewards

As a former teacher, Jupp sees the work done so far in transforming teacher compensation as bringing about a “sea change.” But he also noted that until recently, alternative pay systems for urban school leaders have received little attention.

“To be a principal in a high-performing school in an urban school district, you have to be extremely focused,” said Jupp, noting the vast range of specific qualifications it takes to succeed.

Actual amounts of financial rewards for school principals are yet to be determined. DPS officials plan to implement elements of the expansion by the end of the current school year, with “a piloted version of principal ProComp” ready to go in 2007-08, Jupp said.

DPS was awarded only about 60 percent of the requested $37.8 million for the five-year grant. School officials are working to refashion some of the details of the original plan.

“We’ve got a lot of thinking to do,” said Jupp.

An attempt in 2001-02 to reward Denver principals with performance pay was ineffective and quickly scratched. “Right now we have a terrible principal pay system,” Jupp said.

DPS leaders surveyed 140 of the district’s principals during the summer of 2006 to gauge interest in a performance pay plan. Jupp said fewer than 10 indicated they did not agree with pursuing the alternative pay proposal.

Successful Partnership

In addition to rewards for principals, grant money will be used to provide “real-time access” to student data, develop better assessment tools, and increase capacity for professional development so teachers and principals have “rigorous and consistent expectations,” according to the grant.

DPS has partnered with New Leaders for New Schools, a national organization...
Competence Required

In addition to passing their classes, California students have several chances to pass the exit exam between their sophomore and senior years. According to HumRRO, of the 75,000 high school seniors who needed to pass the CAHSEE requirements to receive their diplomas in June 2006, approximately 36,000 had done so at some point in the past three years. And once the July 2006 exit exam results became available, the California Department of Education reported more than 400,000 of the 450,000 members of the class of 2006 had passed the exam.

Lisa Snell, director of education programs at the Reason Foundation, a free-market think tank in Los Angeles, said the test is a step in the right direction. “High school students should have minimal competence in basic areas,” Snell said. “There is no problem with an exit exam in that it gives students something to set their sights on as far as standards.”

Litigation Followed

As half of the 75,000 students who needed to pass the exam to get their diplomas by the end of the 2005-06 school year failed to do so (according to HumRRO’s estimates), reaction came swiftly, in the form of a class-action lawsuit filed in February 2006. Arturo Gonzalez of Morrison and Foerster, LLP represents approximately 40,000 students statewide who have passed all other requirements for a high school diploma except the exam.

“High school students should have minimal competence in basic areas,” said Snell. “There is no problem with an exit exam in that it gives students something to set their sights on as far as standards.”

LISA SNELL
DIRECTOR OF EDUCATION PROGRAMS
REASON FOUNDATION

Fairness Factor

CAHSEE critics say the test is unfair because economically disadvantaged students struggle on it, as do racial minorities. “You’ll just have more and more poor kids left behind with the exit exam,” Gonzalez said. “Most of the people who voted for this test don’t know what it’s like to be poor and live in a low-income neighborhood.”

“I’m also convinced that with this test there will be some kids who will go to high school, try and do their best and then see the test as yet another barrier and say, ‘The hell with it’ and give up. I don’t believe in putting another obstacle in the face of students that are already struggling to get through school,” Gonzalez said.

Real-World Relevance

State Superintendent of Public Instruction Jack O’Connell said the test is an ideal way to ensure graduates are ready to move on to college or the workplace. “The exit exam is designed to ensure that all students graduate with at least the basic level of knowledge and skills needed in the workplace and in life,” O’Connell stated in an August 22 news release.

Gonzalez isn’t convinced. “The notion that somebody who passes this test is prepared for society and someone who doesn’t is not is ridiculous,” Gonzalez said. “The test is not indicative of the skills that are used in society. For instance, one of the questions that would be on the test is, ‘What is the square root of 800?’ My answer to that is, ‘Who cares?’”

“For 90 percent of the jobs in America the answer is, ‘Who cares,’” Gonzalez continued. “Most people in America will never have to know the answer to those questions.”

No Silver Bullet

Although the debate over the test’s fairness continues, Snell said exit exams have a future in California and other states. But the results need to be evaluated carefully and help implement innovative programs that will address the problems such exams are sure to highlight, if they are to be a real success, she warned.

“I think the exam is going nationwide,” said Snell. “But I don’t think it’s a silver bullet.”

The real problem is that students are locked into an institutionalized high school system, with large schools and classes, that was put in place 150 years ago, and their parents have no other choice but to keep them there.

“The exit exam will be another indicator that something is wrong, because the students can’t pass basic math and reading tests, but it won’t change anything if the system is not changed itself,” Snell warned.

Aricka Flowers (atflowers@hotmail.com) is a freelance writer in Chicago.

INTERNET INFO

Most States Not Helping Minority Students Achieve: Fordham Report

By Krista Kafer

A report released in November by the Thomas B. Fordham Foundation found most states have made minimal or no progress in boosting the proficiency levels of low-income and minority students in reading, math, or science.

The number of state-level D and F grades assigned by the authors "reflects a shameful fact," said Michael J. Petrilli, the foundation's vice president for national programs and policy. "In most states, the percentage of these students reaching proficiency in reading, math, and science is in the teens or single digits. And it's not just our grading scale—the nation as a whole would have received a B for the achievement of white students. The grades are an indication of the pernicious achievement gap."

Using data from the National Assessment of Educational Progress (NAEP), Advanced Placement achievement, and graduation rates, the authors graded each state in three categories: achievement for low-income, African-American, and Hispanic students; achievement trends for these students over the past 10-15 years; and the state's reform efforts.

The Fordham Foundation intends to continue grading states and post the results every two years, Petrilli said.

