`Parent Trigger’ Proposals Spreading Across Nation

By Ben Boychuk

California’s “parent empowerment” law turns one year old in January, and it is already inspiring imitators and improvements across the country. Legislators in Georgia, Indiana, Iowa, Michigan, Mississippi, New Jersey, North Carolina, and Ohio Districts Opt Out of ‘Race’

More than two dozen school districts and charter schools announced the red tape and compliance costs attached to the federal government’s $400 million grant to the Buckeye State are not worth their time and effort.

Okla. Districts Defy Law

At least four school districts around Tulsa have said they will not honor a new state law providing disabled children with scholarships of up to $7,500 to attend the school of their choice. Parents may need to challenge the districts in court.

Calif. Needs School Finance Fix

School reformers agree with a study contending California’s school finance formula needs a top-to-bottom overhaul, but they disagree strongly with the organization’s call for more spending.

Distance Learning Students Gain

Postsecondary students who take online “distance learning” classes outperform their peers who work face-to-face with teachers in a physical classroom, and some analysts say K-12 could have similar results.

Ind. Officials See Budget as Opportunity to Advance Reform

By Andrew LeFevre

When the Indiana Legislature returns to work in 2011, lawmakers will face a fiscal mess similar to those in most other states across the nation. But the outcome of November’s elections has changed the political face of the state capitol and could have far-reaching implications for school reform.

Indiana enters its next legislative session with Republicans in control of both houses of the General Assembly, the governorship, and the state Department of Education. Faced with a projected $1 billion budget deficit as they enter the biennial budget session, Gov. Mitch Daniels (R) and state legislators will face tough funding decisions as they seek to balance the budget. All parties agree education reform and overhauling the state’s school funding mechanism are key to putting the state’s fiscal house back in order.

Elementary and secondary education funding account for approximately half of the state’s annual budget since the state took over the bulk of K-12 funding.
‘Parent Trigger’ Proposals Spreading Across Nation

Continued from page 1

North Dakota, and West Virginia have introduced or are planning to introduce bills modeled after California’s law.

California’s version of the law lets parents or guardians whose children attend a failing public school “trigger” one of four school intervention models simply by signing a petition.

If more than 50 percent of eligible parents at a school sign, the school district must shut down the school and allow students to enroll in higher-performing public schools nearby; convert the school into an independent charter school; or implement the “turnaround” or “transformation” models of reform set forth by federal Race to the Top regulations.

Gov. Arnold Schwarzenegger (R) last January signed the parent trigger into law as part of a package of legislation aimed at improving the state’s chances at winning a piece of $4.35 billion in federal Race to the Top money.

California was not among the 11 states plus the District of Columbia to receive Race to the Top funding, but the parent trigger remains in place.

Bills Seek Improvements

Word of the parent trigger has spread to other states, in part due to a policy brief and model legislation drafted by The Heartland Institute, publisher of School Reform News, and disseminated by the American Legislative Exchange Council (ALEC).

Lawmakers are working on refining California’s law to simplify the bureaucracy involved, strengthen the charter school component, and substitute other options, including tuition tax credits or vouchers for parents to send their children to the schools of their choice.

Parent trigger legislation drafted in Indiana by state Rep. Cindy Noe (R-Indianapolis) would provide “tuition payments for students who wish to transfer from the school to another school corporation or a nonpublic school.”

Noe’s bill, which began circulating after Thanksgiving but had not been formally introduced at press time, also attempts to address California’s “expiration date” problem: California’s law provides that once a school has been reorganized, another petition for reorganization may not be submitted for at least five years.

‘We Need to Shake Things Up’

In New Jersey, state Sen. Joseph Kyrillos (R-Monmouth) has introduced a bill that draws on the Heartland/ALEC model bill and elements of legislation from California and Connecticut. Kyrillos says his bill would empower parents, either by a 51 percent vote or petition, to demand new public school leadership, conversion to a charter school, school vouchers, or closure.

“There is no question there are a lot of schools that are failing, and we need to shake things up, not just by state policy but from schoolhouse to schoolhouse,” Kyrillos said.

An idea under consideration in Georgia, first suggested in a newspaper column by Atlanta attorney Glenn Delk, would expand eligibility to sign a trigger petition from parents to taxpayers generally and would apply to all public schools, not just schools deemed to be failing.

Bill Would ‘Start Discussion’

In West Virginia, Delegate Jonathan Miller (R-Berkeley County) says his version of the parent trigger, which he planned to introduce at the beginning of the 2011 session, uses the Heartland model as its template.

Miller is candid about the bill’s limited prospects for success in a heavily unionized state, however.

“With the powerful, well-organized teacher unions ready to kill school choice legislation, the task of passing a bill like the parent trigger is quite challenging,” Miller explained.

“Given our state legislature’s strong opposition to school choice, I don’t expect this bill to pass this year,” Miller said.

“My hope is to start the parent trigger discussion by introducing this bill.

“If things go well, our legislature will take a closer look at this bill during the interim period between May and December 2011,” Miller said. “I hope after examining the parent trigger idea for about one year, the legislature will pass it in 2012.

“Passing it in 2012 is still a very optimistic projection,” Miller added. “Our state’s teacher unions are on the prowl to pounce on any school reform focused on school choice.”

Mississippi Simplifies Options

Mississippi lawmakers in April passed legislation similar to California’s law, except stripped of all but the charter-conversion option.

“Our bill allows parents of children in underperforming schools to vote to petition to the state board of education to convert the school to a charter school, which was originally called ‘an innovative school,’” explained state Rep. Cecil Brown (D-Jackson), chairman of the Mississippi House Education Committee.

“At that point the parents would elect a management board for the school, composed of parents, and hire their own principal and teachers or contract out the administrative functions of the school,” Brown continued.

Bipartisan Support Found

Indicating the parent trigger’s bipartisan appeal, California’s law was sponsored by former state Sen. Gloria Romero (D-Los Angeles) and won unanimous support from the legislature’s Republican caucus.

Brown says Mississippi’s law, which originated in the state senate as SB 2293, likewise enjoyed broad bipartisan support. “We were not opposed by teachers,” he said. “We included the teacher organizations and local community organizations in the meetings where the bill was drafted.”

The parent trigger has even made an appearance in the Chicago mayoral race, where 19 candidates are vying to replace six-term Democrat Richard M. Daley. Former White House Chief of Staff Rahm Emanuel (D) unveiled in November his education platform, which includes the parent trigger as a central plank.

Chicago would be the first major city outside of California to adopt the parent trigger.

Ben Boychuk (bboychuk@heartland.org) is managing editor of School Reform News.
Continued from page 1

in 2008, when local property taxes were eliminated from education funding and replaced with revenue from the state’s sales tax.

‘De-Ghosters’ Targeted
India Superintendent of Education Tony Bennett says the state’s current financial situation provides a “golden opportunity” to look at educational funding in tandem with reforming educational policy.

“How we fund schools has been a separate discussion from education policy and what goes on in schools,” explained Bennett. “This has caused our state to make funding decisions that have had no impact on what drives student performance.”

