State Legislatures Embrace Education Reform Proposals

By Sarah McIntosh

Education reform became a defining issue in several state legislatures this session. Newly elected Republican governors, including Scott Walker in Wisconsin, Rick Scott in Florida, and John Kasich in Ohio, explicitly linked school reforms to their states’ fiscal health.

State legislatures passed a variety of reform bills that had foundered in years past, from expanding charter schools and virtual learning to establishing merit pay for teachers and vouchers for low-income or special-needs children.

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Vermont’s Sanders Renews Funding Push

By Sarah McIntosh

In the face of a $1.6 trillion federal budget deficit and a national debt topping $14 trillion, and with Congress debating a plan to cut spending by $6 billion over the next decade, one U.S. lawmaker is proposing a new program entitling parents to federally funded universal preschool and child care.

The Foundations for Success Act by Sen. Bernie Sanders

BERNIE SANDERS p. 8

Coalition Blasts Common Core

A coalition of more than 150 education policymakers, teachers, and opinion leaders has released a manifesto opposing a state and federal effort to establish a national curriculum and testing system.

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Utah to Grade Schools ‘A-F’

Beginning this fall, Utah parents will have more clarity about the performance of the state’s schools, thanks to a new school grading system.

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Mich. Gov. Proposes Reforms

Michigan Gov. Rick Snyder (R) is proposing reforms to help raise student achievement by requiring new teacher evaluations, expanding public school choice, and lifting a cap on charter schools.

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Science, Math Need Boost

A report calls for bolder steps in reforming the nation’s education system to improve students’ science, technology, engineering, and math performance.

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‘Hybrid Learning’ Makes Strides

Blending new technology with traditional classroom settings, “hybrid” learning offers several attractive possibilities for reducing class sizes, personalizing learning, and saving school districts money.

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Teachers Union Readies Ballot Campaign Against New Merit Pay Law in Ohio

By Ben DeGrow

Ohio has become one of the first states to adopt statewide teacher pay-for-performance. But backers of the reform now say they worry unions objecting to a new law’s provisions eliminating most collective bargaining privileges for public employees could scuttle the merit pay plan before it starts.

Gov. John Kasich (R) signed into law SB 5, which increases the importance of student test scores in determining Ohio teachers’ evaluations, compensation, tenure acquisition, and job retention.

“IT’s a significant overhaul of [education] personnel matters,” said Terry Ryan, vice president for Ohio programs and policy at the Thomas B. Fordham Institute.

Union Seeks Repeal

Ohio’s teacher tenure reforms were overshadowed by elements of SB 5 that restricted collective bargaining privileges for government employees. Organized labor groups have launched a campaign to repeal the legislation in the November election.

“I wish in hindsight that the state had tackled teacher performance issues separately,” Ryan said.

The dynamics of the November ballot raise serious concerns for reformers, Ryan says. A well-funded labor campaign tapping into the anxieties of the state’s 700,000 government employees affected by the bargaining reforms could galvanize the repeal campaign.

“If the majority of Ohioans vote against [SB 5], then it’s all killed off. That’s a scary sort of thing,” Ryan said. “I think these reforms are really important on the education side. It would be hard to rebirth these ideas.”

‘A Lot Up in the Air’

As winner of $400 million in federal Race to the Top funds, the Ohio Department of Education garnered assurances from about half the state’s school districts that they would implement performance systems. Following the lead of Colorado’s landmark Senate Bill 191 in 2010, Ohio’s SB 5 requires at least half of teacher performance to be measured by student learning growth data.

Ryan notes the only statewide information available to measure student-learning gains is math and reading tests for fourth- and eighth-graders. The design and use of assessments to evaluate teachers of other students are among the details officials will work out when designing Ohio’s new performance-based system.

“There is a lot up in the air right now,” Ryan said.

Higher Bar for Tenure

SB 5 incorporates student learning gains as part of a higher bar for Ohio teachers to earn tenure protections after seven years, while eliminating seniority as a factor in deciding which teachers will be laid off during budget reductions. The reforms also require all Ohio public school teachers be paid based on the measures of performance used in the evaluations.

“It is human nature for us to respond to incentives, but right now we do little to incentivize educators to continually improve teaching methods or leadership skills,” said Kasich spokeswoman Connie Wehrkamp. “By encouraging our teachers and principals and rewarding them for good work, we believe strongly that this will improve student learning.”

Matthew Springer, director of the National Center on Performance Incentives at Vanderbilt University, lauded Ohio for scrapping the existing teacher salary schedule rather than merely trying to tack bonuses atop existing awards for longevity and academic credentials.

“The way we pay teachers based on seniority and education degrees is an incredibly inefficient practice,” Springer said.

‘No Perfect Solution’

Ohio’s legislation empowers local districts to craft the specific parameters of performance-based compensation plans. “There is no one-size-fits-all approach to this,” Ryan said. “It’s absolutely the right thing to do to move in this direction. We need to be humble in recognizing there’s no perfect solution.”

Meanwhile, state education officials must provide technical assistance and data access. Springer says he believes this feature represents a positive design, noting many local agencies left to their own devices would develop weaker systems.

“We’ve seen in the past that schools and districts tend to implement more egalitarian models,” said Springer. “The bonus amount tends to be small. The reward structures are not based on the most rigorous measures.”

Ohio should commission a full research analysis of the teacher pay program to measure its effectiveness, Springer said.

“Otherwise, it’s all going to be lost,” he noted.

Ben DeGrow (ben@i2i.org) is senior education policy analyst for the Independence Institute in Golden, Colorado.
Arizona Gov. Brewer Vetoes Tax Credit Expansion

But vouchers for disabled students become law

By Joy Pullmann

Arizona Gov. Jan Brewer (R) twice vetoed a bill to expand Arizona’s education tax credit program in the waning weeks of the state legislature’s spring session. Brewer said the legislation “fails to accomplish the stated intent of being revenue positive.”

Brewer’s veto followed a decision by the U.S. Supreme Court upholding the state’s 13-year-old scholarship program funded by the tax credit. Justice Anthony Kennedy, writing for the Court, noted the program does not directly funnel state dollars to religious schools.

State finances, not religion, were Brewer’s main consideration in rejecting the bill, she said. Arizona faces a $1.1 billion budget shortfall for the fiscal year beginning July 1. Republican lawmakers proposed expanding the tax credit for individuals from $500 to $750 and for couples filing jointly from $1,000 to $1,500.

The governor said the plan would “unbalance the budget.”

“I support the expansion of school choice opportunities and look forward to working with the education community and the legislature to identify avenues to expand school choice while maintaining sound tax policy,” Brewer wrote in her veto statement for the second version, Senate Bill 1186.

Donations Down

Arizona’s tax credit scholarship program allows individuals and corporations to deduct from state tax returns their donations to qualified school tuition organizations. Because of the weak economy, those donations have declined sharply in recent years, said Clint Bolick, litigation director at Arizona’s Goldwater Institute.

