Baltimore Teacher Pact a Landmark

By Rick Docksai

Baltimore city teachers and school district officials have ratified a new contract that includes a novel, incentive-based teacher pay system.

Although it’s not being called “merit pay,” the contract would reward teachers who raise their students’ performance or receive highly positive job evaluations.

The new contract, which was approved just before Thanksgiving and took effect immediately, awards all teachers bonuses but discards the traditional “step” system of automatic pay increases once a teacher has completed a certain number of years of service.

Although union leaders had agreed with most of the terms of the deal in October, members rejected the contract in a preliminary vote. That initial rejection spurred an aggressive campaign by union leaders to inform members about the benefits of the three-year pact.

Under the approved, revised contract, teachers will move up a ladder of “intervals” that mark benchmarks of achievement. Every interval is a higher pay grade, and a teacher would move up to a higher interval every time

For-Profit Colleges Face New Regulations

By Lindsey Burke

For-profit colleges and universities will be subject to strict accrediting rules under new U.S. Department of Education regulations, but federal officials have delayed implementing controversial new “gainful employment” rules that would cut off aid to vocational programs with high student debt levels and low loan repayment rates.

The final rules, issued October 29, are scheduled to take effect in July 2011. Education Department officials say they plan to revisit the gainful employment rules early next year.

The Obama administration announced plans in July for a big expansion of state authority to oversee private, for-profit
Check out The Heartland Institute’s new blog, SomewhatReasonable.com

There you’ll find news, commentary, and analysis from Heartland staffers and scholars on the latest in policy, politics, and culture.
Election Brings Gains for Reformers

By Ben Boychuk

Republican victories in the U.S. House of Representatives and statehouses and legislatures in 19 states will have widespread implications for President Barack Obama’s education agenda, Race to the Top, No Child Left Behind, charter schools, and school choice.

But there is little likelihood of radical change, such as abolishing the U.S. Department of Education, Republican leaders say.

Rep. John Boehner (R-OH), one of the architects of the 2002 No Child Left Behind law, will assume the role of Speaker of the House. Rep. John Kline (R-MN), in line to chair the House Education and Workforce Committee, has said he would like to see “a return to local control” of education policy, but he says shutting down the Education Department isn’t on the agenda.

Local Solutions Touted

Several new members of the House and Senate, including Rand Paul (R-KY), Ron Johnson (R-WI), Marco Rubio (R-FL), and Bobby Schilling (R-IL), campaigned explicitly on education, saying the federal government should do less and give the states more autonomy and flexibility.

“A smaller role for the federal government will mean a bigger role for parents and local leaders in education,” said Lindsey Burke, an education policy analyst for The Heritage Foundation.

“Having new leadership in Washington committed to returning educational authority and flexibility to the states could mean a reprise of past proposals, such as A-PLUS, that allow states to opt out of the bureaucratic red tape that has encumbered them during the No Child Left Behind era,” Burke said.

DC Vouchers Could Return

A significant policy reversal under the new Congress would be restoration of funding for Washington DC’s Opportunity Scholarship Program, which the Obama administration phased out last year. A bipartisan effort in Congress earlier this year to revive the $13 million program was quashed by Democratic leaders.

“I am very encouraged that the new Congress will revive the [program],” said Virginia Walden Ford, director of DC Parents for School Choice. Walden Ford says she met with several supportive members of Congress in the months leading up to the election. “I am happy that so many are still willing to stand with us for the children, including Congressman [John] Kline, who has always been supportive.”

Walden Ford said Boehner has been a “champion” of the DC voucher program. “He has been quite up-front in his support for the program to be continued and expanded,” Walden Ford said. “We will move forward in our advocacy, and we are confident that we will be successful.”

Senator-elect Paul says he supports eliminating the U.S. Department of Education and favors reviving the DC voucher program.

“I think vouchers are a good idea,” Paul said. “There are a lot of different ways to craft them, but DC is unique in the sense it is one locality under federal control, and I will vote for school choice.”

Statehouses Shift

At least 19 state legislatures switched from Democratic to Republican control, and several gubernatorial candidates made education reform the centerpiece of their campaigns.

Ohio governor-elect John Kasich (R) and Florida’s Rick Scott (R) both promised to resist federal meddling through charter schools and vouchers. “For those states that have shifted to Republican control in the state house and governorship, I think you will see a push to expand choice through charter schools,” said Andrew Kelly, a research fellow in education policy at the American Enterprise Institute.

“On the voucher question, state budget deficits could make it difficult for Republican lawmakers and governors to find funding for new voucher initiatives that would increase education spending overall,” Kelly said.

‘A Unique Moment’

Greg Forster, a senior fellow with the Foundation for Educational Choice in Indianapolis, said the elections present “a unique moment” for education reformers.

“In states like Indiana and Oklahoma, conditions are better for choice than they’ve ever been,” Forster said. “The question is whether we have the courage to seize that moment. We could use this opportunity just to pass a couple more small, overregulated voucher programs serving only low-income left-handed Eskimos. If we do, nobody will notice or care, and the moment will fade.”

Ben Boychuk (bboychuk@heartland.org) is managing editor of School Reform News.
U.S. Plans New Regulations on For-Profit Colleges

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institutions of higher learning. Currently there is no statutory requirement for colleges and universities to be authorized by the states in which they operate. The new regulations give the federal government more power to punish for-profits allegedly engaging in deceptive advertising and marketing.

Graduation Goals Jeopardized?
Neal McCluskey, associate director of the Cato Institute's Center for Educational Freedom, says the new regulations are at odds with President Barack Obama's goal of having the highest proportion of college graduates in the world by 2020. "Higher education needs more freedom from regulation, not less," he said.

"Federal accreditation requirements are already a huge barrier to entry for new colleges. Adding a requirement that schools receive legal authorizations to exist from the states in which they want to operate will only make this situation worse, especially for schools that would like to have branches in numerous states," McCluskey explained.

Accreditation Stirs Controversy
Opponents of the new rules, led by the American Council on Education (ACE), say the federal government is meddling in an area already well governed by industry and independent accreditation agencies.

"Our position is that no successful and diverse industry is improved by federalizing important aspects of it," Terry Hartle, ACE's senior vice president of government and public affairs, told the Associated Press.

Concern for Access
In addition to the rules giving states more oversight authority, the Obama administration had also circulated draft regulations addressing for-profit colleges' "gainful employment" ratios. The Department of Education agreed to delay those regulations until at least next year.

Opposed to merely delaying the regulations, Sen. Jim Risch (R-ID) has introduced legislation (S. 3837) to block them from ever taking effect.

"The 'gainful employment' rules could deny hundreds of thousands of students access to the training and skills development they need to secure a job in today's troubled economy," Risch said.

If the proposed regulations proceed as planned, federal aid to for-profit universities would be cut if a student's loan repayment exceeds 8 percent of his or her salary. Risch says the regulations would act as de facto price controls and hamper job creation.

McCluskey says the rules also would hurt the poor. "There is little question that if the proposed regulations shrink the availability of for-profit schooling, access to higher ed for lower-income people would be reduced," he explained.

Worst Effect on Poor, Minorities
Economist Richard Vedder, director of the Center for College Affordability and Productivity at Ohio University, says it's difficult to predict what the final regulations will look like, it's easy to predict their effect on low-income students.

"It seems highly likely the gainful employment rules will reduce enrollment of lower-income persons in college," Vedder said at a Heritage Foundation panel on the proposed regulations in October. "The for-profit institutions cater to this group that is often neglected by traditional institutions."