Poor Grades

Overall, the study found:

* The average state earned a D in helping low-income and minority students achieve.
* Eight states earned a D+, 23 earned Ds, 10 received a D-, three earned Fs, and the remainder could not be scored because of insufficient sample size of targeted populations.
* Over the past 10-15 years, only eight states have made even modest gains among low-income, African-American, or Hispanic students in at least two academic subjects (math, reading, or science).
* Thirteen states made no statistically significant progress with disadvantaged and minority students, and 22 made minimal or very limited gains. The remainder could not be scored.
* The national average in state reform efforts was a C. Three states earned B; 22 earned C+, C, or C; 24 barely passed with a D+, D, or D-; and one state (Vermont) flunked altogether.

Education reform scores were calculated by analyzing state efforts in nine areas. These were quality of state academic standards, curricular scope of states' high school graduation test (if present), the presence of content-rich curricular models such as Core Knowledge or International Baccalaureate curricula, inclusion of low-income and minority students in No Child Left Behind (NCLB) progress calculations, rigor of state standards, whether high school exit and college entrance requirements are aligned, percentage of students enrolled in charter schools, equitable charter school funding, and the availability of vouchers, tax credits/deductions, dual enrollment, and inter-district public school choice.

Some Success

According to the report, the top 10 education reform states experienced at least some progress in raising achievement among disadvantaged and minority students.

"Many of the states that are embracing fundamental education reforms, like setting higher academic standards, holding schools accountable, and expanding school choice," Petrilli said, "are the same ones making significant gains for their poor and minority students. While we can't prove it scientifically, it appears that tough-minded education reforms work."

Conversely, some states, like Iowa and Nebraska, scored poorly on all three. No state receiving a D- in school reform experienced more than limited growth in achievement.

Mixed Results

Many states show mixed results. Colorado, for example, earned a D+ for low-income and minority student achievement, a C for reform, and a "no progress" score on achievement trends. Paul Teske, Ph.D., a professor at the University of Colorado at Denver's Graduate School of Public Affairs, commended the report for an accurate account of Colorado's strengths and weaknesses.

"There is some complacency in the state," Teske said. "Since our 'average' NAEP and other scores are not bad, we feel like Colorado is doing OK, but I like to remind people that with the second-largest percentage of college-educated adults and per-capita incomes generally in the top 10 states, we should do better than average. We should be excellent overall, and we aren't."

Teske criticized the report for not addressing funding, which he believes has an impact on the achievement gap. The report excluded funding, Petrilli said, because "we wanted our report to focus first and foremost on results, and on reforms that have been linked to improved outcomes in student achievement."

Krista Kafer (kristakafer@msn.com) is a freelance writer in Denver, Colorado.

Overall State Grades for Student Achievement, Achievement Trends, and Education Reform

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Source: Thomas B. Fordham Foundation, 2006
NCLB Spurs Growth in Online Tutoring Options

By Aricka T. Flowers

Information technology is changing the way most professions do business, and education is no different. As the No Child Left Behind Act (NCLB) celebrates its fifth anniversary this month, the tutoring industry that has mushroomed to support it is going online and outsourcing to other countries.

TutorVista, launched in June 2006, is one such service. The program provides 24-hour online tutoring services for K-12 students and college and graduate students. During a 2005 visit to the U.S., TutorVista founder and chairman Krishnan Ganesh, who lives in India, realized mass-marketing affordable personal tutoring services to American students could be a goldmine.

“As I was in the U.S., what really hit me was the ongoing media discussion about education,” Ganesh said. “I would imagine that people in a country like the U.S. would take advantage of education. The U.S. produces the largest number of Nobel laureates in the world and has institutions like Harvard and Yale. Yet the school dropout rate is really high. If you look at President Bush’s State of the Union address [last year], he said he wanted to give children a strong foundation in math and science,” Ganesh noted. “But there is very little personalized, one-on-one education in the U.S. because it is too expensive.”

Cost Effectiveness

According to a survey released in November by the Alfred P. Sloan Consortium, a group of educational institutions and organizations, approximately 3.2 million students were using online courses during the fall 2006 semester—an increase of .9 million from 2005. Eduventures, an education and research consulting firm, estimates Americans pay close to $2.2 billion annually for private tutoring.

TutorVista is much less expensive than private tutors, Ganesh noted. “Most tutoring programs in America cost $40 to $60 an hour, which can be $400 to $600 a month for a tutor,” Ganesh said. “We offer our services for $100 per month, and it is unlimited. That is highly affordable. In America, that equates to about 20 sessions a month at $5 per hour.”

But school administrators and other education establishment organizations have expressed concerns about the quality of tutoring available online.

Lynn Griese, interim president for the National Tutoring Association, a Florida-based nonprofit organization of professional educators and tutors, said the national average for an hour of personal tutoring is only $25 and less expensive services could be inferior.

“You get what you pay for,” Griese said. “I’m not really sure students are realizing mass-marketing affordable tutoring tough. And if they are working with a second-grader, that child does not have the means to try and communicate with a second-grader, that child does not understand what the instructor is saying.”

Trustworthy Tutors

One concern about outsourcing tutoring services, critics say, is the instructors’ qualifications. Griese noted the New York City education department suspended its relationship with Socratic Learning Incorporated because many of the firm’s tutors are in India and have not passed required background checks. The city had paid the company $2.4 million for tutoring services to help meet NCLB requirements.

But Ganesh said his tutors are highly educated and equipped to assist American students.

“One of the advantages of using Indian tutors is that the country has a population of one billion people,” said Ganesh. “When you have that many people, a good number of them will be highly qualified and interested in education just out of sheer numbers. You can’t find that in Europe or even the U.S. We use that population to cherry-pick the best people in their area of expertise.”