In its second iteration, the legislation would have allowed increased contributions only to means-tested tuition organizations funding students transferring from public to private schools, “and in that instance it would be positive for revenue, and certainly the state’s analysis found that it was far less costly,” [Brewer] nonetheless vetoed it on the same rationale,” Bolick said.

Vouchers for Special Needs

A new Arizona law passed during the same session would grant vouchers to parents of the state’s 17,000 disabled children, allowing them to attend a private or public school of their parents’ choice.

Bolick and his team helped lay the intellectual and policy foundations for the voucher bill, which establishes education savings accounts for each participating student. Once parents opt in, the state will contribute funds to private accounts equal to 90 percent of what a public school would receive. The contribution will range from $4,500 for students with mild disabilities to $27,000 for students with severe disabilities such as autism.

“If we were starting a K-12 system from scratch today, given the huge improvements in technology, it would probably resemble education savings accounts rather than the bricks and mortar system we have now,” Bolick said.

The new law requires the state to perform random audits of the savings accounts to ensure parents are spending the money on the education-related items allowed, including private tuition, online courses, home tutoring, or college classes for high school students. Families also can choose to save the money and use it to pay for college once students graduate. Leftover money in the accounts would roll over each year.

Court Challenge Possible

Legislators say they drafted the voucher law to withstand a constitutional challenge similar to one voiding an earlier, similar law. But Adam Schaeffer, an education policy analyst at the libertarian Cato Institute, says he worries the state supreme court could strike it down anyway.

“It seems unlikely to me the justices will look at this [law] and say, ‘Yes, this satisfies our concerns in the [decision] we handed down,’” Schaeffer said.

Schaeffer also criticized the law for using state dollars for these vouchers rather than allowing parents to use their own money through a special tax credit, increasing the credit already available, or encouraging private donations.

“You can ensure education without a direct education entitlement from the government, through the private sector and through credits,” Schaeffer said. “It’s better to have people drawing on their own money first before they turn for help to the government.”

Bolick strongly disagreed with Schaeffer’s assessment. “The whole purpose of these choice programs is to expand the range of options, not to make private options more like public schools,” he said.

Joy Pullmann (jpullmann@heartland.org) is managing editor of School Reform News.

Supreme Court Upholds Ariz. Tax Credits

In a 5-4 decision, the U.S. Supreme Court upheld Arizona’s tax credit program against a lawsuit attacking it for allowing families to use scholarship funds to send their children to religious schools.

Arizona individuals and businesses receive tax credits for donating to school tuition organizations that, in turn, grant scholarships to students to attend the school of their family’s choice. The STOs decide their own grant criteria, and the scholarships can follow the student to private schools.

The petitioners attacked the law on Establishment Clause grounds, saying it violated the First Amendment’s prohibition against the government making a law “respecting an establishment of religion.” The Court found the tax credits were not government expenditures.

“When the government declines to impose a tax, ... there is no such connection between dissenting taxpayer and alleged establishment [of religion],” wrote Justice Anthony Kennedy for the majority in Arizona Christian School Tuition Organization v. Winn, et al. “When Arizona taxpayers choose to contribute to STOs, they spend their own money, not money the State has collected from respondents or from other taxpayers.”


— Joy Pullmann
Michigan Gov. Proposes More Student Options, Ratings for Teachers

By Joy Pullmann

Michigan Gov. Rick Snyder (R) says improving the state’s education system is essential to economic growth, so he is proposing a package of reforms to raise student achievement.

The state legislature in May wrote some of his proposals into House Bills 4625 through 4628. They would require teacher evaluations and the use of teacher effectiveness instead of seniority as the criterion when hiring and firing, would reduce the reach of collective bargaining, and would make tenure more difficult to secure.

The state legislature has yet to craft legislation introducing some of Snyder’s more innovative proposals, including allowing students to enroll in any district in the state with space for them, encouraging “blended” or virtual learning, tying some state school funds to academic growth, and lifting the charter school cap in any district with at least one academically failing school.

House Education Committee Chairman Paul Scott (R-Grand Blanc) promised “more major reforms to come in this session.”

“The governor is sending a clear message to school districts that the interests of students and parents will drive the agenda here,” said Michael Van Beek, director of education policy at the Michigan-based Mackinac Center for Public Policy, a free-market think tank.

Special Message to Legislature

In a special message to the legislature, the governor touted his proposals as “a plan for Michigan’s future that rewards outcomes and performance. We can no longer tolerate a system where either schools or students are rewarded for just showing up.”

The governor also proposes to consolidate 84 separate early childhood programs within the state department of education into an Office of Great Start—Early Childhood.

Private School Choice Prohibited

The governor’s proposals fall short in refusing to allow state funds to follow children to any school of their family’s choice, says Van Beek.

“Private school choice is the biggest hole in the governor’s reform agenda,” Van Beek said. “He’s staying within government-owned and -operated schools. He has colleagues in other states all around Michigan expanding school choice in school voucher programs and tax credits, and Michigan is sitting here without the gubernatorial leadership to take advantage of those ideas, too. He should be interested in those because they save tax dollars, give students and parents what they want, and have been proven to raise graduation rates and test scores for kids in and out of the conventional schools.”

Michigan’s state constitution restrains the governor and legislature from introducing vouchers, tax credits, or any programs in which public funds would support private schools, Van Beek said, so his policy choices are more limited than those available in other states. The state’s constitution includes a Blaine Amendment, which forbids direct government aid to religiously affiliated schools.

To pursue wider options, the governor would have to expend large amounts of political capital and seek a constitutional amendment. The governor currently has mediocre approval ratings in a blue-leaning state. Still, he won the election with 58 percent of the vote.

Calls for Charter Expansion

Barring a change in the state constitution, a more immediate option the governor could pursue is expanding charter schools, Van Beek said. Michigan residents widely support charter school expansion, within limits. That support includes many of the state’s teacher unions, which is rare across the country.

The governor also proposes to consolidate 84 separate early childhood programs within the state department of education through improved models of instruction across the state,” Snyder told state legislators. “There must be greater choice for students and parents and greater responsibility and accountability at the individual school level for student growth.”

Joy Pullmann (joy.pullmann@gmail.com) is managing editor of School Reform News.

Why Are Profits Good?

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

“Michael Malgeri has created a series of small books that could change the way an entire generation views individualism, profit-making, and capitalism.”

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LARRY KUDLOW
HOST OF CNBC’S THE KUDLOW REPORT

“Kids will learn from these. But adults would, too! Should be mandatory reading in Washington”

STEVE FORBES, FORBES MAGAZINE


You can also contact Michael Malgeri at mmalgeri@kids4biz.com
Education Reforms Embraced by State Legislatures

Continued from page 1

“2011 sets a new standard for education reform,” said Matthew Ladner, senior advisor for policy and research at the Florida-based Foundation for Excellence in Education. “The teacher unions are still powerful, but their credibility approximates that of Big Tobacco’s claims regarding smoking and cancer.”

As the legislative sessions wind down in many states, the list of noteworthy policy accomplishments is long.

Florida
Sunshine State lawmakers expanded charter schools, scholarships for special-needs students, and public school choice and implemented a far-reaching teacher merit-pay plan.