Curtis Austin, associate vice chancellor of business development at Keiser University, a for-profit school in Florida, said he's sure the gainful employment regulation would depress graduation rates.

"Because the graduation rate for for-profit colleges is so much higher than at public two-year schools, even if all students displaced by this rule at a for-profit school found a place at a community college, fewer students would complete their degree programs," Austin explained.

The impact would be largest in the low-income and minority communities, Austin predicts, because private-sector schools serve them more often and more effectively.

"Most public two-year schools have open-access programs. But outreach to low-income and minority students has been less than effective," Austin said. "The most significant factor for encouraging the upward mobility of such students is the private sector."

Lindsey Burke (lindsey.burke@heritage.org) is an education policy analyst at The Heritage Foundation in Washington, DC.

Economist Says Accreditation System Is Broken

Ohio University economist and higher education finance expert Richard Vedder offered a brief history of accreditation at a panel hosted by The Heritage Foundation in October.

"Accreditation was originally devised as an information device to interested parties—students, parents, college donors, even university presidents, and the like—so that they could have some information on whether schools meet at least minimal standards or not. Until a few decades ago, accreditation was strictly voluntary," Vedder explained.

Today, however, Vedder says accreditation is secretive, complex, and expansive and is "ineffective at providing true quality control, riddled with conflicts of interest, excessive input-based, and [acting] as a cartel-like institutional barrier to entry."

Accrediting agencies also often fail to make distinctions between "truly marginally accepted institutions and those offering first-rate programs," Vedder said.

Vedder called new federal regulations requiring state approval of new private colleges and trade schools "absurd and clearly detrimental to the expansion of educational opportunities to students."

The regulations "violate the spirit, if not the letter, of the Interstate Commerce Clause of the U.S. Constitution," Vedder said. "They will greatly increase the cost of accreditation, freezing out smaller but often highly innovative new educational institutions from participating in affordable higher education programs using modern technology."

— Lindsey Burke
Charter Serving Autistic Children Opens in Texas

By Brooke Terry

Responsive Education Solutions (ResponsiveEd), a statewide public charter school district in Texas, has opened the first public school in the Lone Star State exclusively serving students who have autism.

Officials say the San Antonio school is one of just a handful of such schools in the country. The school, which operates in collaboration with the Autism Community Network, is called the Foundation School for Autism and is an open-enrollment public charter. The school currently serves children, ranging from three to six years old, with a range of autism spectrum disorders.

The school has three classrooms—one prekindergarten and two kindergarten classes—and can serve up to 27 students. School officials have plans to expand quickly as demand arises.

Individualized Education

“Research shows that if a child receives early intervention therapies, appropriate and intensive therapy before the age of six, their chance of leading a self-supporting life doubles,” said Charles Cook, CEO of ResponsiveEd, which serves more than 7,200 students at 46 campuses across the state.

ResponsiveEd provides the teachers and administrators for the school, plus the building and infrastructure. The Autism Community Network, a nonprofit autism service provider, offers specialized training to the teachers and speech, occupational, and music therapy to the students.

“Each child receives an individual plan to develop and improve key areas such as verbal behavior, play, learning readiness, social communication, adaptive skills, independent work, classroom skills—and of course academics,” explains Jesse Franco, executive director of the Autism Community Network.

Classes are limited to 12 students, and the teacher-to-student ratio is one teacher for every three students. Each classroom has a certified special education teacher, a behavior technician, and an assistant. The charter school provides students with help in developing their social, communication, and academic skills.

‘Focus and Flexibility’ Emphasized

John J. Pitney, a professor of government at Claremont McKenna College in California who is currently at work on a book about autism policy and politics in the United States, said, “The main ideas behind autism charters are focus and flexibility: the ability to concentrate on the specific needs of kids on the spectrum and to do so without the same constraints as general schools.”

Charter schools serving autistic children are subject to many more state and federal regulations than other charters, Pitney notes. The reauthorized Individuals with Disabilities Education Act (IDEA), signed by President George W. Bush in 2004, lays out requirements for funding and oversight of charter schools for children with special needs, including autism.

The Foundation School opened in August officially as a public charter. Previously, it was a private school for children with autism, called the Treehouse Pediatric Center & Behavioral Services. Treehouse closed in 2009 due to financial problems, so the Autism Community Network stepped in with funding from the community to help those students.

School Fills Growing Need

ResponsiveEd says the school fills a great need. Texas has seen a 400 percent increase in autism diagnoses over the past 10 years. According to the Autism Community Network, one in 110 children is affected by autism and 1 in 70 boys born in the United States will be diagnosed with the condition.

“The Foundation School provides parents of children with autism an alternative to expensive private schools,” said Cook. “We are a tuition-free public school that can provide a small learning environment and lots of individual attention.”

At an October press conference at the Texas capitol, lawmakers on the state’s Senate Education Committee praised the school.

“We are very proud of this effort,” said state Sen. Leticia Van de Putte (D-San Antonio). “We are hoping it will be very successful. We know that there are still challenges, but that is what collaboration is all about.”

Since the public announcement of the school’s grand opening in October, the Foundation School has received dozens of calls from parents in San Antonio and surrounding areas. ResponsiveEd expects to open more classes and possibly a first grade class as demand for the school’s services increases.

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Baltimore Adopts Landmark Pact

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he or she attains 12 academic units. The school district would award academic units for on-the-job results or completion of more job training.

‘Everyone Is Getting Money’
“With merit pay, there is a certain amount of money that goes to certain people. And when it’s gone, it’s gone,” said Jessica Aldon, public relations specialist for the Baltimore Teachers Union.

“With this, everyone is getting money,” Aldon said.
Aldon explained a teacher could move up any number of intervals at virtually any pace. At the top intervals, salaries would reach $130,000 a year.

“You can move up two, three, four, or five times in a school year, depending on what you do in a school year and what you want to do,” Aldon said.

Measurements Debated
Before the new system can go into effect completely, the teachers union and school district will have to agree on how to measure teacher performance. The state department of education is drafting new rules that would make student performance count for 50 percent of a teacher’s evaluation. (See related story: “Maryland Legislators Reject Teacher Evaluation Reform,” opposite.)

The contract went to a union-wide “test vote” on October 14. The membership rejected it, with 1,540 votes against and 1,107 in favor. Several members complained the contract is vague on how teachers earn academic units and how they would be evaluated.

Aldon said negotiators would try to reach agreement on evaluation criteria by the end of the calendar year.

State Weighs In
The Baltimore Teachers Union’s proposal for an incentive-based pay system has the Maryland State Department of Education’s vote of confidence. Education Department spokesman Bill Reinhard said “differentiated pay deserves discussion and he was hopeful an effort would be made to work out.

“We’re supportive of local systems having options, including the option of differentiated pay,” said Reinhard. “There have to be some options for local systems to follow rather than just years of service.”

Reinhard argued that paying some teachers higher salaries to work in low-performing schools might work well for some school districts. So would paying teachers extra to teach high-needs subjects, such as math and science.

“School systems should have the option to up the pay in those areas if that’s what it takes to draw the best candidates,” Reinhard said.

Flexibility, Fairness Sought
A state task force, appointed by Maryland Gov. Martin O’Malley (D), is working with teachers groups across the state to come to terms on a system for evaluating teachers. This, too, may be finalized by the end of the year.

“We’re spending a large amount of time coming up with a flexible system that works and is fair for all teachers,” said Reinhard. “There is a need for us to understand what makes an effective teacher. That’s what we’re working towards.”