Bennett cited as a prime example of such disconnected spending a 25-year-old provision within the state’s funding formula known as the “de-ghoster.” The provision provides funding for a school for three years, at a decreasing rate, after a student leaves. In 2009 the “de-ghoster” paid to educate 16,315 students no longer enrolled in their districts, at a cost of $94 million.

“There is no proof the ‘de-ghoster’ drives any type of student performance,” Bennett said. “We could have almost paid for full-day kindergarten or funded more innovation grants for schools with that $94 million.

“We can’t continue to pour money into programs that do not produce results,” Bennett said.

Workforce Development Touted
State Rep. Robert Behning (R-Indianapolis) says improving the quality of education in Indiana will help improve the state’s fiscal climate.

“We need to improve our education systems to improve the quality of our graduates,” explained Behning. “A better-educated workforce will attract the types of businesses to Indiana that will be able to weather future downturns in the economy. This will help improve Indiana’s fiscal climate well into the future.”

Behning, the incoming majority chairman of the state House Education Committee, agrees with Bennett about the need to tie education funding to student performance. He says the legislature should give local schools greater flexibility to implement policies aimed at improving student performance.

“Greater flexibility is one of the factors that have allowed charter schools to be engines of reform within our public school system,” said Behning. “Traditional public school principals and superintendents should have the flexibility to make sure they are able to have the best and brightest teachers in their schools, to be able to put the best teams in place to help students get the best achievement possible,” Behning said.

Choice ‘On the Table’
Bennett and Behning both say all choice options have to be on the table in 2011. The governor, state schools superintendent, and leaders from the House and Senate have been meeting regularly to outline the education agenda for 2011, Behning says.

Some of the education reform items on their agenda include expanding the number of authorizers for charter schools; expanding the virtual schools pilot program that was started in 2008; increasing the amount of funding available to the state’s tuition tax credit program; and providing state-funded grants to students attending schools deemed to be failing, for use at the school of their choice, including private and parochial schools.

In 2009, state lawmakers started down this path by passing legislation allowing students unhappy with their schools to transfer into a neighboring district without having to pay tuition.

“The end goal,” said Bennett, “is that money should follow the child, not the institution.”

“Parents deserve to have options available to them to find a school that best fits their child’s individual educational needs,” said Robert Enlow, president and CEO of the Foundation for Educational Choice in Indianapolis.

“We are excited that school choice initiatives will receive due consideration as part of the educational debate during the 2011 legislative session.”

Andrew LeFevre (andrew.t.lefevre@gmail.com) is president and CEO of the Arizona Choice in Education Foundation.
See Y'all in Atlanta

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Georgia World Congress Center
June 20-23, 2011

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Support Building for National School Choice Week

By Lindsey Burke

Public support is building across the nation for the first-ever National School Choice Week, January 23 through January 29, a grassroots effort featuring a broad coalition of more than 40 groups and schools, including the Foundation for Educational Choice, New Jersey’s Rainbow Academy, the Georgia Parent Advocacy Network, and the Children’s Scholarship Fund.

Scores of prominent school choice advocates are “in” for the week-long event, including past and present elected leaders such as Sen. Joe Lieberman (I-CT), former governor Jeb Bush (R-FL), incoming House Speaker John Boehner (R-OH), and former Speaker Newt Gingrich (R-GA).

State Reforms Spotlighted

National and state organizations will host dozens of events throughout the country in January.

“I’m getting involved in National School Choice Week because in Arkansas 40 percent of the schools fail to meet academic standards,” said Teresa Crossland-Oelke, state director for Arkansas Americans for Prosperity. “It’s important for citizens to engage in the issue of education because it has such a great impact on our future ability as a thriving economy. Looking at what has worked as far as innovations such as charter schools and school choice is very important.”

Crossland-Oelke is working with National School Choice Week on coordinating 11 town hall events across the country with speakers such as Dick Morris, Wall Street Journal editorialist Stephen Moore, and radio talk show hosts Mike Gallagher and Hugh Hewitt.

“We strongly support National School Choice Week,” said Lance Izumi, director of education studies at the Pacific Research Institute (PRI).

“Unless all parents are given vouchers, tuition tax credits, or other tools to choose the public or private schools that best meet the needs of their children, which will then promote the competition that will force the government-run system to improve, there will be little real and meaningful change in the status quo,” Izumi explained. “PRI will be an active voice during the week, promoting the need for school choice in California and throughout America.”

“Everyone agrees that public education in America is desperately in need of innovative reform,” said Christina Walsh, director of activism and coalitions for the Institute for Justice. “National School Choice Week provides parents, teachers, and advocates from across the country and the political spectrum with a unique and much-needed opportunity to unite and fight for the solution to this crisis: choice.”

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National School Choice Week Web site: http://www.SchoolChoiceWeek.com
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Kansas Funding Lawsuit Pits Legislature vs. Courts

By Sarah McIntosh

A coalition representing 72 Kansas school districts and 32 students is suing the state over education budget cuts.

Schools for Fair Funding alleges the Kansas legislature and governor violated the state’s constitution by cutting $303 million from the education budget during the fiscal crisis.

The suit seeks to force the legislature and governor to restore the funding in order to meet the requirements of Montoy v. Kansas, a 2006 state supreme court decision.

“The results of the recession, particularly the effects beginning in the fall of 2008, have made it impossible to fulfill the full measure of what the court suggested was adequate funding,” explained state Rep. Mike O’Neal (R-Hutchinson), speaker of the Kansas House.

“The recession has caused pressure on all budgets,” O’Neal said. “We have worked diligently to have the effects of the recession impact K-12 to a far lesser degree than other essential services, much to the chagrin of public safety and social services, I might add.

“The schools should lose the suit, based on the data we currently have available regarding the adequacy of the funding the schools have received since 2005,” O’Neal said.

Legislative Goal Unmet

Although the legislature added nearly $1 billion to education funding over the past five years, outcomes have not improved significantly and the overall percentage of funds getting into classrooms hasn’t changed, O’Neal said. That’s despite a 2005 law establishing a “legislative goal” that 65 percent of new funds be spent on instruction.

“In fact, levels to the classroom have stayed around 55 percent, the pre-suit levels from 2005,” O’Neal said. “In addition, we have identified unencumbered funds [money not earmarked for mandatory programs] in the system of around $475 million.

“Even with the funding cuts that will be necessary, we have provided and will provide schools the tools to achieve great outcomes if the education bureaucracy will only commit to getting available resources targeted to the classroom,” O’Neal added.

“Using taxpayer dollars to sue the state for more funds to continue repeating the mistakes and status quo of the past is wasteful and inefficient,” O’Neal explained.

‘Science Is Muddled’

John LaPlante, an education policy fellow at the Kansas Policy Institute, a think tank based in Wichita, says lawsuits such as Montoy are “a perfect example of overreach on the part of the knowledge class, including the judiciary and quasi-academic experts.”

“The legislature, not the courts, should be deciding what constitutes adequate funding, he said.

“Education finance consultants may even contribute to student performance that is at least as good as in the status quo schools—and sometimes better—if you do things differently,” LaPlante said.