Senate Bill 736, the Student Success Act, passed both houses early in the session and was the first bill Gov. Rick Scott (R) signed into law, on March 24. The law revamps the state’s teacher and administrator evaluation system, making objective assessment of student performance 50 percent of the evaluation. It also establishes incentives for teachers and administrators.

“The Student Success Act helps Florida move to a higher standard,” said state Senate President Mike Haridopolos (R-Merritt Island), who singled out state Sen. Stephen Wise (R-Jacksonville) for his efforts to reach across the aisle to attract votes from Democrats. “As [Gov. Rick Scott] and lawmakers work on ways to improve the economy and attract people to Florida, the implementation of the Student Success Act will contribute to our competitiveness in attracting individuals to move to and stay in our state to raise families and build livelihoods.”

MIKE HARIDOPOLOS
STATE SENATE PRESIDENT
MERRITT ISLAND, FLORIDA

Rick Scott
Governor - FL

“[T]he implementation of the Student Success Act will contribute to our competitiveness in attracting individuals to move to and stay in our state to raise families and build livelihoods.”

Utah
Utah Senate Bill 65 also passed this session, creating the Statewide Online Education Program. Reformers had worried Gov. Gary Herbert (R) might veto the bill, but he ultimately signed it. The new law provides funding incentives based on test scores online students achieve.

The law has no participation caps and allows both private and public providers to offer classes. The program will begin with students currently enrolled in public high schools (grades 9–12). Private high school students and homeschoolers will be able to use their education funding to attend online courses beginning in 2013.

Oklahoma
Oklahoma state Rep. Lisa J. Billy (R-Lindsay) championed the passage of House Bill 1456, which mandates that state assessment tests give schools A to F grades and make them public.

“[T]he quality [of] education will hold us accountable,” said Billy. “[It] will help identify both success stories and areas of need in our school system, and incentivize improvement.

“I believe this reform will foster greater collaboration among schools so that successful strategies will be duplicated to the benefit of all Oklahoma students,” Billy said.

Idaho
Amid a rancorous debate, Idaho State Superintendent of Public Instruction Tom Luna helped shepherd three major reform bills through the legislature. Senate Bills 1108 and 1110, which passed in March, phase out teacher tenure and phase in performance pay, include student achievement and parental input in professional evaluations, and limit the scope of public-employee union collective bargaining.

In April, Gov. Butch Otter (R) signed Senate Bill 1184, the final piece of Luna’s plan, which gives local districts greater flexibility in allocating funds previously designated for class-size reduction, modestly raises teacher base pay, and increases funding for digital learning and classroom technology.

“It’s a great start, and it’s the beginning of where we need to go,” said Briana LeClaire, an education policy analyst for the Idaho Freedom Foundation. “The labor reform particularly will cause a lot more openness and transparency.”

Arizona
Arizona became the first state to enact an education savings account program designed specifically for K–12 schools. Under the new law, when an eligible student leaves a public school to attend another school, the state will fund an account equal to 90 percent of the state’s per-pupil expenditure.

“The account may be used for any educational expense, from private school tuition to distance learning to tutoring to software to community college tuition,” explained Clint Bolick, director of the Phoenix-based Goldwater Institute’s Center for Constitutional Litigation.

Bolick said the program saves the state and local districts money, allows students to harness technology and individualized academic programs, and “cuts out the [bureaucratic] middleman.”

Bolick said the new law also complies with the state’s Blaine Amendment, which forbids the legislature from funding any religious schools or institutions, by funding individual parents’ accounts and letting them choose how to direct the spending.

The initial pilot program is limited to special-needs students. Several other states are considering ESAs, Bolick said. “This idea has enormous potential to change the way K–12 educational services are provided,” he said.

Ladner said reformers in other states should pay particular attention to Arizona’s education savings account plan. “I believe that this program will be found to be constitutionally distinct from vouchers and represents an important refinement of Milton Friedman’s voucher concept: parental control of education down to the last penny,” he said.

‘Best Is Yet to Come’
Ladner noted that lawmakers in Minnesota, Nevada, New Jersey, Ohio, Pennsylvania, and Wisconsin are still considering major reforms.

“I’m not aware of anything especially bad going forward,” Ladner said. “As great as 2011 has been, I suspect that the best is yet to come.”

Sarah McIntosh (mcintosh.sarah@gmail.com) is a constitutional scholar writing from Lawrence, Kansas.
NCLB Opt-Out Bill Introduced in Senate

By Lindsey Burke

A bill by Sens. Jim DeMint (R-SC) and John Cornyn (R-TX) would let states opt out of a reauthorized No Child Left Behind Act, giving them much broader authority to direct federal education funds to local education priorities.

DeMint and Cornyn introduced S. 827, the Academic Partnerships Lead Us to Success (A-PLUS) Act, in April. The bill establishes the following goals:

• “To give States and local communities maximum flexibility to determine how to boost academic achievement and implement education reforms”;
• “To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement”; and
• “To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.”

The Obama administration announced earlier this year it would work with Congress to reauthorize No Child Left Behind before the start of the 2011–12 school year.

Five-Year Agreements

Although A-PLUS would free states from numerous mandates required under the 2002 federal education law, state officials and educators would not be exempt from all federal accountability requirements. The bill would allow states to enter into “performance agreements” with the Department of Education, empowering states to consolidate federal education funding awarded under NCLB for “any lawful education purpose.”

The performance agreements would last five years, after which a state must demonstrate students have made progress according to federal guidelines. States must prove student academic achievement has increased across the board, and that racial and ethnic achievement gaps have narrowed. States also would be required to disaggregate student demographic data.

If the state meets those terms, the secretary of education would be required to renew the performance agreement. If the state fails to meet the performance goals, however, the secretary must inform the state and give it an opportunity to submit a revised performance agreement plan.

DeMint and Cornyn say allowing states to opt out of more than 70 programs operated under NCLB would provide greater fiscal accountability for federal funds and accountability for school performance to parents and taxpayers. States currently spend an estimated seven million man-hours, at a cost of $141 million annually, to show compliance with NCLB mandates, according to a 2010 Government Accountability Office study.

Old Concept Revived

DeMint and Cornyn sponsored similar legislation, also called A-PLUS, in 2007. That bill also was tied to an NCLB reauthorization, which stalled in Congress.

Added flexibility in education funding could reduce a significant amount of bureaucracy for states, said Neal McCluskey, associate director of the Cato Institute’s Center for Education Freedom, and help return to what should be a limited federal role in education.

“Constitutionally, the federal government has no authority to interfere in education outside of prohibiting discrimination by state and local governments,” McCluskey said.

“A good way to begin to put Principal Sam back in his place—as long as it is understood that his removal is the only acceptable final answer—is to give states more control over the money that Sam sends them but which came from their citizens to begin with,” McCluskey said.

“At least then they would be able to allocate the funds according to their unique needs and challenges, not according to politicized formulas or priorities that Washington deems most important,” he added. “It’s not nearly enough, but it would be a good place to start.”
Senator Pushes for Federally Funded Day Care, Preschool

Continued from page 1

(I-VT) would allow the subsidy to start when a child reaches just six weeks of age.