Merit pay remains a contentious issue nationwide. Alaska, Arizona, Arkansas, Florida, Georgia, Minnesota, North Carolina, and Texas have merit pay in effect throughout all their school systems. In other states, merit pay has taken root at the county or district level. Denver, Colorado, for example, has been linking teacher pay to student performance and teacher evaluations since 2004.

Union Opposition Slowing Progress
Maryland schools, however, have yet to put merit pay into practice. Douglass Austin, president of Urban Policy Development, a public-sector management-consulting firm based in Baltimore, attributed some of the delay to strong opposition from teacher unions, whose organizational incentives are to prevent teachers from being fired.

“[Merit pay is] something the president talked about on the campaign trail, before he was elected, and he followed through on it. He deserves a lot of credit.”

MICHAEL PETRILLI, VICE PRESIDENT
THOMAS B. FORDHAM INSTITUTE

President Barack Obama (right) attends a rally with Maryland Governor Martin O’Malley (left). O’Malley has appointed a task force that is working with teacher groups in his state to set up a system for evaluating teachers.

“If teachers are released because their students are failing, the unions have to work harder to sign up new teachers into the unions, and younger teachers are less supportive of the unions than those who have been in the system for years,” said Austin.

In addition, Austin said, many individual teachers, new and veteran alike, are wary of merit pay. They worry that under a merit pay system, they could take the fall for their students’ low test scores regardless of whether the teacher really deserve the blame.

Support from the Top
Merit pay has at least the tacit approval of the Obama administration. The $4.35 billion federal Race to the Top program awards grants to state school systems that meet certain criteria, including one requiring the states to include student performance in evaluating teachers and schools.

Michael Petrilli, vice president of the Thomas B. Fordham Institute, said Race to the Top’s encouragement of performance-related pay is leading many states that never considered merit pay before to start discussing it.

“Definitely, the dam has been breached,” Petrilli said. “You do see other school districts experimenting with it. Some school districts are pretty promising in terms of being pure merit-pay programs, while others are hedging their bets with bonuses.

“It’s something the president talked about on the campaign trail, before he was elected, and he followed through on it,” Petrilli added. “He deserves a lot of credit.”

Rick Docksai (rick.docksai@gmail.com) writes from Washington, DC.
Committee vote endangers state’s Race to the Top grant; deadline is December 31

By Rick Docksai

A vote by a committee of Maryland legislators casts doubt on a state proposal to require half of a teacher’s job evaluation to be based on student performance.

The 12-3 vote against the Maryland State Department of Education’s plan to overhaul teacher pay and performance rules also could jeopardize the state’s $250 million federal Race to the Top grant.

Gov. Martin O’Malley (D) has the option of approving the education department’s proposal without the legislature’s blessing. But along with inviting litigation, O’Malley would risk alienating his supporters in the Maryland State Education Association, the state’s teachers union.

The November 8 vote by the legislature’s Joint Committee on Administrative, Executive, and Legislative Review (AELR) means Maryland education officials will either have to revise their plans or push ahead with the governor’s backing. The latter course could invite future lawsuits from teachers over conflicts between the regulation and state law.

The state’s Education Reform Act of 2010, which O’Malley signed in May, says teachers will be subject to ongoing evaluations and their students’ performance will be a “significant” component of the evaluations. But the law assigns county school boards, not the state Department of Education, the task of setting performance criteria for teachers.

In addition, the law requires county school boards to decide their criteria in concert with the local teachers union affiliate.

The Education Reform Act also states student performance criteria must use “multiple measures” to evaluate teacher performance, a concession to union criticism that the criteria would simply rely upon the state’s standardized test. The law says no single criterion may count for more than 35 percent of the total teacher evaluation.

Different Standard Proposed

Because the state education department proposed a performance standard that not every school district has approved, and because the proposed standard makes student performance 50 percent of the evaluation, Delegate Anne Healey (D-Prince George’s County) says the evaluation plan might not hold up under a court’s scrutiny.

“I think people felt uncomfortable about the processes in the regulation. People didn’t have a disagreement about wanting to have a high-quality evaluation system. They felt the law wasn’t followed.”

PAUL G. PINSKY, STATE SENATOR, PRINCE GEORGE’S COUNTY, MARYLAND

Long Controversy

The legislative committee’s vote is only the latest in a series of skirmishes that began in January when state officials began the application process to compete for Race to the Top money, says Adam Mendelson, managing director of communications and services for the Maryland State Education Association.

Teacher evaluations based in part on student performance were among several factors the U.S. Department of Education considered when evaluating state applications for a portion of $4.35 billion in Race to the Top money. Maryland legislators passed the Education Reform Act to ensure the state would be eligible for the grant competition’s second round by the June 1 deadline.

While awaiting the U.S. education department’s decision on applications, O’Malley commissioned a state department of education task force to decide on the specific evaluation criteria it would use. Until then there was nothing specific in place, only a general consensus that evaluations would be used.

“A lot of terms and a lot of parts still weren’t defined at the time,” Mendelson said.

The task force is due to submit a final plan by December 31.

Flexibility Sought

Bill Reinhard, communications director for the Maryland State Department of Education, says the task force has taken its time because not everyone agrees on how to measure student performance. Also, different classes and different schools may have higher or lower performance due to socioeconomic reasons that have nothing to do with the teacher, he notes.

“Students have different starting points, different needs. So students should be evaluated differently. That’s something that Maryland is working on.” Reinhard said. “It’s important that all these things be taken under consideration.”

Union support is also a factor. Mendelson said many of his union’s rank and file are uneasy about the new performance criteria. Among other things, he argues, the criteria could discourage teachers from working in low-performing or high-needs schools.

“The important part is to make sure that testing is a stethoscope and not a sledgehammer,” Mendelson added. "It's important to have tests that are real, that give you a sense of what's going on, that give you a sense of what's working, and what's not working. There are all kinds of things that could throw the test."
Some New Orleans Schools May Return to Local Control

By Sarah McIntosh

Since Hurricane Katrina hit New Orleans in 2005, most schools in the Big Easy have been under the state’s control.

Louisiana State Superintendent of Education Paul Pastorek says the era of state oversight may soon come to an end.

Pastorek has outlined a very sensible school’s performance. In addition, the school is required to have met achievement growth targets for the preceding two years.

The option to leave the RSD would begin in the 2012-2013 school year.

Another part of the plan includes the restructuring or closing of schools that have failed to improve after five years.

Since a majority of the 22 state-run schools fall into that group, they could face closure unless they convert into charter schools.

Currently it appears about 12 schools may qualify for the option of leaving the RSD.

Pastorek has called on New Orleans city officials to provide recommendations for whether the struggling schools should fall under control of the Orleans Parish School Board or a completely new entity.

‘They Get Out of the Way’

Pastorek convened a public hearing on the plan in October, and Louisiana’s Board of Elementary and Secondary Education is scheduled to vote on the proposal December 9.

“I think state superintendent Paul Pastorek has outlined a very sensible plan,” said Lisa Snell, director of education and child welfare at the Reason Foundation in California.

“The high-performing recovery district schools that would be eligible to choose to stay in the recovery district or return to local control will have complete control over that decision,” noted Snell, who has taken several trips to New Orleans to observe the progress there firsthand.

“Currently, the high-performing recovery district schools place a very high value on their autonomy. This will be critical in their decision-making.

“They have to be confident that the New Orleans Parish school board will continue to respect their autonomy before they change to local control,” Snell explained. She noted several charter school principals have expressed trepidation about local leadership.

“They’ve said in the press, ‘We’re not ready to go back now. The good thing about the RSD is they leave us alone. They give us money, hold us accountable, and get out of the way.’”