Griese said a cultural divide may mean outsourced tutors have difficulty assisting American students for long periods.

“TutorVista has had some international students as tutors, and they had a problem teaching in our learning style as well as a problem with the language barrier,” Griese said. “I think a lack of knowledge of our culture and how our children learn and think would make online tutoring tough. And if they are working with a second-grader, that child does not need the means to try and communicate with someone who doesn’t speak English as a first language.”

“As the No Child Left Behind Act celebrates its fifth anniversary this month, the tutoring industry that has mushroomed to support it is going online and outsourcing to other countries.”

INTERNET INFO

TutorVista, http://www.tutorvista.com


Arizona Voucher Programs Are Challenged in Court

By Hilary Masell Oswald

A lawsuit filed November 14 in the Arizona Supreme Court challenges the constitutionality of two new statewide voucher programs—one for foster children, the other for disabled children—created by the legislature last June. A decision could come as early as January 4.

The American Civil Liberties Union of Arizona, People for the American Way, and three individuals are asking the state’s highest court to prohibit state officials from disbursing public funds for the programs. They contend the vouchers violate the state constitution’s provision against using public funds for religious and sectarian schools.

According to the complaint, “helping any religious organization train a new generation of adherents in its teachings and beliefs constitutes support of the most fundamental kind.”

The programs provide state-funded scholarships for foster children and disabled children to attend the schools of their families’ choosing, public or private.

‘Fundamental Fairness’
The Arizona Legislature appropriated $2.5 million a year for the scholarships. Arizona’s education budget is approximately $3.8 billion.

Alessandra Soler Meetze, executive director of the ACLU of Arizona, said the issues are fundamental fairness and the use of public money to “promote private sectarian religious institutions.”

“What these voucher programs do is create a two-tiered system,” Meetze said. “A very small number of students get these vouchers, and the programs negatively impact 90 percent of students [allegedly by funneling state funds away from public schools].

“If people really wanted to improve the public schools, they wouldn’t abandon them,” Meetze suggested.

Educational Difficulties
Supporters of the voucher programs say children, not schools, are the beneficiaries of the state dollars.

The Arizona chapter of the Institute for Justice, a nonprofit law firm, represents parents who want to use scholarships for their children’s education.

“This isn’t some esoteric question of policy, at least for [these parents],” senior attorney Clark Neily explained. “This is just about making sure their kids are getting a decent education at a place where they can feel safe.”

In response to the suit, the institute filed affidavits signed by parents of special-needs children. One of those parents is Kimberly Wuestenberg, a Glendale resident and single mother of two, who has difficulty finding an appropriate school for her 13-year-old son, Imre. Imre has Asperger Syndrome, a neurological disorder characterized by deficiencies in social and communication skills.

“In my opinion, the public school system is unable to provide an education environment where children with neurological conditions can thrive and eventually become a successful part of society,” Wuestenberg’s affidavit says. “These children suffer severe emotional distress, depression, and low self-esteem as a result of constant harassing and teasing from mainstream students.”

Wuestenberg would like to apply for a scholarship for Imre, but she worries the lawsuit suggests the program is not yet secure, according to the affidavit.

‘Ripe Environment’

Arizona is often touted as a particularly ripe environment for school choice. Approximately 500 charter schools educate about 10 percent of the state’s public school population, said Matthew Ladner, vice president of policy research at the Goldwater Institute.

In 1997, Arizona enacted the nation’s first individual tax credit program for residents who donate money to private scholarships. In 2005, the legislature created a similar program for corporate donors.

“A lawsuit filed November 14 in the Arizona Supreme Court challenges the constitutionality of two new statewide voucher programs ... created by the legislature last June.”

The Arizona Supreme Court upheld the constitutionality of the individual tax credit in 1999, noting that because the money was donated by individuals, it never reached the state treasury.

The ACLU and Arizona School Boards Association sued against the corporate tax credit in September. Ladner said he wasn’t surprised when the ACLU challenged the new voucher programs, the state’s first.

“It is basically a question of whether our friends on the left are more dedicated to their goals or their policies,” Ladner said. “You’re either in favor of helping disadvantaged kids or you line up with the teachers union and talk about reforming the system from the inside, which isn’t happening either.”

Neily said the court will decide by January 4 whether to accept or reject the case, schedule oral arguments, or rule on it outright.

Hilary Masell Oswald (hilary_oswald@comcast.net) is a freelance writer in Evanston, Illinois.

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Texas Schools’ ‘Fight-Back Training’ Is Canceled After Media Slams

By Mary Susan Littlepage

After school-invasion murders gripped national headlines, a school district near Dallas hired a group to teach students to fight back if they encounter a gunman. But they decided to drop the “fight-back training” segment in late October after receiving negative coverage by the national media.

Burleson Independent School District (BISD) hired Response Options, a Dallas-based company, to provide general school safety training, which included fight-back training. The latter included encouraging students to throw objects at armed intruders, knock them off balance, make as much noise as possible, lock onto an intruder’s limbs, and try to take intruders down.

Teachers, 650 freshmen, and some elementary school students in the 8,500-student district received the training.

But after a national media buzz, on October 20 the district sent students’ parents a letter stating “BISD does not, nor will we support teaching our students to attack an intruder.”

“The letter, which said fight-back training “is not adopted by the district” and “BISD is pro-active in their efforts to make our schools as safe as possible,” was signed by Superintendent Mark Jackson; Richard Crummel, director of learning supports and public relations; and 10 of 11 principals in the BISD.

“As very few classrooms have more than one entry/exit, [running away] is clearly ineffective and potentially fatal.”