Sanders’ bill would begin as a pilot program in 10 states and eventually expand nationwide. States would compete for federal grant money and establish standards, in a process Sanders compares to President Barack Obama’s Race to the Top program for K-12 schools.

“As we struggle to recover from the worst economic crisis since the Great Depression, too many American children do not receive the high-quality early care they need,” Sanders said in a statement. “The best way to both address our educational shortcomings and strengthen our economy over the long term is to invest in our children as early as we possibly can.”

The Congressional Budget Office has not estimated the cost of Sanders’ proposal. The federal government spent more than $7 billion in 2010 on the Head Start preschool program for at-risk and inner-city youth.

‘One-Size-Fits-All’ Criticized
The federal government should refrain from meddling in preschool, says Lisa Snell, director of education and child welfare studies at the Reason Foundation in California.

“The state already has an uneven track record with K-12 education,” Snell said. “Right now there are many different kinds of preschool programs, and parents have many choices. If the state offers free preschool, it will be difficult for private and nonprofit preschools to compete.”

While noting Sanders’ bill promotes ostensibly competitive grants, Snell said the government has a tendency to overshadow all other options.

“We risk diminishing parent choice and creating a one-size-fits-all public preschool,” she said.

Snell also warned Sanders’ bill would create a needless, redundant program.

“We should not be using scarce taxpayer dollars to start new federal preschool programs,” Snell said. “If this kind of preschool is a federal priority, we should use resources from existing preschool programs like Head Start rather than developing new government programs that duplicate programs that already exist.”

The United States already has made a multibillion-dollar yearly investment in early education at the federal, state, and local levels, Snell noted. More than 75 percent of four-year-olds are already enrolled in public and private preschool programs, “and yet we have not seen large-scale academic improvements from this huge investment in early education.”

‘Flat Outcomes’
On multiple measures from graduation rates to the performance of 17-year-olds on the National Assessment of Educational Progress, we have seen flat outcomes and little improvement from this long-term investment,” Snell said.

Multiple studies of Head Start, which President Lyndon Johnson helped establish as part of his War on Poverty in 1965, have shown weak outcomes or no change at all despite the program spending more than $150 billion over four decades, Snell said. A U.S. Department of Health and Human Services study published in 2010 found “few significant differences” in academic outcomes among first graders who participated in Head Start and those who did not.

The weight of research argues against Sanders’ bill, said John LaPlante, a fellow with the Minnesota Free Market Institute.

“If state-funded preschool has a weak record, then it’s a waste of money that could be better used elsewhere—paying teachers better, giving students scholarships for private schools, whatever,” LaPlante said. Government-funded preschool, LaPlante said, is “an instance of government crossing the line between the political culture and the philanthropic one. It’s based on the assumption that government intervention can ameliorate the problems faced by children from less-than-ideal family situations.

“Private, community-based efforts can make a difference, but even then there are limits to what we can do to fix human problems,” he continued. “The problem is more serious once you bring in government, which involves politicians and bureaucracies.”

Appeals to Middle-Income Parents
Preschool is a popular cause because voters see it as “doing something” for children,” LaPlante said.

“There’s widespread agreement that kids are not getting the education they need in today’s world, and it’s easier to add something onto the K-12 industry than to make fundamental changes to it,” he said.

Making preschool a universal rather than targeted program is also an obviously political move, LaPlante added, because “any time you open a new spending stream to the middle class, you’re going to boost its political support.”

Several states, including Colorado, Florida, and Missouri, have made significant progress with reforms focused on elementary and secondary schools, LaPlante said.

“Florida has taken a multipronged approach,” he noted. “They give letter grades to schools, which shames the poor-performing ones and praises the high-achieving ones. They’ve created some school choice programs, and they’ve made some changes in curriculum. They’ve also invigorated the teaching staff by creating one of the leading programs in the nation for alternative paths to getting a teaching certificate.”

As a result, LaPlante said, Florida has experienced impressive improvements in student achievement and significant gains in closing the achievement gap, especially between Hispanic and Caucasian students.

“This record suggests that we benefit when government focuses on reforming its own programs, and enlisting the power of private choice, rather than replacing parents,” LaPlante said.

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

This fall, Utah parents will have more clarity about how their child’s school performs, thanks to a new school grading system Gov. Gary Herbert (R) signed into law.

SB 59 assigns a letter grade to schools based on student performance on a range of academic achievement measures. Modeled after Florida’s decade-old grading scale, Utah’s new A–F grading system aims to provide transparency to parents about school performance. The bill, sponsored by state Sen. Wayne Niederhauser (R-Sandy), would use student performance on statewide assessments of math, English, science, and writing, as well as year-to-year learning gains in each of the four subject areas, to form an annual school report card. High school report cards also will incorporate graduation rates and measures of college and career readiness.

The new law empowers the Utah State Board of Education to work out the particulars of the school grading system and requires the board to design and publish report cards for each school in print and online.

Other States Emulate Florida

Utah is not the only state to emulate Florida’s successful school grading system. New Mexico Gov. Susana Martinez (R) signed an A-F grading bill in March, and Nevada Gov. Brian Sandoval (R) made an A-F evaluation part of his education reform agenda in January. Last year, Arizona Gov. Jan Brewer (R) signed an A-F grading bill.

Florida’s grading system evaluates schools and districts. Children enrolled in a school receiving a failing grade for two out of four years can transfer to a higher-performing public school of their parents’ choice.

The transparent Florida grading system, in conjunction with other reforms including high state standards, school choice, eliminating social promotion, performance pay for teachers, and alternative teacher certification, has led to impressive gains in student achievement for all children in the state. The Sunshine State also has narrowed the achievement gap. Florida’s Hispanic children now outpace or tie the statewide average of all students in reading in 31 states.

Tenure Reform Bill Signed

Along with the new accountability measures, Herbert signed SB 73, which requires schools to base teacher layoffs on evaluations and staffing needs, rather than seniority, and SB 256, establishing annual teacher evaluations.

The new reforms should improve educational outcomes in Utah, said Derek Monson, manager of public policy at the Sutherland Institute in Salt Lake City. “These reforms are a step in the right direction because they improve accountability within Utah’s public school system.” Monson said. “For years we have used sensible, effective accountability mechanisms for the work of children attending public schools, but have refused to make the adults in the system similarly accountable for their work. Instead we have rewarded teachers and administrators for things that credible research shows do little to improve educational outcomes.”

The new laws, Monson added, “send the message that we want better than that for the children and parents who choose Utah’s public schools as their educational path.”

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

Reforming higher education – getting costs under control and improving the quality of the education students receive – is one of the key public policy issues of our day. Are taxpayer subsidies to higher education justified? Should institutions of higher education focus more on core curriculum? Why do students study less than they used to? How can colleges become more efficient? This booklet, the tenth in a series from The Heartland Institute, provides policymakers and civic and business leaders a highly condensed and authoritative yet easy-to-read guide to the debate.

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California’s American Indian Charter Expansion Thwarted

By Sarah McIntosh

American Indian Public Charter School, officially the top school in California, wants to expand, but local authorities are standing in the way.