Recommendations for Charters

“Many important decisions regarding the supervision of charters have yet to be made,” said Kane, who serves on the board of an organization that operates two charter schools. “But I do believe Pastorek is committed to protecting the autonomy of charters.”

Autonomy Is Key

“It is important for schools to retain autonomy, regardless of whether [charter schools] are being supervised by the local school board, the state, or some other governing body,” Kane said. “Schools need the freedom to hire and fire, set curriculum, and establish their own culture. The governing bodies should hold schools accountable for meeting certain benchmarks without getting in the way.

“Important decisions have yet to be made, and there could be quite a battle between those who favor choice and flexibility and those who favor central planning,” Kane said.

LISA SNELL, DIRECTOR
EDUCATION AND CHILD WELFARE
REASON FOUNDATION

Sarah McIntosh (mcintosh.sarah@gmail.com) is a constitutional scholar writing from Lawrence, Kansas.

Why Are Profits Good?

The “Johnny Profit” series for kids by Michael A. Malgeri


You can also contact Michael Malgeri at mmalgeri@kids4biz.com
By Andrew LeFevre

Charter school supporters were quick to cry foul after Pennsylvania Auditor General Jack Wagner called for a moratorium on the creation of new charter schools.

Wagner’s call followed the release of a report that found fault with the way charter schools are funded in the commonwealth.

Wagner’s report cited “perceived major funding inequities” as the primary reason for imposing a moratorium. Currently, funding is tied to the school district the student leaves to enroll at a charter school. The charter law provides approximately 70 percent of student funding follows the student to the charter school. Each of Pennsylvania’s 501 school districts employs a different funding formula.

Funding Formula ‘Broken’
Charter proponents were quick to point out the state’s charter law makes charters receive only approximately 70 percent of the normal student funding from the sending district. Despite this inequitable funding formula, they note, charters produce results as good as or better than district-run schools.

“It is disappointing that Auditor General Wagner has once again focused on only the dollars and cents of school funding and not on outcomes,” said Guy Ciarcocchi, executive director of the Pennsylvania Coalition of Public Charter Schools.

“Everyone knows that the funding formula in Pennsylvania is broken,” Ciarcocchi said. “Focusing on charter funding as the problem is like worrying about the roof on your dog house while your home is on fire.”

Pennsylvania’s school funding formula has long been under scrutiny as creating a wide disparity among districts, with those on the low end spending approximately $6,000 per student while high-wealth districts spend nearly $20,000 per student.

Mike Maslayak, president of the Pennsylvania Alliance for Cyber Education, challenged Wagner’s choice to go after charters, which represent less than 5 percent of all students in the state.

“This is a politically motivated attack on the little guy,” said Maslayak. “The education establishment sees charters as a threat, and this is just the latest attempt to squeeze us out by cutting our funding.”

The report also drew bipartisan ire from the chairmen of the Pennsylvania Senate Education Committee.

“I do not support Wagner’s call for a moratorium on new charters and cyber-charter schools. I recognize that some in the public education establishment believe the charter school funding formula is flawed, but we should not punish kids, families, and communities from starting new charter schools over these grievances,” said state Sen. Jeffrey Piccola (R-Dauphin).

“The auditor general’s report is incomplete, and if implemented it will prove devastating to the prospects for many children to receive a quality education in the commonwealth,” said state Sen. Anthony Williams (D-Philadelphia).

“The basis of his call for a moratorium, which is a funding discrepancy, is erroneous and flies in the face of the facts.”

‘Wrong Target’
Matt Brouillette, president of the Commonwealth Foundation in Harrisburg, said the auditor’s report is misguided.

“Wagner is aiming his fire at the wrong public schools,” said Brouillette. “It is the district public schools that are bilking the taxpayers and denying children educational opportunities.”

Brouillette noted it would be up to the next governor to act on Wagner’s recommendation. Governor-elect Tom Corbett (R) campaigned on his support for education reforms, including more charter schools.

Andrew LeFevre (andrew.t.lefevre@gmail.com) is president and CEO of the Arizona Choice in Education Foundation.

www.EconomicThinking.org/EconomicsInABox
National School Choice Week Kicks Off in January

By Lindsey Burke

School choice advocates across the country are planning a rallying point for the new year: National School Choice Week.

Spearheaded by the Gleason Family Foundation in San Francisco, the event is scheduled for January 23 through January 29.

Conceived as a way to shine a spotlight on policies offering effective educational options for every child, National School Choice Week will be an opportunity for the media and the public to learn about the promise school choice holds and to bring new activists into the movement, organizers say.

The National School Choice Week Web site notes, “there is no one organization behind this effort.” One key goal will be to create a network of supporters and advocates for school choice.

Emulates ‘Day of Action’

Tracy Gleason, president and CEO of the Gleason Family Foundation, noted many groups have come together to create National School Choice Week.

“The school choice movement is made up of a broad variety of people and organizations, each with distinct and independent personalities,” Gleason explained. “Unlike the armies of unionized labor, our organizations take pride in their uniqueness, so trying to move forward in a united way has been difficult for us.”

Gleason says National School Choice Week is loosely modeled after a teachers union effort called “Day of Action,” which was designed to raise awareness about education budget cuts. But “unlike any union effort, National School Choice Week is designed to allow organizations and people to handle the week in whatever way they choose,” Gleason said.

Gleason says the goal of National School Choice Week is to attract new supporters to the cause by highlighting the problems now plaguing public education.

“We hope that NSCW will raise the volume of discussion about the K-12 education system and its serious problems and real solutions, and lay the groundwork for a strong and broad national network of school choice supporters who can be mobilized to action,” Gleason said.

Unprecedented Attention

National School Choice Week comes after a year in which education reform has received nearly unprecedented attention by the public, with more than a half-dozen documentary films, a week-long series of specials by NBC-TV, and attention from Oprah Winfrey.

Films released in the past year include Waiting for Superman, The Cartel, Let Me Rise, The Lottery, and The Street Stops Here. That makes National School Choice Week timely as parents, lawmakers, and reform advocates consider the messages of these films.

National School Choice Week affords policymakers and reformers a unique opportunity, says Robert Enlow, president and CEO of the Foundation for Educational Choice in Indianapolis.

“Charter school operators, virtual school providers, choice groups, think tanks, tax groups, and everyone else that supports greater educational options can band together and dramatically increase our power and effectiveness,” Enlow said.

Call to Action

Virginia Walden Ford, executive director of D.C. Parents for School Choice, said she hopes National School Choice Week will serve as both a call to action to parents and a way to educate the public about the possibility of real and lasting reform.

“I am a longtime advocate for education reform, and I am looking forward to standing with scores of people in solidarity and commitment in support of an educational system that will prepare our children for the future,” Walden Ford said.

“The week should not only bring attention to the work of organizations and supporters who have, for years, fought to bring about change in the education of our children, but also get the word out to the general public,” Walden Ford added.

Seeking Wider Audience

Clare Mullin, a project manager at the Gleason Foundation, says one reason National School Choice Week is important is to spread the message about the benefits of school choice to a wider audience.

“A great deal of time, money, and energy is spent talking about solutions and proving that they work,” Mullin stated. National School Choice Week will build on those efforts and work to “create the groundswell of support among the population that will lead to demand for educational options,” Mullin noted.

“I think one of the potentially great things about the NSCW effort is that it can increase the collaboration within our movement, which we are already starting to see, while also drilling down to build our ranks,” Mullin said.

“Advocates from diverse organizations across the country are very interested and want to get involved, which is very encouraging,” Mullin said. “We will be empowering advocates with the tools and support they need to effect grassroots change in their communities.”