“Strip away some of the regulatory barnacles. Fund students rather than schools. Give parents incentives to be more involved by giving them more choice over the schools their kids attend,” LaPlante added.

“But sue your way to student excellence? It won’t work,” LaPlante concluded.

Sarah McIntosh (mcintosh.sarah@gmail.com) is a constitutional scholar writing from Lawrence, Kansas.
Study Urges Big Hikes in Teacher Pay, National Plan

By Rachel Davison

A new study calling for substantially higher pay for teachers has evoked criticism arguing it overlooks crucial differences between U.S. and overseas school systems and national cultures and is biased toward maintaining the government-school status quo.

“Closing the Talent Gap,” by Byron Auguste, Paul Kihn, and Matt Miller, contends public schools should duplicate the best practices of top-performing countries by raising salaries and creating incentives to attract new teachers from the top-third of U.S. college graduates. That means much higher pay.

‘Who Should Teach?’

Comparing U.S. teacher hiring practices with those of South Korea, Finland, and Singapore, the authors recommend the United States develop a national teaching talent plan that treats teaching as “a highly selective profession.”

According to the report, published by Washington, DC-based management-consultant firm McKinsey & Company, 100 percent of college graduates who enter the teaching profession in South Korea, Finland, and Singapore are from the top third of their class. Just 23 percent of new public school teachers in the United States are drawn from that academic cohort, and just 14 percent of those teachers enter high-poverty schools, the study reports.

Noting more than half of the nation’s teaching corps will be turning over in the next decade, the study challenges the nation to grapple with the question of “who should teach?”

Focus on Top-Third Grads

Michael Petrilli, vice president of research at the Thomas B. Fordham Institute in Washington, DC, says comparing U.S. training and hiring practices to foreign countries is not always appropriate.

“What makes international comparisons in education so tricky is that it’s hard to draw conclusions from countries that differ so fundamentally from ours,” Petrilli explained.

“The approaches that Finland, Singapore, and South Korea take to teacher recruitment and preparation are appealing, no doubt,” Petrilli said. “But teaching is a much more attractive profession in those countries, partly because of higher salaries, partly because of higher esteem, but especially because their tax systems make other forms of work less lucrative.”

Petrilli says U.S. reforms must “sync with America’s culture and economics—which by nature are going to be more entrepreneurial.

“Until we’re ready to regularly pay teachers six-figure salaries, it’s going to be hard to create the same dynamics here,” Petrilli added.

Double Class Sizes?

While the McKinsey study suggests paying teachers substantially higher salaries—starting at $65,000 and topping out at $150,000—Petrilli points out the unintended consequence might not be popular with the education establishment.

“The experience of other countries shows large classes aren’t the end of the world. If we want to pay teachers a lot more and be much more selective about hiring, we could simply double the size of the typical class and double the amount of the typical salary,” Petrilli said. “That would go a long way.”

Private Schools Overlooked

Andrew Coulson, director of the Center for Educational Freedom at the Cato Institute, says the report neglected to include the private and for-profit education markets in those foreign countries. That’s a serious oversight, Coulson said.

“It is an unbelievable shortcoming that when trying to improve a labor force you would look only at government monopoly systems when there are fantastic examples of market education at work,” explained Coulson.

Coulson points to recent news stories about private tutors in South Korea, some of whom can earn salaries of six and seven figures. A single math tutor, Woo Hyeong-cheol, made more than $4 million in 2009. Woo is an independent contractor, unaffiliated with South Korea’s government school system.

“It is shocking that the McKinsey report ignored private-sector education,” Coulson said.

‘No Silver Bullet’

While “no single reform can serve as a silver bullet” for encouraging the best graduates to enter the public school system, Coulson says the lack of information on secondary education labor markets, coupled with lack of data and analysis of top-tier graduates entering the private school system, raises questions about the veracity of the McKinsey report.

Rachel Davison (racheldavison@gmail.com) is an educator writing from Phoenix, Arizona.

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Reformers Fight Call for More School Spending in California

By Sarah McIntosh

California’s school finance formula needs a long-term, top-to-bottom overhaul, concludes a report by the nonpartisan Public Policy Institute of California (PPIC).

The report identifies several strategic changes California lawmakers could make to create a more equitable and adequate funding formula in a state beset with multibillion-dollar budget deficits.

While reformers lauded the PPIC report’s diagnosis and recommendations for balancing state and local authority, they disagreed with the organization’s prescription of more spending.

The report builds on an earlier PPIC study that recommended using expected per-pupil funding increases to strengthen the three core elements of California’s school finance system: the base program (for all students); special education; and school finance system: the base program.

School Spending Increased

Margaret Weston, the PPIC researcher who wrote the report, said California’s 1,000 districts are allocated funds through a complicated series of formulas dictated by the state constitution and a 4,000-page education code.

“We have very few formulas based on a [realistic] cost that someone has estimated [scientifically]. So most of the formulas are derived from whatever a district was spending in a particular area prior to Prop. 13,” Weston said.

Prop. 13, which California voters passed in 1978, restricted local governments’ ability to raise property taxes, which fund public schools. Unlike many states, California allocates local school funding through the state legislature.

Steve Frates, director of research at the Pepperdine University School of Public Policy’s Davenport Institute, said Prop. 13 is often targeted by interest groups “for a constellation of reasons,” but it is a “sideshow issue” when it comes to school spending.

“The data clearly show growth in spending,” Frates said. Frates, along with Michael A. Shires and Ian S. Rudge, published a 231-page analysis in December showing California’s K-12 spending increased substantially between 2003-04 and 2008-09.

“One should be circumspect about generalizations,” Frates said, “but even with variations among school districts, administrative expenditures have increased much more rapidly than teacher and classroom expenditures.”

“Unlikely to Help Achievement”

Eric Hanushek, a senior fellow at the Hoover Institution at Stanford University, says PPIC’s report left him with “mixed emotions.”

“As a set of suggestions on rationalizing the finance system, it is not too bad. The system has historical idiosyncrasies that could be fixed,” Hanushek explained. “On the other hand, one always must ask, ‘Why are we doing this?’”

“The California education system as a whole is broken. There is no reason to believe that fixing the finance system as suggested would do anything for student achievement,” Hanushek continued. “Therefore, it may be fairer for taxpayers or more aesthetically pleasing to researchers, but it is unlikely to do anything to help student achievement.”

Prescription ‘Too Conventional’

Lance Izumi, director of education studies at the Pacific Research Institute in Sacramento, says PPIC’s prescriptions are inadequate.

“Its recommendations for reform are too conventional and fail to consider out-of-the-box alternatives,” Izumi said.

“The PPIC paper supports the recommendation of Gov. Schwarzenegger’s Committee on Education Excellence that the funding formula be made more equitable by distributing funds based on grade levels served by a district rather than by district type and size,” Izumi explained. “PPIC also wants future increases in funding to be allocated in ways to make revenue-limit distribution more equal.”

All About Money

The problem with such “smoothing out” suggestions, Izumi says, is their strict focus on the school district as recipient of government funds.

“Some school districts may end up getting more taxpayer dollars under these recommendations, but there is no guarantee that any extra dollars will actually improve the performance of those districts in raising student achievement,” Izumi explained.