ROBIN BROWNE
SPOKESPERSON
RESPONSE OPTIONS

“Many self-styled ‘experts’ have been critical, but none has accepted our offer to provide them with information or training so they can talk from a position other than complete ignorance,” Browne said. Also, Browne said none of the critics he’s heard from so far has come up with any alternatives better than “run away, or hide and pray.”

“Although Browne acknowledged it may be ‘unpleasant’ for parents to think about their children fighting back against a school intruder, he said, “The only alternative is to ‘comply and die.’”

Mary Susan Littlepage (mslp@mylittlpages.com) is a freelance writer in Chicago.
New Jersey Proposes Tighter School Security

By Kate McGreevy

New Jersey Gov. Jon Corzine (D) has proposed a new safety initiative for New Jersey schools in response to recent incidents in other states.

Corzine announced the initiative, Strategic Actions for Violence Elimination (SAVE), on October 19, a few weeks after establishing a statewide School Security Task Force. According to the October 19 news release announcing the initiative, the governor will attempt to pressure President George W. Bush to encourage other governors to tighten gun laws in an attempt to eradicate them from New Jersey’s schools.

The strategy for this element of SAVE has not been revealed yet. At press time, the SAVE program was still in its initial planning stages.

Violent Incidents Elsewhere


“The impetus for the initiative and the task force was a combination of things,” Shatzkin said. “Governor Codey’s attempts resulted from [a] school violence incident in Russia, but it was also the Pennsylvania Amish school shooting that really brought it to the fore that we need to make sure we are prepared for the worst-case scenario.”

“We have had minor incidents in New Jersey, but nothing on the scale we’ve seen elsewhere,” Shatzkin said. “Those events remind us that we have to be prudent.”

Multifaceted Approach

SAVE proposes a multifaceted approach to school safety. Major elements include developing procedures for school lockdowns, bomb threats, and emergency evacuations, and increasing training for school resource officers and bus drivers.

Improving communication is also a goal, with a new school security Web site in the works, plus enhanced public information systems and greater coordination with law enforcement.

Shatzkin said some SAVE components are simply attempts to approach school safety differently and should not cost taxpayers more. Others—particularly those related to specifics such as emergency drills—could require legislation and, in some cases, additional funding.

“We are in the early stages now,” Shatzkin said of the task force and SAVE. “It’s too early to say [how much it might cost], but really, we are looking to do things with as little cost as possible. We want to do things differently, but with existing funds.”

“New Jersey Gov. Jon Corzine (D) has proposed a new safety initiative for New Jersey schools in response to recent incidents in other states.”

Gregg M. Edwards, president of the Center for Policy Research of New Jersey, a free-market think tank, believes SAVE has promise and credits Corzine for building on Codey’s school safety work.

“The problem with school security issues is that they come and go, depending on what is happening,” Edwards explained. “The fact that Corzine brought this up a year after Codey, and Codey brought it up prior to the recent violence in Pennsylvania, is a credit to both leaders for trying to keep us on our guard.”

Gang Focus Missing

But Edwards also said SAVE is missing a major component: a plan to deal with the gangs that are particularly active in some of New Jersey’s more violent districts—Camden, Newark, and Trenton.

“Schools are a big target for gangs, a breeding ground, and that is missing from Corzine’s initiative,” Edwards explained. “It’s more focused on school officials and what they can be doing, not law enforcement. But school officials are not up to the task of fighting gangs. That’s a law enforcement issue.”

Gang prevention measures will be incorporated into the initiative over time, Shatzkin said, agreeing that the state has a serious gang problem.

“There are a number of anti-gang programs already at work in New Jersey, and we are going to try to integrate our efforts with them,” Shatzkin said. “We will be seeking potential synergies and connections, without duplicating efforts. We are scrupulously avoiding a silo approach—we do not want to look at this narrowly. One of the things inherent in the task force is a community-based approach, which takes gangs into account.”

Kate McGreevy (mgregreevy@gmail.com) is a freelance education reporter living in Washington, DC.
New Jersey

Continued from page 1

hope to move the bill in 2007. Versions have been introduced into the House (A. 257) and the Senate (S. 1332).

Funding Scholarships

The bill would establish a tax credit for businesses paying the state corporate income tax. Corporations that donate to a nonprofit scholarship organization or an educational improvement organization would receive a credit for 100 percent of the donation. Corporations would not be exempt from the minimum tax permitted by state law.

The Urban Schools Scholarship Act, if passed, would resemble the corporate tax credit programs in Arizona and Pennsylvania, although scholarships there can be used for students statewide. New Jersey’s program would focus on seven cities with large minority populations: Camden, Elizabeth, Lakewood, Newark, Orange, Paterson, and Trenton, which together serve approximately 102,000 of the state’s 1.4 million students.

Those cities all contain “Abbott Districts”—31 school districts with limited local property tax base, for which the state has been ordered by its Supreme Court to match the per-pupil funding of wealthier districts.

In 2006, the state spent $500 million in special grants to Abbott Districts to provide parity funding.

“Right now there’s nothing in the legislation about how the scholarships are distributed, but we’re hoping that there will be something added to the legislation that will proportionately distribute the scholarships based on the population of the districts,” said Derrell Bradford, deputy director of Excellent Education for Everyone (E3), a school choice advocacy group with offices in Camden and Newark.

Legislative Benefits

“We’re looking to get kids into functioning schools and, as a result, bring some competitive pressures to bear on the existing public schools,” Bradford explained. “The targeted districts spend some of the highest amounts of money in the state (on education) and get the worst results.

“We also have to stop local private school closings [in the targeted areas] because we’ll pay a lot more for it later,” Bradford continued. Between 1999 and 2003, Bradford said, one Catholic school in Trenton closed each year, sending the majority of their students into the Trenton public school district and leading to larger Abbott grants from the state.