Lindsey Burke (lindsey.burke@heritage.org) is an education policy analyst at The Heritage Foundation in Washington, DC.
Pennsylvania Senate Panel Holds School Choice Hearing

Supporters discuss future of education options in the Keystone State

By Andrew LeFevre

The Pennsylvania State Senate has moved a step closer to approving legislation establishing a school voucher program for students attending schools in the Keystone State’s poorest neighborhoods.

Senate Bill 1405 by state Sen. Anthony Williams (D-Philadelphia) would provide opportunity scholarships for low-income students who attend school in a district with at least one failing school. Families could use the scholarship for a public or private school of their choice.

The bill is scheduled for a vote when the state legislature reconvenes in January.

The state senate education committee held a daylong hearing on Williams’ Opportunity Scholarship Act in October. Lawmakers present noted afterward that the hearing was the first frank and extensive discussion of school choice in Harrisburg in more than a decade.

Taxpayer Savings Predicted

SB 1405 would allow public schools to keep half the local funding for students who transfer to another school using an opportunity scholarship. Savings generated would support a new “education innovation fund.” The fund would finance grants to chronically failing schools and scholarships for students already attending private schools.

Not since Republican governor Tom Ridge’s administration has school choice taken center stage in Pennsylvania politics. Republican and Democratic members of the Senate Education Committee spoke in support of greater educational options. The committee hearing, which lasted 10 hours, included testimony from students, parents, attorneys, and choice advocates.

Senate Education Committee Chairman Jeffrey Piccola (R-Dauphin County) said the timing of the hearing before the election was ideal for beginning a conversation about school choice leading up to the 2011 legislative session.

“For the past 15 years we have been changing the conversation about public education,” Piccola said. “Changing the focus from systems and what is best for the adults privileged to work in public education, to a focus on the customers of education: students, parents, families, employers, and of course, the taxpayers who are responsible for the bill and demand results.

“This debate needs to be focused on concepts such as freedom, empowerment, choice, competition, and social justice,” Piccola said.

Endorsed by Governor Hopefuls

Otto Banks, executive director of the Road to Educational Achievement Through Choice (REACH) Alliance and Foundation, agrees the time is right to advance the school choice debate.

“The quality of your school should not be determined by the quality of your house,” Banks said.

The senate education committee’s minority chair-

man, state Sen. Andrew Dinniman (D-West Whiteland), said the debate must be held now because the public education system no longer works and cannot fulfill its mission to provide a good education to all students.

“Our current educational system is unsustainable,” said Dinniman. “Between state, local, and federal funds, we are spending over $26 billion a year in Pennsylvania. This is more than the GNP of 70 countries around the world. Despite all this spending, approximately 25 percent of Pennsylvania students will not graduate from high school.”

School choice would mean significant savings for Pennsylvania taxpayers, Dinniman said.

‘Children Will Be Sacrificed’

Committee members heard testimony from several presenters about the fiscal impact of school choice programs in Pennsylvania and around the nation. Piccola argued the debate on education funding must change.

“For 30 years, the public education establishment has dominated the debate,” Piccola said. “Their mantra of ‘give us more money’ has not worked.”

Williams, a longtime supporter of greater educational options for students and parents, agreed there should be a “paradigm shift” in the funding of public education nationwide.

“Look, it’s simple,” Williams said. “Give parents the cash, and systems will respond. Give systems the cash, and parents and children will be sacrificed.”

Choice Programs Save Money

Robert Enlow, president and CEO of the Foundation for Educational Choice in Indianapolis, points out no school choice program has had a negative fiscal impact on state budgets and most save significant amounts of money.

“Between the years 1990 and 2006 school choice programs all around the nation created a total net savings of $22 million for state budgets,” said Enlow. “Even more impressive is the $422 million in savings that school choice programs created for local school districts.”

The Commonwealth Foundation for Public Policy Alternatives, a Pennsylvania-based research institution, has found school choice programs in Pennsylvania already are saving the state money. Commonwealth Foundation President Matthew Brouillette says the annual cost per pupil in charter schools is $1,500 less than in conventional public schools, it’s $4,000 less in cyber charter schools, and $12,000 less for the average Earned Income Tax Credit scholarship.

“Add in the hundreds of thousands of children in [private] schools, the savings to the taxpayer are even greater,” Brouillette explained. “When you add up all the students not in traditional public schools due to school choice programs in Pennsylvania, taxpayers are saving more than $3.6 billion per year.”

Enlow says tax-funded vouchers are a fiscally smart way for legislators to deal with shrinking state budgets.

“If you want to get rid of your state deficit,” said Enlow, “take 25 percent of students and give them a voucher for half of what you are paying now for public education and you’ll eliminate, or come dang close to eliminating, your state’s budget deficit.”

Andrew LeFevre (andrew.t.lefevre@gmail.com) is president and CEO of the Arizona Choice in Education Foundation.
New Report Refutes Myths about Charter Schools

By Brooke Terry

A commonly cited factoid about charter schools is untrue, according to a new report by the Center for Education Reform. In fact, numerous statistics aimed at undermining charter schools are misleading, often misreported by the media, and require further explanation, the CER report concludes.

*The New York Times* and other media outlets in 2009 reported only one in five charter schools perform well. “The problem is that it’s not even remotely true,” the CER report states.

“Charters are, on the whole, moving their students forward faster, providing personalized learning environments to students, and providing parents with a choice other than the school their ZIP code provides,” said Jeanne Allen, president of the Center for Education Reform.

Allen says she’s concerned the public doesn’t have access to the facts about charter schools and their positive effect on student achievement. The new report provides specific data countering prevailing myths about charter schools and an alleged lack of successes, she said.

“No More Waiting: The Real Data on School Improvement” examines a study by the Center for Research on Education Outcomes (CREDO) and finds many flaws in its analysis.

For instance, the CREDO study examined only 15 states with charter schools, not all 40; did not account for variation in grade levels of schools; ignored variations in state test rigor, reporting, and data; and did not conduct an apples-to-apples comparison between students in traditional and charter schools.

“One myth is that only a fraction of charter schools are succeeding,” said Allen. The CREDO study suggests only one in five charter schools are succeeding. “No More Waiting” refutes that by citing a study by researcher Caroline Hoxby of Harvard University, who found a student in a charter school would score 30 points higher in math, by the end of eighth grade, than if he or she had stayed in a traditional public school.

Dovetailing with CER’s conclusions, a recent poll by Education Next notes key facts about charters remain unknown.

The Education Next poll found only 18 percent of the public knows charters cannot hold religious services, 19 percent are aware they cannot charge tuition, and just 12 percent know charters typically receive less government funding per pupil than traditional public schools.

“Too many folks don’t yet realize that charter schools are public schools, meaning that they are open to all students—including English-language learners and students requiring special education services—and that they can’t teach religion, charge tuition, or have admission requirements” explained Todd Ziebarth, vice president for state advocacy and support at the National Alliance for Public Charter Schools.

There are more than 5,000 charter schools in 40 states and the District of Columbia enrolling approximately 1.5 million students, with an estimated 365,000 students on waiting lists.

Brooke Terry (brooke.terry@yahoo.com) writes from Texas and is a former education policy analyst at the Texas Public Policy Foundation.
High Court Hears Arizona Tax Credit Scholarship Case

By Ben Boychuk

The U.S. Supreme Court has heard arguments in a combined case challenging the constitutionality of Arizona’s tax credit scholarship program. It was the first school choice case to reach the Court in nine years.

Arizona’s scholarship program offers individuals a 100 percent tax credit up to $500 (or $1,000 for couples filing jointly) for donations to state-authorized school tuition organizations. Those charitable groups then award scholarships for students to attend a private school of their parents’ choice.