Another problem with the PPIC report, Izumi says, is the emphasis on increasing revenue-limit funds, which is the amount of general purpose funding a school district receives per student.

“Because revenue-limit funds have no strings attached to them, increases in revenue-limit funding will often end up simply being placed on the collective bargaining table in order to raise teacher salaries, which are almost never tied to increasing student achievement,” Izumi said. “PPIC’s ‘smoothing-out’ recommendations fail to address this major issue.”

Swedish Model Offered

Izumi suggests California and other states look to the example of Sweden as an alternative funding model.

“Sweden attaches per-pupil funding to each individual child, who can then take that funding to any public or private school of his or her choosing,” Izumi explained. “The amount of this portable per-pupil funding is the same for every child, regardless of whether the child chooses a public or private school.

“As opposed to the government-centric, non-achievement-oriented, revenue-limit formula, the dynamic Swedish formula fosters competition between public and private schools that, according to British and Swedish researchers, has increased student achievement in both sectors,” Izumi added.

Although the PPIC report says the revenue-limit formula has been helpful for small rural schools, the Swedish formula allows for different types of schools to start in rural areas, increasing the choices for rural parents and their children, Izumi notes.

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

INTERNET INFO

Margaret Weston: “At Issue: School Finance Reform” (Public Policy Institute of California, November 2010): http://www.ppic.org/main/publication.asp?i=943

North Carolina Weighs New Social Studies Standards

By Rick Henderson

The second draft of standards for social studies courses in North Carolina elementary and secondary schools offers sound improvements over the initial version, says Terry Stoops, director of education studies at the John Locke Foundation.

When the state Department of Public Instruction released its first draft of the standards in 2009, North Carolinians identified a number of serious defects throughout the revision, Stoops said, particularly the scant coverage of the American Revolution and the Founding Era.

Those objections largely were ignored by the local media until a Fox News report on the controversy aired in February. The Fox News story elevated the concerns, and after several months of deliberation, DPI responded with a second draft including coverage of the Founding Era three times between the fourth and eighth grade and again in high school.

Ninth Grade Studies Improved

The most notable changes in the second draft, Stoops said, are the addition of a U.S. history course and a revised high school world history course. The ninth grade social studies course would survey world history from early civilizations to the present, but DPI asks teachers to focus on world history from the 1450s to the present.

“This is an immense improvement over the Global Studies course proposed in the first draft. Finally, high school students would be required to complete a civics and economics course and a two-year United States history course,” Stoops added.

Sequence ‘Somewhat Unusual’

Similar to the first draft of history standards released in early 2010, the second draft would require students to take world history courses in the sixth and seventh grade.

Stoops says the sequence of courses to be taught in elementary and middle school is still “somewhat unusual.” Two years of world history are sandwiched in between a fifth grade U.S. history course and an eighth grade North Carolina/U.S. history course. It is not clear teachers will be able to integrate the content of the world history and U.S. history courses.

Superintendent of Public Instruction June Atkinson has asked a panel of several prominent current and former state officials—including Bob Orr, former North Carolina supreme court justice and current executive director of the Institute for Constitutional Law; former state supreme court chief justice Henry Frye; former state supreme court associate justice Willis P. Whichard; and State Treasurer Janet Cowell—“to provide a special review of the proposed Social Studies Essential standards.”

A final draft is expected before the end of the school year.

Rick Henderson (rhenderson@carolinajournal.com) is editor of Carolina Journal, published by the John Locke Foundation in Raleigh, North Carolina, where a version of this article first appeared. Reprinted by permission.
Achievement Gap Persists, but Money Isn’t the Answer

By Lindsey Burke

A report criticizing the persistent lag in achievement between black and white students says a 50-year effort to close the gap has failed. But the report’s call for more federal resources is controversial.

The Council of the Great City Schools, a coalition of 66 of the largest urban public school systems in the United States, said the purpose of its “Call for Change” report is to bring attention to the low academic achievement rates of black males.

Complaining of the absence of a “national policy that would drive resources or attention to the issue,” the report concludes: “This is a national catastrophe, and it deserves coordinated national attention.”

The report analyzes National Assessment of Educational Progress (NAEP) data from 2003 to 2009.

New National Effort Sought

The study’s authors found at least half of African-American eighth-grade males in all but four Trial Urban District Assessment districts performed below the basic literacy level in reading on the NAEP.

Just 3 percent of black, male eighth-graders scored proficient in reading in Milwaukee, and just 13 percent in Austin. Nationally, the report points out, 9 percent of African-American males are proficient in reading.

The report laments the U.S. Department of Education has no specified office to collect or maintain data on the academic progress of black males. The authors also point to a lack of legislative programs—in other words, new bureaucracies. Just what we need, when only half of the nation’s education employees are teachers—more bureaucracy.

“Reinforces Wrong Ideas”

Derrell Bradford, executive director of Excellent Education for Everyone (E3) in New Jersey, called the report’s findings pertinent, but he noted there are other important factors at work.

“There are [key] factors that parallel the low performance of black males. Their socioeconomic indicators mean that, en masse, they are far more likely than any subgroup to receive an underperforming teacher or one teaching out of content specialization. And for the same socioeconomic factors they are disproportionately unable to exit underperforming, largely urban, public school monopolies,” Bradford noted.

“If you can’t acknowledge this, you cannot see the forest for the trees,” Bradford concluded.

“Not Serious”

Greg Forster, a senior fellow with the Foundation for Educational Choice in Indianapolis, said the report “reinforces all the wrong ideas” about what constitutes effective reform.

“It leads to a focus on ‘sounding the alarm’ and ‘doing something’ just for the sake of doing something,” Forster said “We create special new initiatives and programs—in other words, new bureaucracies. Just what we need, when only half of the nation’s education employees are teachers—more bureaucracy.”

“Here’s a list of words that don’t appear anywhere in the report: union, tenure, seniority, contract, fire, discipline, transfer, curriculum, certification, training, merit, evaluation, accountability, charter, voucher. The words ‘choice’ and ‘scholarship’ are used, but only with reference to college, not K-12 schools. Believe it or not, even the word ‘teacher’ appears only twice—both times merely to assert that teachers will be involved in the preparation of the council’s future reports,” Forster noted. “These people are not serious.

“This isn’t reform; it’s the blob trying to hijack the reform agenda,” Forster said.

Lindsey M. Burke (lindsey.burke@heritage.org) is an education policy analyst at The Heritage Foundation.

“Here’s a list of words that don’t appear anywhere in the report: union, tenure, seniority, contract, fire, discipline, transfer, curriculum, certification, training, merit, evaluation, accountability, charter, voucher. The words ‘choice’ and ‘scholarship’ are used, but only with reference to college, not K-12 schools. Believe it or not, even the word ‘teacher’ appears only twice—both times merely to assert that teachers will be involved in the preparation of the council’s future reports,” Forster noted. “These people are not serious.

“This isn’t reform; it’s the blob trying to hijack the reform agenda,” Forster said.
Case Could Set Precedent
“The biggest thing is the fight to keep the doors open,” Palmer said. “A lot’s at stake.”