The Oakland middle school, which serves more than 400 students on two campuses, routinely beats its inner-city peers on state tests, and its attendance record hovers around 99 percent.

Although Oakland Unified School District officials praise the school’s performance record, since 2008 they have routinely denied AIPCS’s applications for additional charters.

Former AIPCS Principal Ben Chavis says he knows why the schools haven’t expanded in nearly four years.

“If they kept approving our charters, we’d put [the district] out of business. The Oakland Unified School District hates competition. Does this surprise anyone?”

From Worst to First

AIPCS was first chartered in 1996 with a mission to improve the academic performance of low-income and Native American children. When Chavis took over as principal in 2000, AIPCS was the lowest-performing middle school in the struggling East Bay district.

By the time Chavis stepped down in 2007, the school was the fourth-highest-performing school in the state. That same year, AIPCS won a National Blue Ribbon Award, which the U.S. Department of Education gives to the top 250 public or private schools in the nation.

Last year AIPCS reached the state’s top spot, boasting an Academic Performance Index score of 988 of 1,000, based on standardized test scores and demographics. The statewide average score in 2010 was 767. The target is 800.

AIPCS was granted charters in 2007 to open a second middle school and a high school. In 2010, 100 percent of the African-American students and 95 percent of Latinos in Oakland Unified who passed the Advanced Placement calculus test came from American Indian Public High School.

Focus on Basics, Discipline

Chavis, whose candor won him as many enemies as admirers during his tenure, attributes the school’s turnaround to longer hours, more intense focus on English and mathematics, unwavering discipline—students wear uniforms, and those who don’t complete homework assignments must sit on the floor, for example—and pairing a single teacher with each class of students during their three-year stay.

“We have smart teachers and a principal who does not accept being pushed around from teachers, superintendents, or school board members,” Chavis said.

‘Best in the State’

Andrew Coulson, director of the Cato Institute’s Center for Educational Freedom, gives a great deal of credit for AIPCS’s success to Chavis, whom he described as “a cross between Socrates and Dirty Harry.” Given his students’ academic performance, Coulson said, it’s hard to argue with the merits of Chavis’s no-nonsense methods.

“Based on my findings, the American Indian charter network is not only the best in the state, the margin by which it outperforms other charter networks and the public school average is greater than most people realize,” Coulson said.

AIPCS academically outperforms two of the most selective public schools in the nation, Coulson notes: Lowell High in San Francisco and Gretchen Whitney High near Los Angeles.

“That’s despite the fact that charter schools must accept all applicants or use a random lottery for admissions if they are oversubscribed,” Coulson added.

Model ‘Can Be Replicated’

The American Indian charter schools embody what is best about the decades-old charter school experiment, says Lindsey Burke, a policy analyst at The Heritage Foundation in Washington, DC.

“The appeal of charter schools is that when innovative and successful approaches to education are created, those models can be replicated in other cities,” Burke said. “When a charter school fails at providing a quality education, the school can be closed down. This is the great advantage the charter approach has over traditional public schools.”

Chavis says he has no doubt the schools can be replicated, and he rejects the idea that AIPCS is “just another example of a charismatic school leader doing wonders in one or a few schools with sizeable investments from philanthropists and then disappearing,” in his words.

“The top five schools in Oakland are also the top five charter schools in the state of California,” Chavis said. “They are the five schools using the American Indian model.

“The question is not ‘Is it replicable?’ but ‘Why isn’t it being replicated?’ Why aren’t public schools replicating the American Indian model? Weren’t they supposed to learn from charter schools?” Chavis asks. “The law was passed to allow charter schools to be innovation incubators so that mainstream public schools could learn from them. But they haven’t.”

“We Work. We’re Effective”

Coulson says the reason school districts have not adopted the American Indian model is because the public school system is not flexible enough or amenable to competition.

“Consumer choice plays a crucial role in the process by which excellent services scale up in every field outside of education—and the limited or absent choice afforded to families within the public school system is a major reason why educational excellence fails to scale,” Coulson explained.

“In California, for instance, the entrenched monopolists get to decide which charter networks can expand and which can’t,” Coulson said. “It is not in their interest to allow great charters to flourish.”

Chavis offers an even more blunt explanation of why county education officials have rebuffed the school’s attempts to expand. “Because we’re good,” Chavis said. “We work. We’re effective. We’ve proven that what we do works.”

Sarah McIntosh (mcintosh.sarah@gmail.com) is a constitutional scholar writing from Lawrence, Kansas.
‘Hybrid Learning’ Offers Education Savings, Personalization

By Joy Pullmann

Every school day, 112 kindergartners log themselves on to a bank of computers for two half-hour tutorials at KIPP Empower Academy in Los Angeles. Their simple activities with words, shapes, animals, and counting herald learning. Kids like it because computers attract them like a light attracts bugs, he noted. Educators like the new technology, too, Kerr said, because it allows them to spend more time one-on-one with kids and they can get basic data all from one spot.

Early test scores among hybrid learners look good. Although results can’t be attributed entirely to using computers, this year KIPP Empower’s students moved from 9 percent proficient or advanced on the University of Chicago’s STEP assessment to 78 percent proficient or advanced by midyear. Kerr says, partly because the idea is just now than those for elementary schools, and high school are much broader right now than those for elementary schools, Horn says, partly because the idea is just starting to catch on and partly because computers don’t work as well for teaching young children. At that age, kids haven’t learned to study alone and aren’t absorbing as much concrete or advanced information, he explained.

It will take many more years for hybrid learning to become established in American education, Kim says. Budget savings and tailored flexibility, however, are likely to sell well to both students and administrators in years ahead, and Kim and his team expect to see the demand for their services grow.

‘Means to an End’

Parents like hybrid learning, Kerr said, because they want their children learning “twenty-first century skills” and appreciate the personalized feedback. Kids like it because computers attract them like a light attracts bugs, he noted. Educators like the new technology, too, Kerr said, because it allows them to spend more time one-on-one with kids and they can get basic data all from one spot.

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Kerr says he expects even better scores overall by the end of the year. The Innosight white paper shows positive data-driven results overall in the 40 blended learning programs it reviewed. “It’s not a panacea, not a silver bullet,” Kerr said, “but the way we did it makes sense for us because our culture was preserved. The computers are a means to an end.”

Joy Pullmann (joy.pullmann@gmail.com) is managing editor of School Reform News.

Online Learning ‘Liberates Choice’

Anthony Kim, president and founder of Education Elements, a startup company in San Francisco that helps schools integrate technology into instruction, says learning technologies offer unprecedented flexibility for teachers, parents, and children. “One of the reasons I enjoy working in education and in particular with charter schools is I firmly believe that families should have choice in where they get educated, and online learning seems to liberate that quite a bit more,” Kim said.

Hybrid learning offers several attractive possibilities, says Kim, who served as executive vice president in charge of online development at EdisonLearning before launching his new venture last year. The use of technology allows for smaller class sizes with fewer staff members because the computer lab occupies rotating groups of students all day long.