The Ninth U.S. Circuit Court of Appeals in 2009 ruled Arizona’s scholarship program unconstitutionally advances religion because most taxpayers donate scholarship funds to organizations supporting religious schools.

The cases before the Supreme Court are Garriott v. Winn and Arizona Christian School Tuition Organization v. Winn. A decision is expected before July 2011.

Establishment Clause Argued

Lawyers representing the state of Arizona and the U.S. Department of Justice argued the program does not violate the First Amendment because parents and students, not the government, decide where to use the scholarships.

“Arizona’s tuition tax credit does not violate the Establishment Clause, because it’s a neutral law that results in scholarship programs of private choice,” Arizona’s attorneys argue the choice program is consistent with the Court’s 2002 decision in Zelman v. Simmons-Harris, which upheld the constitutionality of Ohio’s school voucher program.

“On the merits, this case is controlled by the Supreme Court’s precedents, such as Zelman and [Mueller v. Allen in 1983], in which the Court upheld school choice programs based on private choice,” Keller said.

“Arizona’s tuition tax credit does not violate the Establishment Clause, because it’s a neutral law that results in scholarship programs of private choice.”

PAULA BICKETT
CHIEF COUNSEL FOR CIVIL APPEALS
STATE OF ARIZONA

Question of Standing

John Eastman, director of the Center for Constitutional Jurisprudence at Chapman University in Orange County, California, says the court may not judge the case on its merits at all and instead rule the plaintiffs have no standing to sue.

“[The Court] could very well avoid deciding the case on its merits, and say instead that taxpayers have no standing to sue in religion clause cases,” said Eastman, who filed an amicus brief in the Winn case. “In that event, the Court would simply vacate the Ninth Circuit’s decision.”

Eastman said the Court took a similar course in 2004 in Newdow v. Elk Grove, which challenged the constitutionality of the phrase “under God” in the Pledge of Allegiance.

Keller says he isn’t so sure enough justices will want to throw the case out on what amounts to a technicality.

“The swing vote, Justice [Anthony] Kennedy, did not appear receptive to the standing issue, so I do think there is a good chance they will reach the merits,” Keller said. “And on the merits I remain optimistic that the Court will find the program is constitutionally permissible.”

Ben Boychuk (bboychuk@heartland.org) is managing editor of School Reform News.
Politics Behind ‘Race to the Top’ Questioned

By Jim Stegall

The future of the Obama administration’s signature education reform initiative, Race to the Top, may be in doubt with control of the U.S. House of Representatives and a handful of state-houses switching from Democrat to Republican.

“I think it was irresponsible of Congress to give [Education Secretary Arne Duncan] $5 billion with no strings attached,” said Rep. John Kline (R-MN), the new chairman of the House Education Committee.

Elected state and federal officials have said politics played a role in the way the competitive grants were distributed. The administration of the program, which Duncan had asked Congress to renew, will likely come under scrutiny from Kline’s committee, the chairman says.

Final Picks Questioned

Nine winning states, plus the District of Columbia, barely had been announced in the competition’s second round in August when administration critics began arguing politics played a role in the selection process.

Jeanne Allen, president of the Center for Education Reform in Washington, DC, said, “It’s clear that some of these states were chosen for political reasons, as these states offer little or nothing to fundamentally improve schools and learning for all children.”

Duncan dismissed the charges, saying the winners were picked by teams of impartial education experts who had been vetted fully for potential conflicts of interest. “We set a high bar, and these states met the challenge,” he said. “We had many more competitive applications than money to fund them.”

“I think it was irresponsible of Congress to give [Education Secretary Arne Duncan] $5 billion with no strings attached.”

JOHN KLINE
CHAIRMAN, HOUSE EDUCATION COMMITTEE
U.S. REPRESENTATIVE - MINNESOTA

Political Bias Asserted

The judges were guided by a 500-point scoring rubric that awarded points for meeting specified reform criteria. Within those guidelines, however, judges could exercise substantial discretion. Duncan reserved for himself the responsibility of making the final selection of winners and losers but has said he did not alter any of the scores determined by the judges.

Allen noted, however, at least two states where incumbent Democratic governors were fighting off strong Republican challengers received higher scores than their applications merited.

In Maryland, which won a $250 million grant, Gov. Martin O’Malley (D) was locked in a tight battle with Republican challenger Bob Ehrlich when the winners were announced. Throughout July and August, when Race to the Top judges were assigning final grades to the states’ applications and Duncan was reviewing the results, the RealClearPolitics.com poll average showed the Republic held a small but consistent edge. O’Malley won reelection on November 2.

Similarly, as Ohio Gov. Ted Strickland (D) trailed Republican challenger John Kasich, the Department of Education awarded the state a $440 million Race to the Top grant. Ohio edged out New Jersey, where Republican Chris Christie is governor. Kasich nevertheless defeated Strickland on Election Day.

‘Disappointing and Surprising’

Neither Maryland nor Ohio had been considered a strong contender by most in the reform community. Neal McCluskey, assistant director of the Cato Institute’s Center for Education Freedom, called Maryland’s charter school law “one of the most restrictive in the nation.”

Republican-led New Jersey and Louisiana, by contrast, are seen as strong reformers, but they failed to make the cut. Louisiana’s governor is Bobby Jindal, often cited as a rising star in Republican ranks and sometimes mentioned as a possible challenger to President Barack Obama in 2012.

A state’s importance in the Electoral College also may have affected Race to the Top grants, McCluskey said. Republican South Carolina submitted an application similar in substance and scope to Florida’s, he said, yet the Palmetto State finished well out of the money while electoral vote-rich Florida finished fourth, receiving $700 million.

“It’s disappointing and surprising,” said Jim Rex, South Carolina’s superintendent of education. “We placed sixth in round one and significantly improved our proposal for round two. National education experts who handicapped the competition ... seemed to think South Carolina was a lock to win.”

Union Veto?

A common criticism heard from education reform specialists at the Cato Institute, Heritage Foundation, and Heartland Institute, among others, concerned the administration’s decision to let teacher unions affect states’ odds of winning Race to the Top money.

Frederick Hess, director of education policy studies at the American Enterprise Institute in Washington, DC, suggested the choice to give points for teacher unions’ approval of a state’s reform efforts was nothing more than an effort to mollify a key disgruntled constituency.

As a result, Hess said, “The administration is stuck ensuring that states implement their vague, grandiose plans, and that paper assurances of union and school board ‘buy-in’ translate into reality.”

In Colorado, after the legislature adopted a law linking teacher pay to student test scores, only half of the teachers union locals signed on to support the state’s application. The lack of union support cost the state points it could not make up in other areas, and Colorado finished well out of the money at a disappointing 17th.

In New Jersey, where the teachers union is locked in an increasingly bitter battle with Christie over his reform plans, only 1 percent of teacher unions were on board. Had New Jersey’s teacher unions supported the state’s application, the Garden State would have gained 14 additional points—more than enough to displace Ohio as a winner.

Jim Stegall (jstegall8@carolina.rr.com) is a contributor to Carolina Journal, published by the John Locke Foundation in Raleigh, North Carolina, where a version of this article first appeared. Reprinted by permission.
By Joel Mathis

CASH-strapped school districts are saving tens, even hundreds of thousands of dollars on the cost of servers, software, and IT maintenance—money that can be plowed back into the classroom—say district officials and education technology specialists.

When the Maine Township school district in Illinois went looking for a new e-mail service for its students and staff, it didn’t take officials long to settle on the solution. The price was just right.