Bradford said two Catholic schools in Camden are “teetering” and may have to shut down if they don’t receive an infusion of new students soon. If those schools close, the Trenton schools would get as many as 500 new students, forcing the state’s taxpayers to pay even more to help subsidize better education.

“But the stand point of kids, it’s the right thing, [and] from the standpoint of property taxpayers,” Bradford said.

“[T]he New Jersey General Assembly will consider a bill that would enable children living in troubled school districts to attend a private school ...”

Political Support

The measure has attracted some significant sponsors, including six in the Senate and eight in the Assembly. Bradford is pleased not only with the number of sponsors, but also who they are.

Sponsors include Assemblywoman Nilsa Cruz-Perez (D-Camden) and Assemblyman John McKeon (D-Essex), who are, respectively, the Assistant Majority Leader and Assistant Majority Whip in the General Assembly. McKeon is also the mayor of Orange, one of the communities that will benefit from the proposal.

Other sponsors include Assemblyman Joseph Cryan (D-Union) and state Sens. Raymond Lesniak (D-Union) and Joseph Doria (D-Bayonne).

Other elected officials from affected communities support the proposal as well. On October 18, the Newark City Council adopted a unanimous resolution supporting it, as has Camden’s.

Newark Mayor Cory Booker (D) wrote a public letter to all legislators in favor of the measure on October 2, saying improving education for minorities is an “urgent civil rights challenge” and that the bill would “empower children trapped in failing public schools” by relieving overcrowding, thus giving “teachers the opportunity to focus on fewer students for better results.”

Gov. Jon Corzine (D) has not yet stated a public position on the measure.

Michael Coulter (mecoulter@gcc.edu) teaches political science at Grove City College in Pennsylvania.
Much like taxpayers using the TurboTax computer application to simplify their filings, schools are turning to a computer system called SchoolMAX to decipher complicated reporting metrics required under the No Child Left Behind Act (NCLB), which turns five this month.

Schools are teaming up with Maximus, the private company that developed SchoolMAX, in an effort to meet complex NCLB Adequate Yearly Progress (AYP) reporting requirements.

NCLB is designed to hold schools accountable for their results. Schools must improve children’s academic performance each year, eventually reaching 100 percent reading and mathematics proficiency goals in 2014.

Data Requirements Immense
But some schools have trouble compiling the required AYP information because of complexities required for reporting each year. Districts must track the progress of different subgroups of students, such as minorities and disabled children.

The sheer amount of data collection required for each school district can often be bewildering.

To relieve the pressure, SchoolMAX tracks NCLB requirements, as well as individual student attendance records and grades. Tom Funk, president of Maximus’ educational services division, said the system keeps track of key subject areas to make sure districts meet AYP goals.

“Legislators shouldn’t let schools off the hook because reporting requirements may be difficult. After all, NCLB is about making sure kids achieve.”

RICHARD G. INNES
EDUCATION POLICY ANALYST
BLUEGRASS INSTITUTE

“With NCLB coming up for reauthorization in 2007, it remains unknown what, if any, changes the Democrat-controlled Congress will make to the law, and how that will affect schools’ reporting requirements.”

Dan Lips, an education analyst at the Washington, DC-based Heritage Foundation, said the Democrat majority will likely demand more NCLB funding even though federal spending on NCLB has increased by more than 25 percent during the past five years.

“Legislators shouldn’t let schools off the hook because reporting requirements may be difficult,” Innis said. “After all, NCLB is about making sure kids achieve.”

Joel Peyton (j-peyton@hotmail.com) is a public policy freelance writer in Bowling Green, Kentucky.
Denver Superintendent Invites Reform Discussions

By Hilary Oswald

A few months after the new school year began, Denver Public Schools (DPS) Superintendent Michael Bennet and other administrators invited community members from Denver’s north-west side to sit down and chat. Their hope was that a series of community-centered meetings will lead to serious education reform.

In northwest Denver, where public school enrollment has been shrinking for years, the meetings were designed to solicit the community’s feedback on ways to improve struggling North High School and its feeder elementary and middle schools.

“We simply ask, ‘What can we do to help keep your child in this community?’” said DPS Communications Director Alejandra Garza. She noted that in the North High School community, 42 percent of the 8,200 public school students do not attend their neighborhood schools.

Some of the area elementary schools have waiting lists of students who want to enroll, Garza added, but by the time students reach high school, the combination of poor reputation and limited academic choices prompts families to seek out other options.

As a result, North High School has room for nearly 1,000 more students.

Recurring Themes

In early November—midway through the series of 17 meetings held several times a week from October 23 to November 29—Garza said administrators were pleased that approximately 30 people had attended each meeting.

Administrators are hearing common themes. Parents want increased academic rigor, a dual language program, more electives for students, and a revamped perception of North High School. DPS administrators will compile the feedback and present it to the school board in early 2007. The board will then decide how to proceed.

“We don’t want anything to come top-down,” Garza said. “Parents are our constituents and our clients.”

Defined Roles

Van Schoales, program officer of urban education at the Piton Foundation, a private group that works to expand opportunities for low-income families, has studied urban education reform nationwide and believes people are starved for honest dialogue about the problems in their schools. He gives Bennet credit for being frank about the problems in some of Denver’s schools.

But he also said the district needs a central notion of what makes a good secondary school, and he likened Bennet’s relationship with the community to the relationship between a doctor and a patient. The patient should understand the diagnosis and weigh in on treatment, but the doctor has unique expertise on how to treat the ailment.

“While the community is a critical partner, it’s really important to define what the role of that partnership should be,” Schoales explained.