Educators can personalize education to each child because the daily interactions offer instant, targeted feedback on the day’s lesson. The technology also seamlessly aggregates student testing and learning data, Kim explains.

‘Going Hybrid’ Saves Money

Kim and his team designed two separate systems to connect teachers and students at KIPP Empower with computer-based learning. The one for teachers allows them to track student progress easily and in one place, and the one for students gives them a single portal to access programs from the learning side.

Kim’s team created something similar to an Internet browser—one location for accessing many separate education programs and bits of information.

“We weren’t expecting to go hybrid,” said Mike Kerr, KIPP Empower’s school leader, a position similar to a principal. “But we lost about $200,000 [this school year] due to cuts in California, so we had to radically expand our class sizes. Going hybrid has allowed us to stay afloat and still have the instruction important to learning.”

Transformation Kept at the Fringes

The Bill and Melinda Gates Foundation, the world’s largest philanthropy, is helping fund Education Elements’ work with KIPP Empower next year “because they see the development of this launchpad platform as something that could benefit the charter school movement and education as a whole,” Kerr said.

Kim said Education Elements is working with six more schools this fall and talking with several other schools and districts.

Hybrid learning is still in its nascent stages, said Michael Horn, executive director for education studies at Innosight, “so it’s dangerous to extrapolate too much.” Displacing current education models will take a long time, Horn said, which is why most schools add online or computer-based classes at the “fringes,” such as advanced classes, those not already offered at the school, or components such as science labs.

“I think you’re likely to see a lot of elementary schools grab on to the technology to radically improve the current model rather than fundamentally transform it,” Horn said.

Middle, High Schools Leading

Online curriculum options for middle and high school are much broader right now than those for elementary schools, Horn says, partly because the idea is just starting to catch on and partly because computers don’t work as well for teaching young children. At that age, kids haven’t learned to study alone and aren’t absorbing as much concrete or advanced information, he explained.

It will take many more years for hybrid learning to become established in American education, Kim says. Budget savings and tailored flexibility, however, are likely to sell well to both students and administrators in years ahead, and Kim and his team expect to see the demand for their services grow.

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Joy Pullmann (joy.pullmann@gmail.com) is managing editor of School Reform News.

Internet Info

Education Elements: http://edelements.com

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Business Should Use Clout to Push Reform, Chamber Says

By Jim Waters

A new report calls on the nation's business community to take bolder steps toward reforming the nation's education system in order to improve its science, technology, engineering, and math (STEM) performance.

The changes they propose will not be easy, acknowledge the authors of "The Case for Being Bold: A New Agenda for Business in Improving STEM Education," commissioned by the U.S. Chamber of Commerce's Institute for a Competitive Workforce.

"The most difficult challenge will be in recognizing that even the most promising proposals are greatly weakened by the current outdated, nineteenth century models of schooling and teaching," said Frederick Hess, director of education policy at the American Enterprise Institute and lead author of the report.

U.S. Students Lag

Business groups and policy experts have argued for years over whether outdated approaches to public education produce a lagging STEM performance nationwide. What's clear is U.S. students perform poorly on international assessments, ranking 17th and 25th respectively in science and math literacy on the 2009 Programme for International Student Assessment (PISA) exam.

A poorly educated workforce lacking skills in science, technology, and math hurts U.S. economic growth and sends businesses elsewhere for workers, says Cheryl Oldham, vice president of the U.S. Chamber's Institute for a Competitive Workforce.

"We have heard of a very well-known large technology company in the United States that has gone over and built a manufacturing plant in Israel—not because it's cheaper, not because it's safer, but because that's where the skilled workers are—and so that's ... obviously, particularly troubling," Oldham said.

The problem is not so much a lack of good proposals for reform as an outdated system that impedes the innovation needed to make those approaches work, Oldham said. The report says business leaders are uniquely positioned to break such logjams.

According to the U.S. Department of Education, less than 16 percent of the nation's bachelor's degree recipients were in natural science and engineering fields during the past five years, and just 14 percent of undergraduates currently major in science, technology, or math-related subjects. By comparison, China awards nearly half of all undergraduate degrees in STEM fields.

Rewriting Job Descriptions

Instead of offering a one-size-fits-all set of solutions for businesses to follow, the report suggests principles—including rewriting teachers' job descriptions and redesigning schools—that each business leader can apply in his or her own way to effect education reform in the local community.

"The business community should think of itself not as an anonymous angel investor, providing money so nonprofit experts can experiment with pet projects," said Olivia Meeks, an education policy analyst at AEI and a coauthor of the report. "Instead, she said, businesses should participate in reforms as "a partner that not only seeks out and funds the best new ideas ... but also dedicates some of its philanthropic money to developing its own ideas and programs."

Among the more important reforms needed involve luring STEM experts into the classroom. Typical approaches usually involve some type of performance pay. However, Meeks said, without innovation in and out of the classroom, high-achieving science students may be left behind.

Meeks points to a 2007 survey of Advanced Placement teachers by the Thomas B. Fordham Institute, which found 77 percent of teachers agreed that "getting underachieving students to reach 'proficiency' has become so important that the needs of the advanced students take a back seat."

More Science Teachers Needed

Getting enough qualified STEM teachers into the classroom has proven a challenge in recent years. The problem begins in higher education and works backward.

Kentucky state Sen. Ken Winters (R-Murray), who chairs the Senate Education Committee, testified earlier this year the state's universities had graduated only one high school physics teacher during each of the past two years.

The trickle-down effect is being felt in K-12 education, where only 31 percent of physics courses statewide were taught by a certified physics teacher with a degree in the subject in 2007–08, according to a Schools and Staffing Survey report.

Innovative Programs Offered

Among initiatives highlighted by the report to meet this challenge is IBM's Transition to Teaching Program, "which puts IBM's top employees on the fast track to becoming accredited teachers once they decide to leave the company."

Other companies are working with public school districts to improve STEM courses. Pharmaceutical giant Merck's Institute for Science Education is partnering with New Jersey public schools to match their science and math curriculum standards, instruction, and professional development with the needs of the local workforce.

"Unfortunately, these noteworthy initiatives are the exception, not the rule, and they have yet to be replicated on a broad scale," Meeks said.

Urged to Use 'Political Heft'

Businesses can use their considerable influence and political "heft" to overcome antiquated governance structures and powerful special interests that keep much reform from taking place, Meeks said.

"Too many corporate leaders prefer to avoid conflict that can spark bad feelings or negative publicity," Meeks said. "They want education reform, but they want it quiet, collaborative, and calm. But fixing dysfunctional organizations is always messy, and taking back prerogatives from entrenched interests is inevitably a bruising struggle."

Jim Waters (jwaters@freedomkentucky.com) is vice president for policy and communications at the Bluegrass Institute for Public Policy Solutions in Bowling Green, Kentucky.

INTERNET INFO

‘Counter-Manifesto’ Challenges Common Core Standards

By Ben Boychuk

A coalition of more than 150 education reformers, state and federal policymakers past and present, teachers, and opinion leaders has released a manifesto opposing a state and federal government effort to establish a national curriculum and testing system.