“By choosing to use Google for e-mail, the next-best product we saw was going to be $35,000 a year,” said Henry Thiele, chief technology officer for the 7,000-student district. “So it was $35,000 or free, which do you want? We went free.”

Saving Districts Money

Google announced this fall its four-year-old Apps for Education program—a free suite of services that includes free e-mail, documents, and Web site-building services—was serving more than 10 million students in universities and K-12 schools worldwide.

Google’s main competitors in the education market are paid products from firms such as Microsoft and Lotus. In addition to saving money on the initial purchase of programs, districts can cut server maintenance costs because the data for Google’s services are stored in the firm’s “cloud.”

“For school systems struggling to pay their licensing fees for products like Microsoft Office, free software suites may soon become the no-brainer replacement solution,” said Jeffrey Hastings, a school information technology specialist and columnist for School Library Journal.

Scott Graden, superintendent of Saline Area Schools in Michigan, said, “It’s cheap, it’s free.” Graden says cloud computing saved his district about $400,000 during the program’s first year.

Aiding Collaboration

Whether the applications improve classroom instruction, educators say, depends on how educators use them.

“The apps are intended to help with collaboration and electronic communication,” said Katie Rose, a technology program manager at the University of Notre Dame, which deployed Google Apps in May 2008. “A variety of faculty use them for a wide range of purposes to enhance the learning experience, but the faculty is responsible for putting any content into Google Apps.”

Thiele and Graden both say the collaborative nature of Google’s programs makes it easier to encourage student and faculty partnerships. Students work together to create PowerPoint-style presentations in the Google Presentation app. Faculty can collaborate on curriculum development in real time through shared documents instead of e-mailing proposals back and forth.

“The tools Google gives you allow for a more collaborative tool set when you are working with groups of students, in the same classroom or in separate classrooms,” Thiele said.

Moving Forward

Graden says the full possibilities of cloud computing in education have yet to be realized. “I think the idea of shared, cloud-based software has long-term instructional impact,” he said. “In many cases it’s still word processing.”

Google’s constant evolution, though, presents challenges to educators.

“You’ll never know how to use it completely,” Thiele said. “It’s just a different mindset.”

Joel Mathis (joelmmathis@gmail.com) writes from Philadelphia, Pennsylvania.

The Patriot’s Toolbox

On February 19, 2009, CNBC commentator Rick Santelli stood on the trading floor of the Chicago Board of Trade and called for a “new tea party” to protest out-of-control spending by politicians in Washington. Little did he know that his words would become the rallying call for millions of Americans, many of them getting involved in politics for the very first time.

The Patriot’s Toolbox gives the new patriots of the Tea Party movement the intellectual ammunition they need to take their country back! The book consists of eight chapters, each devoted to presenting ten principles for free-market reform in clear and precise English.

The Heartland Institute hopes to put hundreds of thousands of copies of The Patriot’s Toolbox into the hands of grassroots activists in the coming months. We need your help!

Visit www.heartland.org to download a free PDF version of The Patriot’s Toolbox and learn how you can help get this information into the hands of others.
SAT Scores Showing a ‘Flat Line’ in Achievement

By Sarah McIntosh

The latest SAT Reasoning Test scores are out and appear to be unchanged from 2009, frustrating college admission officers and education policymakers.

Critical reading average scores held steady this year at 501, and mathematics increased by just one point, from 515 to 516. Average writing scores fell by one point, from 493 to 492.

Overall, the 2010 SAT scores show what one education policy analyst called an achievement “flat-line.”

Meanwhile, the National Assessment of Educational Progress (NAEP) and state-level tests show achievement is growing for students in grades 4 and 8, according to a report published by the Center on Education Policy (CEP), suggesting the high schools are doing an even poorer job than the SAT scores indicate.

‘Disappointing’ Results

“It’s more than a little disappointing—and a bit confusing—that the achievement of our nation’s 12th graders continues to flat-line while achievement has gone up significantly in the lower grades, especially in math,” said Michael Petrilli, vice president for National Programs and Policy at the Thomas B. Fordham Institute.

“The hope of reformers for at least two decades has been, as we improve our elementary and middle schools, achievement in high school would rise too,” Petrilli said. “Now it appears that something is happening in the last years of our public education system that is stalling the progress we’ve witnessed for our younger children.”

Petrilli says the explanation for the stagnating scores he finds most compelling is from E.D. Hirsch, an education professor and proponent of a “core knowledge” curriculum.

“Our failure to ensure that all kids get a rigorous core curriculum that builds content knowledge in history, science, literature, art, and music means that when students reach the end of high school, they don’t have the vocabulary and background to make sense of complicated texts. And that continues to show up on the SAT,” Petrilli said.

More Students Take SAT

“One possible explanation for apparent SAT stagnation is that larger numbers of high school students are taking the SAT than in previous years, when a greater percentage of SAT takers were applying to Ivy League and other elite schools,” explained Herbert Walberg, a distinguished visiting scholar at the Hoover Institution at Stanford University and member of the Koret Task Force on K-12 education.

Walberg, who also serves as chairman of the board of directors of The Heartland Institute, which publishes School Reform News, also suggests the improvements in NAEP and state-level tests may not reflect improvements in achievement.

“As school staff becomes increasingly familiar with the test content, they may teach it directly,” Walberg explained. “Since school districts increasingly require passing scores to move on to the next grade and to graduate, students may work harder to pass the tests.”

And some students may work harder to cheat. “Large percentages of students admit cheating on tests and, under pressure, some educators have also cheated,” Walberg said. “The SAT protects the security and confidentiality of its tests much more effectively than do state test administrators.”

ACT Ignored

The problem is deeper than it may initially appear, says Richard Innes, a policy analyst with the Bluegrass Institute for Policy Solutions, a research organization based in Kentucky.

“SAT scores only reflect students who are planning to go to schools on the coasts; in the middle of the country schools rely on the ACT instead,” Innes said.

Innes points to another vexing problem of assessing SAT and NAEP results: how to account for high school dropouts.

“The SAT scores don’t reflect students who have dropped out,” Innes said. “In 2007-2008 the average freshman graduation rate for all states reporting was 74.9 percent. That means one out of four kids were not even in school at the time the SAT was offered.”

Without dropouts in the mix, achievement levels behind the standardized test scores may be lower than they appear, Innes explained. “NAEP scores at grade 12 also fall into [the difficulty] of not counting dropouts. They also don’t take into account that students often think of the NAEP as a waste of time—they don’t get individualized test scores, whereas the SAT can affect their future college options.”

‘Something Scary’

The Center on Education Policy report looks at the 4th and 8th grades, which Innes says is more instructive for policymakers. “It’s garbage to compare SAT and NAEP in high school,” he said.

“You’d think SAT scores would show more progress considering that it is a selective sample of students that are still in high school and usually planning on going to college, whereas at grade 8 potential dropouts might still have taken the test,” Innes said.

That appears to make the gap even more significant.

“Something scary is going on: Students are doing worse the longer they are in school,” Innes said. “And overall the system is only concentrating on pushing them out the door. This results in a drain on society as well as the country overall losing an advantage in production. That’s why we see so much outsourcing to other countries.”

Innes would like to see a better testing system.

“Looking at national scores hides a lot of trends,” Innes said. “For example, in Kentucky NAEP scores were up overall, but if you disaggregate white students, the results aren’t so good.”

Sarah McIntosh (mcintosh.sarah@gmail.com) is a constitutional scholar writing from Lawrence, Kansas.
For Unions, the Only Good Rating Is No Rating

By Dan Proft

Amid the contentious debate over how we improve public education in the United States, all parties acknowledge one reality: There is no substitute for a quality teacher in the classroom.