More than the school’s own future is at stake, in fact. Charter school advocates around Pennsylvania and the rest of the nation are watching Palmer’s case. If the school succeeds in prying money loose from the district, they say, the precedent could free other charter schools to shrug off enrollment caps and start accepting many more new students.

“If the court rules for Palmer, the tens of thousands of students currently stuck on district-imposed waiting lists could be taken into successful charter schools,” Guy Ciarrocchi, executive director of the Pennsylvania Coalition of Public Charter Schools, wrote in an October op-ed for the Philadelphia Inquirer.

“It’s an important one to watch,” said Debbie Robinson, vice president of communications for the National Alliance for Public Charter Schools in Washington, DC.

“It’s an incredibly important legal precedent for other schools, who may not have legal resources, to launch litigation to pursue their rights,” Robinson explained.

Enrollment Cap Disputed
The Palmer School launched the fight on September 24 with a lawsuit opposing the Philadelphia School District’s practice of mandating enrollment caps in its aid agreements with the city’s 74 charter schools.

The suit asked a judge to order the state’s department of education to redirect aid payments from the city school district directly to the school.

The district responded with its own lawsuit in October, saying Palmer School agreed to the limit. Palmer disputes the district’s claim, but he acknowledges his school might not have had its charter renewed in 2006 without accepting a district-imposed cap.

Palmer School won an early round in late October when a judge declared unilateral enrollment caps were not permitted. He ordered the state to pay $775,000 to the school, with more hearings scheduled to determine the disposition of the remaining money in dispute.

“They’ve been trying to exhaust us with delaying tactics so we’ll be out of court,” Palmer said. “If we’re out of money, we’re out of court.”

Enrollment, Funding Tied
There can be good reasons for limiting the number of students a charter school accepts, says Robinson. School facilities often don’t have enough space to hold all the students they’d like to accept. Sometimes a school is simply inferior academically, she said. But that doesn’t seem to be the case with the Palmer School, Robinson added.

“If the school’s not doing what it’s supposed to do, that’s a compelling reason not to give a school more space to do what it’s doing,” Robinson said.

In Palmer’s case, however, limiting enrollment “harms no one but the parents and teachers in that community,” Robinson said.

Charter advocates say it’s typical for even established charter schools to have to fight for a share of state and local education dollars. The money typically flows through local school districts, which usually have an incentive to keep the students—and the funds—to themselves.

Those kinds of disputes might become more common with a recession-fueled austerity movement at the state and national levels that could tighten budgets for education funding, said Nate Benefield, director of policy at the Commonwealth Foundation, a Pennsylvania think tank.

“I think it’s probably going to continue to be a struggle,” said Benefield. “As long as the money flows through the school districts—it’s like asking McDonald’s where a Wendy’s can locate—there’s always going to be a tension between the district and the charters.”

‘Impertinent Questions’
Palmer, meanwhile, is battle-weary—but it’s also clear he delights in challenging the education status quo.

He says he’s angry the Philadelphia district is using tax dollars to contest his school’s claims, and he wonders why his community-based organization has to fight for money when the district is planning to have out-of-town operators come in and run some of its failing schools.

“Someone like me is always problematic,” Palmer said. “I dare to raise the impertinent questions.”

Joel Mathis (joelmmathis@gmail.com) is a freelance writer living in Philadelphia.
By Joel Mathis

Schools’ demand for mobile educational applications is rising rapidly, such that some innovative educators are developing their own applications for smart phones and other mobile platforms instead of waiting for the rising industry to deliver what they need. Others are quite happy with the pace of development.

Florida Virtual School, an online K-12 institution that serves thousands of students around the world, is a year into its own app development project. It unveiled its $5 Algebra I study app for the iPhone in January 2010, in partnership with developer gWhiz LLC, and is proceeding with similar offerings in other courses.

Apps Made to Order

Jeramy Gatza, the school’s innovation manager, said the apps are being created for two reasons: The school doesn’t want to wait for the textbook industry and mobile startups to come up with the products it needs, and it wants to craft apps that precisely match its curricula.

“We didn’t just want to send [students] to some app that we—I don’t want to say ‘can’t trust,’ but that we don’t know that well,” Gatza said. “We don’t have any control over the quality of that or the experience of that. They don’t 100 percent align to our courses, either. That gets a little complicated, and students don’t like complication. They like easy things.”

Charters Save Money

Other educators are happy to choose from the offerings already available on mobile platforms.

Brian Setser, CEO of the North Carolina Virtual Public School, said his students are already making use of 75 free apps. That number will expand to include a number of paid apps, he said, when the state receives its share of federal Race to the Top funding. In general, however, the school takes a cost-conscious approach.

“Every time I go into the class, I’ve got access to video cameras and the Internet and spreadsheets in one tiny device, as well as access to video games and language references and translators,” Horejsi said. “It’s a stunning device.”

Meanwhile, Florida Virtual School is proceeding with plans to expand and refine its offerings.

“If it’s on-demand learning. It’s where we need to focus,” Gatza said.

Joel Mathis (joelmmathis@gmail.com) is a writer in Philadelphia.

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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.

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THE HEARTLAND INSTITUTE
By Ben Boychuk

Officials in four school districts surrounding Tulsa, Oklahoma say they will not honor a new state law providing scholarships to parents of children with disabilities.

The school boards in the Bixby, Jenks, Broken Arrow, and Union districts have passed resolutions to defy the law, which they assert violates the state constitution.

The onus will likely fall on parents to sue the districts into complying with the law, according to Oklahoma’s Department of Education and a career education lawyer.

Gov. Brad Henry (D) in June signed the bill granting parents of children with disabilities the right to choose the school their children will attend. The Lindsey Nicole Henry Scholarships for Students with Disabilities Act would make available to thousands of disabled students with an individualized education program a scholarship of up to $7,500 to attend any public or private school that meets state accreditation standards.

The scholarship program—known as Lindsey’s Law—was named in memory of Henry’s daughter, who died of a rare neuromuscular disease as an infant.

House Bill 3393, by state Rep. Jason Nelson (R-Oklahoma City) and state Sen. Patrick Anderson (R-Enid), narrowly passed the state legislature. Four House Democrats broke ranks to join the Republican caucus in voting yes. The state Senate approved the bill by a close vote of 25-22.

‘Bait Parents’ to Sue

The State Board of Education has taken a wait-and-see approach. In October it voted down a resolution to condemn the four school districts, opting instead to wait for further guidance from the state attorney general. It’s still waiting.

Meanwhile, Tulsa’s school board voted to process six scholarship applications the district received in September from special-education students, but it said officials would turn away future applicants.

“It appears the school boards are trying to bait parents into suing them, which will probably happen,” said Brandon Dutcher, vice president for policy at the Oklahoma Council of Public Affairs.

“Since the constitution trumps a mere statute, they claim to be duty-bound to disobey the statute,” Dutcher explained.

“At least one recent poll finds Oklahomans, by a margin of better than two to one, disagree with that approach.”