Cultural Change

Schoales said community members might want “sexy” reforms—such as the notoriously rigorous International Baccalaureate Diploma Programme, a two-year curriculum that gives students the opportunity to delve into a few specific areas of interest and write extensively about them—but administrators should look first at a few strategic solutions to address fundamental problems.

For example, Schoales said, he’d like to see “comprehensive instructional support” for each student—support that goes beyond things like doubling literacy classes for a student who isn’t reading at grade level. Such students should automatically get additional resources such as tutoring or mandatory summer school, he said.

“Strategies for breaking the school culture and turning the culture around are very hard,” Schoales said. But because Bennet’s honesty puts him in a position to address some of the problems, Schoales believes city residents likely feel hopeful that real solutions are at hand.

Good Options

State Sen. Bob Hagedorn (D-Aurora) applauded Bennet’s innovation.

Hagedorn, the lone Democrat to vote with 17 Republicans to pass a voucher bill in 2003—which the Colorado Supreme Court ruled unconstitutional later that year—believes public schools should provide more choices for parents and students.

“I’m a firm believer that children do not all learn in one single way,” Hagedorn said. Bennet’s decision to listen to community members suggests to the senator that Bennet is open to reforms for different types of students. Hagedorn described Bennet—an attorney who spent half his career in the private sector before becoming DPS superintendent two years ago—as “entrepreneurial,” not an “education establishmentarian.”

“Half a century ago, hospitals realized that just because someone was a good doctor, he wasn’t necessarily going to be a good administrator,” Hagedorn said. “The education systems are just now figuring out the same is true of teachers.”

As for the conversations with community members in northwest Denver, the senator believes Hispanic voters are keenly interested in educational options for their children, including school choice.

Garza hopes the community meetings and subsequent reforms will lead to better educational choices for families. She noted, “We want to be able to tell families, ‘If you do choose to send your children elsewhere for school, we want you to make the choice between two good options.’”

Hilary Masell Oswald (Hilary_Oswald@comcast.net) is a freelance writer living in Evanston, Illinois.
Single-Sex Public Schools OK: Education Department

By Aricka T. Flowers

The U.S. Department of Education has given school districts nationwide the power to create single-sex public schools and classes. The ruling took effect November 24, the first federal rule to address gender in the classroom since Title IX banned sex discrimination in learning institutions more than three decades ago.

It’s a policy Heritage Foundation education analyst Dan Lips said should be embraced.

“The Department of Education’s decision to allow public schools to provide voluntary same-sex schools or classes should be welcomed by parents,” said Lips. “The new rules will give families more options to find a quality learning environment for their children.”

Increasing Choice

The voluntary aspect of the ruling is key, agreed Neal McCluskey, a policy analyst at the Cato Institute’s Center for Education Freedom.

“If public school districts required it, that would be different, as it would not tailor to the needs of the child,” McCluskey explained. “People with wealth have been choosing single-sex schools because they had the choice, but the poor couldn’t. Now poorer people can make that choice as well, so I don’t see it as a step backwards.

“The original point of laws like Title IX was to prevent discrimination against women, minorities, and the poor,” McCluskey noted. “But where that sort of legislation went wrong is that it took away free will.”

The National Association for Single Sex Public Education, an advocacy group based in Maryland, reported a June 2005 study by Cambridge University researchers found single-sex classes boosted boys’ performance in English and foreign languages, while girls improved in science and math.

Closing Gaps

Lips said the better performance reported in the Cambridge University study doesn’t necessarily mean the sexes learn differently, but reflects an apparent “learning gap” between American boys and girls.

“Girls are far outpacing boys in the classroom,” Lips explained. “They have higher graduation rates. The percentage of women enrolled in college is significantly higher than for men. I think we all need to recognize that something needs to change to improve learning opportunities for America’s boys.”

Although educators and the general public may be reluctant to acknowledge differences between boys and girls, McCluskey said it is important to recognize reality without going overboard.

“I think that we would be crazy to say there is no difference between boys and girls in terms of education,” McCluskey said. “You will find they have different interests and do things differently. Individual children should be able to go to schools that fit their learning styles best. “But the difference between boys and girls is not the reason to support the new ruling,” McCluskey noted. “The reason to back it is because there is now another choice that allows children to learn in an environment that best suits their needs.”

Dropping Out

Supporters of single-sex education say dropout rates could decline if those kinds of classes and schools increase. If students are more comfortable in school, advocates say, they’ll stay in and graduate.

“I think that single-sex schools could lower dropout rates,” said McCluskey. “But I think it could do so to the extent that it’s an additional choice. Basically, kids that will do better in single-sex schools will stay in school longer because they are doing better. I can be sure that dropout rates would not increase as a result of same-sex schooling options.”

Critics worry that single-sex classes and schools do not adequately reflect the real world. Because most colleges and workplaces include people of both sexes, these critics say single-sex education may not prepare students for what they will encounter in most environments.

McCluskey disagreed.

“I have not seen any studies or data that say that kids who go to single-sex schools have problems socializing,” McCluskey said. “School is not really like society in general—it’s very artificial to force children to go to a school with kids from their area and that are exactly their age for 13 years. The real world consists of people working with others of all ages and different geographical areas.

“Socialization in schools is unrealistic in general,” McCluskey said. “And saying this will affect them in the workplace is silly.” Because individual school districts have the choice to convert part or all of their curricula to single-sex programs, they will bear any cost burden associated with it.

Many school districts are seeking parental input to decide the issue, McCluskey said.

Aricka Flowers (atflowers@hotmail.com) is a freelance writer in Chicago.
‘Paycheck Protection’ Showdown Looms at U.S. Supreme Court

By Stefan Gleason

The U.S. Supreme Court was expected to review on January 10 a case in which Washington State’s high court overturned a campaign finance regulation known as “paycheck protection” and denied that employees have a right to determine what political speech to support financially.