Just about everyone with a stake in the debate—administrators, parents, and the teachers themselves—takes that point for granted.

The scholarship on teacher quality is clear. It is the most important school-related factor in student achievement. Some studies suggest the difference between having a good teacher and having a bad one can exceed one grade-level equivalent in annual achievement growth.

Geoffrey Canada, founder of the Harlem Success Academy charter school in New York City, has said a great teacher is like a great artist and should be recognized as such.

So why are the teacher unions fighting to prevent that recognition?

Value-Added Wave

The New York City Department of Education announced plans in late October to release “value-added” scores and other performance-related data for nearly 12,000 teachers.

This concession by the New York edocracy came on the heels of the publication by the Los Angeles Times of the value-added scores of some 6,000 public school teachers and 470 elementary schools in the nation’s second-largest school district.

But not everyone is conceding the public’s access to this public data. The United Federation of Teachers (UFT), the union that represents New York teachers, filed suit to prevent the publication of the district’s performance tracking of their teachers.

The value-added analysis of teacher performance used in New York City and Los Angeles largely focuses on the improvement students achieve under the direction of their teachers in standardized tests for math and English proficiency.

Why should these data not be made available to parents and the larger taxpayer public so that we may highlight those teachers who are doing it right and endeavor to replicate their methods while, at minimum, reviewing those who are not getting it done and aiding their development as teachers so they may return the favor with their students?

’Scapegoating’ Teachers

Provision of such information to the public is what teachers union bosses such as American Federation of Teachers (AFT) President Randi Weingarten call the “scapegoating of teachers.”

Upon disclosure of teacher performance ratings in Los Angeles, A.J. Duffy, president of the United Teachers of Los Angeles (UTLA), was predictably outraged that The Times would put this out and put people in harm’s way.”

Harm’s way? Come on. We’re talking about Johnny’s third grade teacher, not CIA operatives.

Unfair Basis?

Critics of the disclosure of the value-added performance ratings raise some serious objections about methodology, suggesting it’s unfair to evaluate teachers solely on the basis of standardized test scores.

Fair enough. But by refusing all metrics for teacher performance and offering virtually no alternative evaluative criteria, the teacher unions have exposed themselves as simply opposed to any measure of teacher accountability.

When they’re not rejecting evaluation, the unions are manufacturing concerns about prospective terminations.

What terminations? A Newsweek report in March found just three of 30,000 tenured teachers were dismissed for cause in New York City in 2008.

The numbers were just as pathetic in other cities. According to the same story, the percentage of teachers dismissed for poor performance in Chicago between 2005 and 2008 (the most recent figures available) was a microscopic 0.1 percent.

The same was true in Toledo. And in Denver and Akron, Ohio, the figure was an unbelievable zero percent.

‘A Teacher Is a Teacher’

The reason unions are fighting the existence, much less disclosure, of performance-related data on teachers is it’s simply a numbers game for them. The unions’ main concern is the number of their adult members, not the intellectual development of the adolescent students in their members’ classrooms.

As former UFT and AFT President Al Shanker famously said, “When school children start paying union dues, that’s when I’ll start representing the interests of school children.”

For Geoffrey Canada a great teacher may be like a great artist. But for the unions, a great teacher is just another dues-payer, same as a bad teacher.

Dan Proft (dan@danproft.com) is a host and featured political commentator on WLS radio in Chicago.

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What Parents Need to Know About ‘Parent Trigger’

By Ben Boychuk

California’s parent empowerment law, known as the “parent trigger,” is less than a year old, but the idea is already spreading across the nation to states such as Connecticut and Georgia. The law was the brainchild of a Los Angeles-based activist group called Parent Revolution.

Under California’s law, passed in January 2010, if 50.1 percent of qualifying parents at a school sign a petition, the school must initiate one of four turnaround plans prescribed by the federal government.

School Reform News recently spoke with Parent Revolution’s deputy director, Gabe Rose, about the organization’s work on the parent trigger law. A podcast of the complete interview is available at http://www.schoolreformnews/audio.html.

School Reform News: What is the Parent Revolution and what was its involvement with the parent trigger law?

Gabe Rose: The Parent Revolution is a nonprofit organization founded on the premise that our schools are failing because they aren’t designed to succeed. They’re designed to serve adults and special interests instead of children, and the only way to ever really change that is to give power to the only people who care only about children, which are parents.

The parent trigger law was born out of that idea, that if we’re real serious about creating transformative change in public education, that’s never going to happen unless we transfer power from the people who got us into the mess we’re currently in, to parents, who don’t have a conflict of interest.

School Reform News: How did the parent trigger become state law so quickly?

Gabe Rose: When the state’s Race to the Top [enabling] legislation was moving last year, we approached legislators who were carrying the bills. At first I think there was a little bit of skepticism. This was the first time parents have ever had this sort of power in the history of America. There was no such thing as the parent trigger in any state, before we passed it here in California.

So it was very new, and it was certainly an idea that took some getting used to. Even folks who spent a lot of time and money trying to stop it couldn’t figure out a way to do so because there’s just no good argument for why parents shouldn’t have power to help improve their children’s low-performing schools.

Q&A: Gabe Rose

“The Parent Revolution is ... founded on the premise that our schools are failing because they aren’t designed to succeed. They’re designed to serve adults and special interests instead of children ...”

School Reform News: The state board of education has written rules about what the parent petitions should look like. What are the regulations intended to do, and how do we know parents won’t get rolled over by the bureaucracy?

Gabe Rose: The regulations establish the rules of the road and fill in some details left unsaid by the legislature when it passed the law.

There are important rules that had to be spelled out to help parents organize around this. How do we count to 50 percent plus one? What are actually my options? What can I choose under this law? What rights does the school district have to overrule me? Do they really have to listen to what the parents say?

So there is a whole range of things the regulations had to deal with.

We feel good the permanent regulations are making their way through the bureaucratic process and are going to address these issues in a well-thought-out manner.

School Reform News: What guarantee do parents have that a district won’t come back in a couple of years and undo their efforts?

Gabe Rose: The parent trigger gives parents the option to choose what type of transformation they want. You can transform a school into a charter school. You can keep the school within the district and force them to wipe the slate clean and bring in a whole new staff, or you just fire the principal and make some other small changes. Or you can vote to close the school entirely and send the students to higher-performing schools nearby.

That’s unfortunately not a great option here in L.A., where there often aren’t [any] higher-performing schools nearby.

There is a provision in the law that gives districts the ability to override the parents’ choice of turnaround options if they cannot implement that option. I think the legislature somewhat reasonably thought that was necessary.

The law does say in order to overrule the parents, districts have to prove that they literally cannot implement that option—not that they don’t want to or they think it’s not a great idea. The implementing regulations the state board passed make it very clear that unless it’s impossible to do so, districts are required to follow what parents choose.

School Reform News: And if the district tries to renege later?

Gabe Rose: That’s something parents have to consider when they’re choosing among the different options. So, if parents choose to go with a charter operator, that charter operator is going to have control of the school. Obviously, then, the parents are trusting that charter operator to transform their school ... and presumably choosing a charter operator with a track record of results.

If they want to stay with the district through one of the in-district reform options, that’s a risk they’re taking. You can’t control that.

[However, the law doesn’t say, “For 10 years you have to keep things static.” Parents can always pull the trigger [again]. They can and should hold the new operator just as accountable as the old one.

That’s always our message to parents when they’re organizing: Organizing doesn’t stop when you transform a school.

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