Financial Impact Disputed

Wilkinson said Lindsey’s Law places unrealistic financial burdens on cash-strapped districts to remedy a limited, often highly specialized situation. He said the law makes no distinction between “profoundly disabled” students and those with limited treatable disabilities, such as mild speech impediments.

“For example, virtually every young child has some kind of speech impediment that could be developed into an Individualized Education Program,” Wilkinson said. “Almost any parent can argue some kind of issue in order for their child to have an IEP and then elect to go to a private school.”

‘No Precedent’

Even foes of the law expressed disbelief at the boards’ noncompliance.

“I can think of no precedent for it in over 40 years of practicing law,” said Bill Wilkinson, a Tulsa attorney and former commissioner of the Oklahoma Department of Human Services. Wilkinson calls the law “poorly written,” “terrible” and “open to abuse.” Nevertheless, he says he cannot understand why school districts facing severe budget deficits and in need of community support would flout the law.

“The unfortunate thing about it is, [the districts] have placed the burden on the shoulders of parents,” Wilkinson said. “Forcing parents to sue is wrong.”

Wilkinson says the districts should have availed themselves of the legal process already in place. “If you want to test the legality of a law, you go to court and you file a petition for declaratory judgment,” he said.

Legislative Action Possible

Dutcher said if the state attorney general does not act against scofflaw districts, the legislature might have to step in.

“One suggestion is to move the scholarship-granting authority to the state department of education, rather than have each local school district do it,” Dutcher said.

Oklahoma’s legislature reconvenes in February.

Ben Boychuk (bboychuk@heartland.org) is managing editor of School Reform News.
Many Ohio Schools Opting Out of ‘Race to the Top’

By Ben Boychuk
Ohio won $400 million in the second round of the U.S. Department of Education’s $4.35 billion Race to the Top grant competition, but at least 50 school districts and independent charter schools have decided to opt out of the program, saying the red tape and compliance costs would exceed any benefit from the one-time federal money.

Ohio was among eight states and the District of Columbia awarded funding in August as part of the second and final round of the competition. States were required to submit “scope-of-work” plans to federal officials in November detailing how they would spend the money.

The funds, which would be distributed over four years, will be available to states once their plans are approved. Larger urban school districts are eligible for millions of dollars. Cleveland’s $29 million share is reportedly the largest in the state.

‘No Great Concern’
Although at least 28 medium-sized and small districts and charter schools decided to forego the funds, the majority of Ohio’s schools have sought some grant money. About 324 districts and 213 charters are applying for a portion of the $400 million, said Stephanie Klapinski, vice president of government and policy affairs at the Ohio Alliance for Public Charter Schools.

Klapinski says there is “no great concern” among her members about flexibility and independence because “independence can be exhibited in their scopes of work. And who doesn’t want to increase graduation rates, close graduation and performance gaps, have comprehensive evaluation systems, and promote effective teachers?

“All of their scopes of work will focus on graduation rates, performance gaps, and teacher quality,” Klapinski added. “Many will be especially interested in formative testing programs tied to the planned new responsive data systems. But we won’t know until the scopes-of-work are ... approved.”

‘Hardly Worth the Paperwork’
The greater concern among her organization’s members, Klapinski explained, is the amount of money awarded.

“The guaranteed minimum grant to charters is $25,000,” Klapinski said. “For many, that’s hardly worth the bureaucratic paperwork.”

Terry Ryan, vice president for Ohio programs and policy at the Thomas B. Fordham Institute, agreed with Klapinski’s assessment. Fordham oversees several small charter schools in Ohio. Ryan cited the Columbus Collegiate Academy, which has about 150 students.

“They did the cost-benefit analysis, and figured out they weren’t going to get enough to justify the time. The compliance costs alone would be more trouble than the grants would be worth,” Ryan said.

‘Modest Reform’
Ryan says he is generally excited about the reforms Race to the Top inspired. In particular, he points to Ohio’s plan to implement a statewide computer system to collect and analyze data on teacher effectiveness.

“That’s really important,” Ryan said. “The best indication we have of teacher quality is through value-added data analysis.”

But he is also critical of Ohio’s approach, which he said was not ambitious enough.

“[In its Race to the Top application,] Ohio went for modest reform and maximum buy-in. They decided to spread money around like peanut butter.”

TERRY RYAN, VICE PRESIDENT OHIO PROGRAMS AND POLICY THOMAS B. FORDHAM INSTITUTE

Under the program’s guidelines, states received more points if they obtained “statewide buy-in” from “stakeholders,” including district superintendents and, more controversially, teacher unions.

“Ohio went for modest reform and maximum buy-in,” Ryan explained. “They decided to spread money around like peanut butter.”

“That was a mistake,” Ryan added. “Better to go for big state reforms, in return for buy-in.”

Kasich vs. Strickland
After the midterm election in November and in the weeks leading up to the deadline for Ohio’s “scope-of-work” plan, education officials debated whether governor-elect John Kasich (R) would jeopardize the state’s Race to the Top funding.

Outgoing governor Ted Strickland (D) went so far as to call U.S. Education Secretary Arne Duncan, urging him to pressure Kasich to keep Strickland’s “evidence-based” school-funding proposal intact, saying it was a “vital part” of Ohio’s application.

Ryan says he doesn’t buy Strickland’s plea. “This notion that [Strickland’s] evidence-based model was pivotal for the state winning the $400 million isn’t really true. Look at the application. It’s mostly about turnaround models, expanding charters, and the like.”

Ryan says Kasich’s plan, which emphasizes teacher quality, more charter schools, and greater school choice, is stronger than what Strickland offered.

Kasich’s education platform is “more in line with the boldness promoted by Race to the Top,” Ryan said.

Ben Boychuk (bboychuk@heartland.org) is managing editor of School Reform News.

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—Barry precincts, Republican, South Carolina

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—Bartley J. Madden, independent researcher
Distance Learning Students Make Performance Gains

By Joel Mathis

Post-secondary students who take online “distance learning” classes outperform their peers who work face-to-face with teachers in a physical classroom, according to a recent study published in the Journal of Online Learning and Teaching.

The study by Mickey Shachar and Yoram Neumann could aid efforts to extend learning opportunities to students in rural communities and others—for example, students whose parents want them to be able to work at their own schedule and pace—via remote technology instead of building and equipping expensive new schools for small or remote populations.

“For many years distance learning was treated as the stepchild of higher education,” said Neumann, now president and CEO of United States University in National City, California. “Now we have verifiable proof and results that distance learners outperform their traditional counterparts.”

The duo’s “meta-study” examined studies comparing the academic achievement of postsecondary students over two decades, between 1990 and 2009.

“We found that in 70 percent of the cases, distance learning students outperformed their traditional counterparts,” Neumann said, “and in the past seven years, when distance learning was mainly using the online modality, the online learning students outperformed their counterparts in 84 percent of the cases.”

Fewer Distractions

Michael Ritter, a faculty member at the University of Wisconsin-Stevens Point who teaches geography and meteorology courses online, featured Shachar and Neumann’s study on his blog, “The Digital Professor.”

“Distance education is simply education that occurs when the instructor and student are physically separated from one another,” Ritter said.