The National Right to Work Foundation (NRTW), which promoted free legal assistance for the effort, used the state court’s decision as an opportunity to challenge a 1961 workers’ rights case.

“The U.S. Supreme Court was expected to review on January 10 a case in which Washington State’s high court overturned a campaign finance regulation known as ‘paycheck protection’ ...”

A U.S. Supreme Court ruling is expected by June.

The state’s 1992 paycheck protection law was designed to require union officials to obtain prior consent from non-union workers before spending their compulsory dues, taken as a condition of employment, on certain political activities. In striking down the law, the state supreme court asserted a constitutional right for union officials to spend the money of employees who disagree with the union’s political spending.

In a dissent joined by two others, Justice Richard B. Sanders argued the March 2006 Washington v. WEA decision “turns the First Amendment on its head.” If upheld, that decision and the court’s companion ruling in Davenport v. Washington Education Association could open the door for union lawyers to try to attack 22 states’ Right to Work laws, which make union affiliation and dues payment strictly voluntary.

“It is absolutely imperative that the nation’s highest court overturn this dangerous precedent that gives union bosses a ‘constitutional right’ to spend forced union dues on politics,” said NRTW President Mark Mix. “In negating the state’s ‘paycheck protection’ regulation, the activist court inflicted devastating collateral damage on the First Amendment and worker freedom.”

If union officials have a constitutional right to spend non-union employees’ forced dues on politics, union attorneys could argue states violate the First Amendment by banning forced union dues altogether, Mix noted.

Forced Payment

In 2001, NRTW attorneys filed the Davenport class-action lawsuit in Washington Superior Court on behalf of 4,000 non-union teachers forced to pay union dues or be fired. The WEA had seized $10 to $25 annually from each, violating provisions of the state’s campaign finance law.

Even if the paycheck protection statute had achieved its goal, under Davenport non-union employees would have been refunded only $10 to $25 per year, as most of the union’s political expenditures fall outside the law’s deliberately narrow definition of politics.

Because the law left intact all forced unionism privileges, covered only a fraction of state and local electioneering expenditures, and didn’t touch other political and non-bargaining expenditures, the WEA union hierarchy was able to collect and spend more money on politics after the law took effect, Mix said. The union simply changed its accounting practices and then increased forced union dues even higher.

Analysts at several free-market think tanks—including The Heritage Foundation, Public Service Research Council, Mackinac Center for Public Policy, and Capital Research Center—found the WEA spent 60 percent more on political activities after the law took effect.

Broader Relief

The precedents won in 1986 with Chicago Teachers Union v. Hudson allow broader relief to employees—

an annual reduction of $200 to $300 in their forced dues attributable to all union politics, lobbying public relations, and other non-bargaining costs.

Because of the legal issues involved in Davenport, NRTW attorneys are challenging a doctrine stemming from a 45-year-old Supreme Court ruling, Machinists v. Street, which union bosses have used to hamstring workers who do not want to pay for union politics.

Street was one of the earliest Supreme Court cases dealing with forced unionism. The case involved both dues-paying union members and non-members threatened with discharge for not joining the union. Although the Court found workers have a right to withhold forced dues for politics, “dissent is not to be presumed.” Union bosses use those six words to place extraordinary burdens on workers, especially non-union members. The Washington Supreme Court used those words to justify its decision in Davenport.

“The labor unions argue that even if employees take the dramatic step of resigning from union membership, they can’t be ‘presumed’ to dissent from paying full dues, including those spent for non-bargaining activities such as electioneering, lobbying, and public relations.”

‘Presumed Dissent’

The labor unions argue that even if employees take the dramatic step of resigning from union membership, they can’t be “presumed” to dissent from paying full dues, including those spent for non-bargaining activities such as electioneering, lobbying, and public relations.

Gary Davenport is the lead plaintiff in the Davenport v. Washington Education Association paycheck protection suit.

Gary Davenport is the lead plaintiff in the Davenport v. Washington Education Association paycheck protection suit.

NRTW’s vice president and legal director, said if the Court focuses on this legal issue and clarifies that an employee takes sufficient dissent through the act of refusing membership in the union, then every forced-dues-paying non-union member nationwide automatically will be entitled to a reduction in forced dues.

“If NRTW attorneys can persuade the U.S. Supreme Court to make it clear that the ‘dissent is not to be presumed’ doctrine logically applies to all members,” LaJeanes said, “unions will rue the day Davenport made its way to the nation’s highest court.”

Six states, two federal agencies, 27 public policy groups, and several legal foundations and independent teacher organizations have filed amicus briefs supporting the non-union teachers.

“Let’s hope that the U.S. Supreme Court gives the Washington judges some remedial instruction about the First Amendment,” said Mix. “And let’s further hope that our nation’s highest court clarifies that when someone resigns from a union, it means they are indeed a dissenter.”

Stefan Gleason (shg@nrtw.org) is vice president of the National Right to Work Legal Defense Foundation.

INTERNET INFO

Maine

Continued from page 1

their children to the public or private school of their choosing.
Those choices were unlimited until 1980, when a former attorney general opined that parents sending their children to religious or sectarian schools should not receive the same reimbursement as other families. The state legislature codified that opinion into law in 1983.

“On November 27, eight families in Maine lost their last opportunity for equal treatment by the state’s school tuition program when the United States Supreme Court refused to hear their appeal.”

In rejecting the case, the Court allowed to stand an April 2006 Maine Supreme Judicial Court decision, leaving the families without further recourse.

“They’re [without options],” said Dick Komer, lead attorney for the Washington, DC-based free-market legal firm Institute for Justice (IJ), which has argued the families’ case since 2002. “We knew this was a long shot, but there wasn’t any really good reason not to try.