“Closing the Door on Innovation” argues the Common Core State Standards Initiative, which the National Governors Association developed with the U.S. Council of Chief State School Officers, would “stifle innovation and freeze into place an unacceptable status quo, ... end local and state control of schooling, ... lack a legitimate legal basis, ... and impose a one-size-fits-all model on America’s students.”

Forty-two states and the District of Columbia have adopted the Common Core language and mathematics frameworks, which were released last year.

Several legislators and school board trustees from states that have adopted the curriculum signed on to “Closing the Door on Innovation.” Legislatures in Minnesota, New Hampshire, and South Carolina are also considering bills to withdraw from the initiative.

Against Shanker Manifesto

The coalition’s “counter-manifesto” is a rebuttal to one published earlier this year by the American Federation of Teachers’ Albert Shanker Institute. Titled “A Call for Common Content” and bearing the signatures of more than 200 union leaders and policymakers, the Shanker document avoids the term “national standards” but admits the Common Core would require “a sea change in the way that education in America is structured.”

Greg Forster, a senior fellow with the Foundation for Educational Choice, coauthored the response manifesto with former U.S. Deputy Education Secretary and Hoover Institution research fellow Bill Evers, University of Arkansas professors Jay P. Greene and Sandra Stotsky, and Silicon Valley entrepreneur Ze’ev Wurman. Forster says Department of Education officials have been “quietly working behind the scenes to establish national control of K–12 education curriculum.”

Forster says the timing of the counter-manifesto is critical to the public policy debate. Congress is preparing to debate reauthorizing the Elementary and Secondary Education Act, the primary federal law authorizing aid to K–12 education. Meanwhile, Forster notes, the U.S. Department of Education has been funding efforts by two assessment groups to develop a national curriculum and a national testing system.

“This federal initiative would create a national system of academic-content standards, tests, and curriculum,” Forster said.

‘Voluntary’ Label Disputed

Although the Common Core standards are supposed to be voluntary, U.S. Secretary of Education Arne Duncan last year made adopting the frameworks a condition of state eligibility for $4.35 billion in federal Race to the Top grants. President Barack Obama has said $15 billion in federal Title I aid eventually may be contingent on states using the standards and accompanying tests.

Greene, who served in the Education Department during the George W. Bush administration, says the Common Core is voluntary in name only.

Any Education Department participation in designing a national curriculum, including “incentivizing” states to adopt the Common Core frameworks, Greene says, violates federal law and undermines the constitutional balance between national and state authority.

“The department seems to think it is on solid footing as long as it does not mandate or control curriculum,” explained Greene. But the 1979 law establishing the Education Department restricts its activities further than that, he said.

“It may not even direct or supervise curriculum,” Greene said. “I have no idea how the department could fund the development of curriculum without also exercising some direction and supervision over that curriculum.

“As far as I know, no law has specifically authorized the department to engage in these activities,” he added.

Consensus Against Nationalization

Greene says the signers of the counter-manifesto do not necessarily agree with each other about whether standards, curriculum, and assessments are best handled at the school, district, or state level. He says those are legitimate policy debates. “But we all agree that centralization to the federal level is undesirable,” he said.

Forster added, “National control over curriculum creates a single lever you can pull to move every school in America. Would conservatives trust progressives, and would progressives trust conservatives, not to try to seize control of that lever ...?”

GREG FORSTER, SENIOR FELLOW, FOUNDATION FOR EDUCATIONAL CHOICE

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INTERNET INFO


Ben Boychuk (bboychuk@heartland.org) writes from Southern California.
More Diligence Needed to Discourage Students and Teachers from Cheating

By Herbert J. Walberg

National surveys show most students report cheating at some point during their school careers. The Internet makes one form of cheating easier since essays can be purchased and, if necessary, adapted for common high school assignments and college applications. High school students in prestigious Advanced Placement and International Baccalaureate programs often indicate that pressure from parents and teachers led them to engage in academically dishonest activities.

Educators make similar claims. They say the threat of federal and state legislation to close schools or replace staff encourages them to cheat. Cheating has become so widespread that it is now the topic of scholarly symposia, targeted intervention programs, and educational policy.

Some educators may deliberately overlook ill-disguised student cheating since their invalid results may make it appear that they themselves are doing their jobs well. But evidence suggests such fraud harms students. Aside from the ethical and test validity issues, students may develop elevated views of their abilities gained from cheating and other shortcuts.

Students’ belief in ability rather than hard work undermines their success in school and in adult life. No matter how able, they will inevitably fail some objective tests and life’s trials, and their previously justified confidence will collapse.

Students Who Cheat

Though the research on student cheating is less than rigorous, a critical summary of it suggests cheating grows with age during the school years and dissipates during the college years. Students from families of higher socioeconomic status are more likely than others to cheat, perhaps because they face more pressure to prepare for college and perhaps because children from poor families may envision entering the workforce soon after or before high school graduation. Similarly, students with strong academic records are also more inclined to cheat.

Students who find schoolwork boring or too challenging are more likely to try cheating. The roots of this problem lie with the traditional school experience as a whole. For example, it is nearly impossible, especially in high school, to teach students who have radically different degrees of preparation.

Cheating by Administrators

Cheating among educators rose since the establishment of federal No Child Left Behind and related state legislation and the required introduction of high-stakes tests in most public schools.

An analysis of a large collection of news articles showed extensive cheating and what might be called “near cheating,” leading to spuriously high test scores.

The following were among the practices reported in the review:

• Expelling students whose normal coursework suggests they would not score well on grade-level tests.
• Forcing students who might score poorly to leave the school and join alternative schools for students with special needs.
• Narrowing the curriculum covered in the school to include only information that is likely to be on the test.
• Encouraging students likely to score poorly to be absent on testing days and assigning them to special education groups that are not tested.

Cheating by Teachers

Teachers have been caught giving students more time than allowed for testing, altering students’ answer sheets, and removing weak answer sheets from the set to be scored. The existence of more subtle forms of cheating led one scholar who observed how teachers prepare students for tests to propose a catalog of practices, including the following legitimate practices:

• Offering the standard curriculum regardless of its relevance to the test.
• Teaching general test-taking strategies and skills.
• Trying to inoculate students against any stress associated with tests.

Illegitimate practices include the following:

• Teaching the actual test content and items, and showing students how to answer questions.
• Using practice tests that contain items that are parallel in form to those on the test.
• Giving students answers during the test session.

Deterring Educators’ Fraud

Chastising students, teachers, or administrators about how the illegitimate practices invalidate test scores and ultimately harm them may be futile, partly because it may be in their perceived self-interest to cheat. Educating them about their “true” self-interest may also be futile so long as cheating is difficult to detect or the consequences of being caught are not perceived as being very large.

What can be done?

Experiments show that students cheat less when the risks and penalties of being caught are high. This argues for increased diligence in detecting and punishing cheaters. It is reasonable to assume that educators respond to incentives the same way students do, so firing educators caught cheating and taking away their licenses would signal that cheating is being dealt with seriously.