Ritter noted virtual classrooms come without many of the distractions of a bricks-and-mortar school building.

“I’m less distracted when teaching in a synchronous online environment than in a classroom of 80 students,” Ritter said. “I, and other students, don’t have the distraction of those who are not paying attention to the class activity and possibly disrupting the learning process.”

“Tiring it’s easier to provide one-on-one help in an online environment,” Ritter said. “Though I have to set boundaries on my time, students are able to get help much quicker in an online environment than having to physically show up at my office.”

Parental Guidance Suggested

Neumann says distance teaching doesn’t just allow for more focus—it demands it.

“I found from my own experience that online learning requires much more discipline, in terms of focused leadership, design, and planning,” Neumann said. The result is that distance learning tends to feature “a major emphasis on learning outcomes, accountability, timely feedback, and continuous student engagement in the learning process itself.”

The study didn’t look at the performance of distance learners in elementary and secondary schools, and Neumann declined to speculate whether the post-secondary results have implications for younger grades. “I am not in a position to offer any prediction,” he said.

Ritter, however, says he thinks the results could be similar in K-12.

“For the most part I do, so long as there is on-site guidance by a parent,” Ritter said. “The most difficult aspect of distance education is keeping students on task.”

Cost Savings

In their study, Shachar and Neumann suggest policymakers should consider distance learning as an option in dealing with tight education budgets and growing market demand.

“The improvements of technology, the widespread Internet access, the increased legitimacy of online learning within established universities and employers, and the increased participation of adult learners in higher education with clear preferences toward learning anytime and anywhere will further drive future improvements in the quality of distance learning programs,” they wrote.

That money, though, will come with oversight and regulations. It will also attract the attention of educators and others likely to be affected by changes in their job requirements.

Paul E. Peterson, director of the Program on Education Policy and Governance at Harvard University and author of Saving Schools: From Horace Mann to Virtual Learning, says it would “be a shame” for policymakers “to use this difficult economic environment to suppress the growth of online learning.”

Over-Regulation a Risk

Although Peterson says he doesn’t oppose regulation, he worries over-regulation would undermine the cost savings and other benefits of distance learning programs.

“There’s going to have to be some regulation,” Peterson said. “The question is whether it will be attentive to genuine pedagogical objectives or whether it’s going to get captured by unions, and they’re going to say, ‘OK, you’ve got to have X number of people teaching the course, or involved in the instruction part so we can save jobs.’ That would be the bad thing that could happen.”

Peterson warns opponents of online learning may go too far, too fast. “They can’t win when people begin to see the cost savings and the possibilities of distance learning,” he said.

‘Policymakers Must Take Notice’

Ritter says he’s hopeful for change.

“Though changing at some public institutions, I’ve found reticence on the part of some administrators, and everything from ambivalence to outright hostility by faculty to the idea of teaching online,” Ritter said. “It is clear from recent data that there is a demand for online learning. If the same outcomes can be achieved with a delivery system that students want, policymakers must take notice.”

Joel Mathis (joelmmathis@gmail.com) is a freelance writer living in Philadelphia.

By Marc Oestreich

The independence of charter schools in Georgia may hinge on an upcoming decision by the state’s Supreme Court.

The lawsuit challenges House Bill 881, the Georgia Charter Schools Commission Act of 2009, which the state legislature established as another means for concerned parents and citizens to authorize and administer charter schools. Before HB 881, local school boards were the sole authorizer of new charter schools in the state.

HB 881 also changed the way charter schools are funded. If a local district denies a charter, the charter operator may appeal to the state commission for authorization and state funds. A lower court ruling held the commission charter schools are “special schools” under the state constitution and therefore are entitled to state funds.

More than 6,000 children could see their charter schools closed if the state supreme court finds HB 881 unconstitutional. Justices were expected to deliver a ruling by Christmas on the constitutionality of the law. A decision was still pending at press time.

‘Issue of Interpretation’

Lawyers from districts in Atlanta, Griffin, Candler, Dekalb, and Henry counties argue the state funds are really local dollars because charters receive funds that otherwise would flow to traditional public schools. The plaintiffs allege more than $9 million was redirected from local monies to commission schools last year. “This is fundamentally an issue of interpretation,” Senior Assistant Attorney General Stefan Ritter told justices during oral arguments in October. ‘The only basis for [local district] claims is that special must mean special needs. Charter schools are special in that they are unique,” Ritter said. “Charter schools offer unique education appropriate for their students.”

Seth Coleman, director of communications for the Georgia Charter School Association, says Georgia’s charter schools “have the autonomy to adapt quickly to the needs of their students and communities.” Parents of children at charter schools have a “fully vested interest in making an impact on the lives of the students and their achievement, no matter what the circumstances may be,” he added.

“If HB 881 and the Georgia Charter Schools Commission are declared unconstitutional, this would have a devastating impact on the future of independent charter schools in our state,” said Coleman. An adverse decision, he added, could “do serious damage to the effort to bring quality public school choice options to parents and communities.”

Charters Outperforming Peers

The law was first challenged by Gwinnett County Public Schools, when the district filed suit on September 11, 2009 alleging the Charter Schools Commission does not have authority under the state constitution to manage and control local schools. District officials also argued the commission lacks constitutional authority to establish what is tantamount to a statewide independent school system.

Finally, district officials asserted the commission cannot direct local dollars to the operation of commission-approved charter schools.

Recent achievement measures add importance to the debate. In all but one standardized measure of success, the commission schools being sued—such as Ivy Preparatory Academy for Girls in Norcross and the Charter Conservatory for Liberal Arts & Technology in Statesboro—were significantly outperforming their traditional peers.

“The outstanding performance of Ivy Prep and CCAT makes it abundantly clear that the lawsuit by the seven school districts is not about what’s best for students,” said Tony Roberts, chief executive officer of the GCSA.

Funding Equity Sought

Several education establishment groups in Georgia lined up behind the local school district plaintiffs in the weeks leading up to oral arguments on October 12. Susan Andrews, president of the Georgia Schools Superintendents Association, urged local districts to sign on to an amicus brief.

“The more districts that sign on, the more impact the brief might have with the Supreme Court,” Andrews wrote in her memo to superintendents.

Coleman says he hopes legislators will embrace charters and other forms of choice in Georgia going forward.

“We hope that any laws they develop are done so from the standpoint of providing quality public school choice for parents and students,” Coleman said. “That includes making sure that charter schools are properly funded at a level that is comparable to traditional public schools.”

Marc Oestreich (moestreich@heartland.org) is a legislative specialist on education policy for The Heartland Institute.
Kentucky Reform Law Has Brought Little Student Achievement Gain

By Jim Waters

Kentucky’s Education Reform Act (KERA) substantially changed the Bluegrass State’s school finance formula and largely eliminated nepotism from the state’s rural and Appalachian school districts, but it has done little to bolster academic achievement, a new report from a state policy group finds.

“We don’t say in this report that there has been absolutely no progress. There has been some, but not nearly enough to justify the huge amounts of spending and tax dollars that have been spent to get there,” said Richard G. Innes, an education analyst for the Bluegrass Institute for Public Policy Solutions and author of the study of Kentucky’s 20-year-old reform law.