“Every couple works at least three jobs between the two of them in order to come up with the tuition,” Komer continued, “while their neighbors next door are getting to go to secular private schools if they wish, and getting $7,000 a year in tuition paid on their behalf. That’s religious discrimination.”

Families’ Budgets Stretched
Parent Jill Guay said she was frustrated by the decision. It costs $7,000 a year to send her daughter to St. Dominick’s High School, “where the atmosphere, the education, everything is just so much better than what we experienced at the regional high school.” Her salary as a medical biller and her husband’s income as a firefighter and carpenter don’t leave much wiggle room in the budget.

“It hurts,” Guay said of the Court’s decision. “I was really hoping that the little guy would win one—at least have them hear the case. In our town, it costs more to send a child to public school than to St. Dom’s, but because St. Dom’s is religious, we can’t have that. So we pay taxes, and basically the only service we receive is snow-plowing.”

More Cases Coming
Komer said IJ was hoping the Court would rely on the 2002 case of Zelman v. Simmons-Harris, which found Cleveland, Ohio’s citywide voucher program to be constitutionally sound despite the fact that some parents use the public money to send their children to religious schools.

“I was really hoping that the little guy would win one—at least have them hear the case. In our town, it costs more to send a child to public school than to St. Dom’s, but because St. Dom’s is religious, we can’t have that. So we pay taxes, and basically the only service we receive is snow-plowing.”

JILL GUAY
PARENT

That would have provided an opportunity to more narrowly define the issues in a 2004 case, Locke v. Davy, in which the Washington State Supreme Court ruled students attending divinity school could not use publicly funded scholarships to pursue religious vocations.

“We interpret that to say you can attend religious schools and even take religious classes—you just can’t pursue a religious vocation,” Komer explained.

“The Maine Supreme Court and First Circuit [Court of Appeals] interpreted Locke v. Davy more broadly to say it includes any religious school that provides a religious education.”

With a handful of cases involving that distinction working their way up from lower courts, Komer said, the issue is likely to resurface at the U.S. Supreme Court in the future.

“From our point of view, we want to have a very protective standard for religious liberty because so many of the inner-city schools that have to be in these [voucher] programs if kids are going to have a choice are religious,” Komer said. “Hopefully, we’ll have a less liberal lower court to deal with next time this comes up.”

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

INTERNET INFO

The full text of court decisions in the Maine tuitioning cases, Zelman v. Simmons-Harris, and others is available through PolicyBot™, The Heartland Institute’s free online research database. Point your Web browser to http://www.policybot.org and choose the topic/subtopic combination Education/Court Decisions.

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How do you stand on PERSONAL issues?

- Government should not censor speech, press, media or Internet.
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- There should be no laws regarding sex between consenting adults.
- Repeat laws prohibiting adult possession and use of drugs.
- There should be no National ID card.

PERSONAL SCORING: Take 20 for every A, 10 for every M, and 0 for every D.

How do you stand on ECONOMIC issues?

- End “corporate welfare.” No government handouts to business.
- End government barriers to international free trade.
- Let people control their own retirement: privatize Social Security.
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ECONOMIC SCORING: Take 20 for every A, 10 for every M, and 0 for every D.

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Mark your PERSONAL score on the lower left scale; your ECONOMIC score on the lower right. Then follow the grid lines until you meet at your political position. The chart shows the political group that agrees with you most. LIBERTARIANS tend to value personal freedom. CONSERVATIVES tend to value economic freedom. LIBERTARIANS value both. STATISTS are against both. CENTRISTS tend to hold different values depending on the issue.

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The Desired Collapse of Public Schools: AReader's Guide for Reforming Education
Richard G. Neal
Bloomington, IN: Author House, 2006

Review by Ben DeGrow
Veteran school reform adherents and activists are aware of the serious structural flaws in the nation’s public education system. They might find Richard Neal’s digest of schoolhouse ills and proposed remedies to be another useful reference tool on the bookshelf.

However, rather than let The Desired Collapse of Public Schools sit and accumulate dust, the well-traveled reformer may best be served by lending his copy to someone less familiar with the cause of school choice.

Much of Neal’s early published writings focused on education labor relations and contract negotiations, but The Desired Collapse of Public Schools follows as a broadly themed companion to the 2005 guide Escape to Learning: An Educator’s Answer to the Public School Crisis.

Exposing Myths and Failures
In his latest, the author exposes a series of unacceptable failures that he argues are predominant in the American education system. Among these are student achievement rates that show no improvement, a large number of dropouts unaccounted by self-serving gatherers of statistics, and systemic problems with campus violence in which administrators have expelled more common sense than incorrigible pupils.

Neal’s suggested approaches to correcting the course of public education tend to be more pragmatic than doctrinaire. For example, he emphasizes the value of vouchers to aid the established monopoly. He has intimately observed the education system from many different perspectives as a classroom teacher, counselor, principal, central administrator, and school board negotiator, to name a few.

Addressing Immigration
Intrepid but inconclusively, the author spends an entire chapter addressing the effects of uncontrolled immigration on public schools. He says the rapid change in demographics not only has fueled the inordinately rising costs that accompany student population growth, but also has diverted needed resources and attention from native, English-speaking students.

Neal contends the education establishment has failed its customers on a large scale and in many ways, a notion close to the hearts of many veteran reformers.

They may be too busy to engage The Desired Collapse of Public Schools on their own, at least not from cover to cover. Yet the experienced and knowledgeable advocate should consider sharing this book with a friend, for the layman who reads Richard Neal’s densely constructed effort with patience and care might soon join him with passion and conviction in the cause of school choice and education reform.

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