“Even with the small gains, after two entire decades of KERA, only one in three Kentucky fourth graders are proficient readers and mathematicians, and only one in four eighth graders are proficient in math and writing,” Innes said.

Charters Rebuffed

Despite persistent low graduation and high college-remediation rates, state education officials have tended to hail KERA as a success. But lawmakers say they’re concerned about the lack of demonstrable benefits in student achievement.

“I wouldn’t say everything in [KERA] is bad, but it certainly needs to be reopened, re-studied, and reassessed and a new course of action followed,” said state Rep. C.B. Embry (R-Shelbyville), who has introduced charter school legislation three years in a row. “Looking back, most of the major innovations in education reform in the last 20 years have come out of charter schools, while KERA hasn’t really produced any real notable, long-lasting reforms.”

New Reforms Considered

After implementing two new statewide testing systems and multiple changes to the curriculum and school governance—including “new math,” whole-language reading instruction, “performance events,” and School-Based Decision-Making Councils (SBDMs)—Kentucky legislators are considering a new round of reforms.

Senate Bill 1, passed in 2009, eliminated the Commonwealth Accountability Testing System, a $10 million program lawmakers found had failed to account for large groups of minority children, including special-needs students. The law called for a new standards and assessment policy.

“It concerns me as we enter into this that when we should see a real shift in direction and emphasis with Senate Bill 1, we still seem to be considering the things that didn’t work,” said Montell.

In February, the Kentucky state board of education voted to adopt the Common Core State Standards Initiative, a set of national standards in reading and math developed by the National Governors Association and touted by the U.S. Department of Education. There are currently no tests tied to those standards.

Bureaucracy ‘A Big Shock’

Embry, a House Education Committee member, is critical of trendy testing practices such as open-response writing questions that require large chunks of time for students and graders.

“It’s important that kids write well, but with the writing portfolios, they wrote them, then the teacher would assess, then they would rewrite them and rewrite them again, and it went on for weeks and weeks,” Embry said. “I think they ran that stuff into the ground. It took too much time away from students absorbing the information they need.”

Experienced educators point to a burgeoning bureaucracy and increasing centralization of the decision-making process as contributing to KERA’s downfall.

“One of the big shocks of KERA was the amount of bureaucracy coming down on everyone involved, especially teachers,” said Richard Ratliff, a retired Kentucky educator who spent 28 years in the system, including 14 years as a district superintendent. “Teachers wanted to teach, yet most found themselves bogged down by a bureaucratic decision-making process.”

In particular, KERA’s school-management policy—the SBDMs—shattered the traditional system of superintendents and principals working together, Ratliff says. The councils, made up of three teachers for every two parents, made decisions on nearly every aspect of school management and had the final say on who would be principal.

Ratliff said SBDMs interfered with the superintendent’s flexibility and accountability to the school board.

“You need the power to make decisions as they affect all schools in your system,” Ratliff said. “And you need to be able to coordinate and move personnel as needed.”

The Bluegrass report shows SBDMs rarely lose power, even in failing schools.

“Experienced, effective teachers were commenting on these issues and warning us 20 years ago,” Ratliff said. “Those who would speak out against KERA were discouraged and sometimes even intimidated by Frankfort from doing so. But I think this report might bring those willing to speak up out in the open again.”

Jim Waters (jwaters@freedomky.com) is vice president of policy and communications at the Bluegrass Institute for Public Policy Solutions in Bowling Green, Kentucky.
Parents, Technology Can Trigger Change in Education

By Bruno Behrend

It’s possible the real “race to the top” in the next few years won’t come from bureaucrats in Washington, DC but from an energized education transformation movement. The driver of this transformation won’t be elected officials, but empowered parents, and the innovative content will be delivered through the Internet “cloud.”

The past year brought two of the most important breakthroughs in education reform in recent years, neither of which originated in Washington, DC.

The first is California’s parent empowerment law, which allows parents to petition for a change in their child’s failing school. The Parent Trigger promises to spread to other states. It could drive dramatic reforms by transforming government-owned infrastructure into true neighborhood schools.

The second blockbuster breakthrough is digital learning. The exponential growth in this field offers the opportunity to use “the cloud” as an inexpensive force-learning. The exponential growth in this field offers the opportunity to use “the cloud” as an inexpensive force-multipier for talented content providers.

Combined, these two reforms could be truly revolutionary.

A 10-Point Plan

Such a transformation of public education will require a sound policy foundation. The Digital Learning Council, a coalition of education reformers assembled by former governors Jeb Bush (R-FL) and Bob Wise (D-WV), on December 1 unveiled a 10-point plan to spur lawmakers into bringing classrooms to the digital frontier.

As one of the council’s members, I came away feeling we accomplished something rare for committees: an excellent document mapping out a path that promises to implement digital learning opportunities rapidly for America’s children.

The document highlights 10 elements of high-quality digital learning. (See sidebar.) The first element simply states: “All students are digital learners.” This bedrock element makes the case that all children should have access to digital content and eligibility rules unfairly limit students’ access to educational opportunities.

The roadmap also offers specific actions for lawmakers and policymakers. These action items range from the general (“state ensures access to high-quality digital content”) to more specific (“state is replacing textbooks with digital content”). From the reformer’s point of view, each action item is a good piece of policy. Read together in this roadmap, the action items describe an entirely different school code.

Much More with Less

That is why this roadmap is such an important piece of public policy. Readers should see in it a way to break free from the intractable problems created by the old district-based public education model the nation desperately needs to replace. As they confront these problems, they will start asking more of the right questions.

Why, for example, do we need massive school districts encompassing cities such as New York, Los Angeles, and Chicago? In fact, why do we need school districts at all? Salman Khan, proprietor of the non-profit, online Khan Academy, has produced thousands of high-quality, short instructional videos at no cost to the taxpayer, and others can do the same. That content can be delivered to any number of children at minimal cost.

Why, then, do we need a textbook industry, not to mention the massive bricks-and-mortar infrastructure that is so expensive to build and maintain?

The scalability of technology allows us to question the need for the army of administrators and managers who sign contracts and manage the flow of funds that have little to do with education. We may be able to educate our children far more effectively with much less spending, not more.

Enter the Parent Trigger

Implementing such a bold vision will not be easy. There are powerful interests heavily invested in maintaining the present system.

Defenders of the status quo will fight money-saving digitalization and decentralization every step of the way, attempting to force the dynamics of digital learning into the current, static district model.

This is where the Parent Trigger can help. As it empowers parents to convert legacy infrastructure into charters or vouchers, one option many families will choose is greater access to the best digital learning available.

Charter schools, vouchers, tuition tax credits, and now digital learning are not silver bullets. They are merely arrows in a quiver of reform that offers improvements over the status quo.

Empowering parents to convert education infrastructure to charters or vouchers, however, will open the door to a much more rapid acceptance of the dynamic potential of digital learning.

Bruno Behrend (bbehrend@heartland.org) is director of The Heartland Institute’s Center for School Reform and a member of the Digital Learning Council.
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