Some studies and expert opinions suggest the culture of cheating may be changing for the better. Students, teachers, and education leaders may jointly develop an honor code and take shared responsibility for detecting cheating. These codes may call attention to the unfairness of cheating, and they may reward students and educators ceremonially for doing honorable and superior work.

Yet, policing and voluntary compliance may not deter widespread student and educator cheating on tests in K–12 schools. For this reason, independent auditing organizations should develop blueprints and tests aligned with standards, administer the tests, and report the results to parents, citizens, legislators, school boards, and educators.

Herbert J. Walberg (herbert.walberg@stanford.edu) is chairman of the board of The Heartland Institute, which publishes School Reform News. This article is adapted with permission from his new book, Tests, Testing, and Genuine School Reform (Stanford, CA: Education Next Books/Hoover Institution Press, 2011). Copyright © 2011 by the Board of Trustees of the Leland Stanford Junior University.
Calif. Legislature Weighs Changes to Parent Trigger

By Ben Boychuk

The California State Assembly’s education committee has removed controversial provisions from a bill aimed at “cleaning up” the state’s landmark parent empowerment law, also known as the Parent Trigger.

AB 203, by Assemblywoman Julia Brownley (D-Santa Monica), would have restricted the eligibility of parents who could sign petitions and required a school board to consider testimony from parents who opposed a petition in reaching a decision about a particular intervention.

“Cleanup or ‘Repeal’?

Brownley previously had said the bill was intended only to clean up some ambiguities in the law, which was passed at the end of a special session in January 2010.

Supporters of the original Parent Trigger, including the legislation’s main author, former state senator Gloria Romero (D-Los Angeles), say Brownley’s bill threatens to make substantive changes and could severely undermine the law.

“We shouldn’t call it ‘cleanup legislation,’” Romero said. “They’re going to try to repeal the law.”

Under the existing law, if at least half of the eligible parents at a failing school or an elementary or middle school that feeds into the failing school sign a petition, the school district must adopt one of a handful of reform strategies: shut down the school and allow students to enroll in higher-performing public schools nearby; convert the school into an independent charter; or implement the “turnaround,” “transformation,” or “alternative governance” models of reform set forth by the Obama administration’s Race to the Top regulations.

Brownley proposed to limit the number of parents from feeder schools whose signatures would count toward the 50 percent threshold. The committee opted to remove that provision.

‘Too Early’ for Changes

Ben Austin, executive director of Los Angeles Parent Revolution and a former member of the state board of education, called the committee’s vote a victory for parents and the original intent of the law.

“I’d rather there be no bill, but [the committee] did get all the bad language taken out,” Austin said.

So far, parents at only one school in the state—McKinley Elementary in the South Central Los Angeles city of Compton—have attempted to use the law. Austin says the legislation shouldn’t revise a law that has barely had a chance to work.

“At this stage, it is too early to determine what, if any, changes are necessary for this new pilot program,” Austin told legislators. “And it is premature to propose legislative ‘fixes’ to the parent empowerment law while it is still being reviewed at both the executive and judicial levels.”

The education committee voted 7–3 to pass the stripped-down bill, which now awaits a hearing before the Assembly appropriations committee.

Ben Boychuk (b.boychuk.3@gmail.com) writes from Southern California.

Parent Empowerment Proposals Curtailed in Three States

Legislators in Maine and Ohio have dealt significant setbacks to parent empowerment bills pending in those states, and an Indiana Republican state senator derailed that state’s Parent Trigger bill by adding last-minute language to a House-Senate conference report.

Indiana state Sen. Dennis Kruse (R-Auburn) said he inserted language into Senate Bill 496 to reconcile a conflict with House Bill 1002, a charter school bill that included a different Parent Trigger. House Republicans said Kruse’s amendment was a significant change, tantamount to a school board veto.

They refused to approve the conference report.

“Overcoming a governing body’s resistance is why parents are using [the Parent Trigger],” said state Rep. Bob Behning (R-Indianapolis).

Pilot Program for Columbus

Ohio legislators stripped a statewide Parent Trigger measure from Republican Gov. John Kasich’s proposed budget, replacing it with a pilot program limiting eligibility to a handful of schools in Columbus.

“It looked like this legislation [was] going to happen anyway, regardless,” said Columbus School Superintendent Gene Harris, who volunteered her district to serve as a proving ground for the reform. “So if you’re going to do this, it makes some sense that an urban district that might have this Parent Trigger enacted in it might help to develop some reasonable process around it.”

Ohio’s Parent Trigger would apply to schools falling into the bottom 5 percent statewide in academic performance for three consecutive school years. Under Ohio’s law, the remedies parents could request include charter school conversion, replacing at least 70 percent of the staff, or transferring school operations to an outside group or the state.

Maine Trigger Defeated

Members of Maine’s House Education Committee on May 9 rejected a Parent Trigger bill by state Rep. Amy Volk (R-Scarborough).

Richard Durost, executive director of the Maine Principals Association, claimed the Parent Trigger wouldn’t be a good fit for the state because parents in Maine are more engaged with local schools than in places like California.

“There is a big difference between parental access, parental involvement, and parental ability to change and be part of the schools in Calais, Raymond, Dennysville, Portland,” Durost told lawmakers at a May 2 hearing. “All of us that live here know that.”

Bruno Behrend, director of the Center for School Reform at The Heartland Institute, which publishes School Reform News, testified at the hearing to explain the principles underlying parent empowerment. He disputed Durost’s testimony.

“We’ve tried 50 years of shuffling the deck chairs on district Titans,” Behrend said. “We’ve tried more funding, and then more funding, and then other ways of more funding, and all these other things, and they haven’t worked.”

— Ben Boychuk

“[I]t is premature to propose legislative ‘fixes’ to the parent empowerment law while it is still being reviewed at both the executive and judicial levels.”

Ben Austin
EXECUTIVE DIRECTOR
LOS ANGELES PARENT REVOLUTION
By Joy Pullmann

Indiana Gov. Mitch Daniels (R) explained his state’s education “breakthrough” for a Washington, DC audience, saying he had signed legislation to “end discrimination against charters” and greatly expand school choice for Hoosiers in the next three years.

Daniels spoke to the American Enterprise Institute in May, just a few days after the Indiana state legislature concluded its spring session. He joined other Republican governors, including Michigan’s Rick Snyder and Ohio’s John Kasich, and former Florida governor Jeb Bush, in linking education and economic advancement.

“Those who make changes in this particular area of policy and public life do have to be prepared for some mornings you’d rather not get up,” Daniels told a standing-room-only crowd.

**Expanded Charters, Reformed Tenure**

In a flurry of bills approved in the waning days of the session, Indiana lawmakers created the largest voucher program in the nation, expanded charter school authorization, tied teacher pay and retention to a new evaluation system, limited collective bargaining to wages and benefits, and allowed high school seniors to receive a voucher for college tuition if they graduate a year early.

The only measure that failed to reach approval was a bill establishing a Parent Trigger law empowering parents of children at a failing school to petition for specific reforms.

Daniels emphasized the state’s sweeping reforms resulted from decades of work by reform advocates.

“Everything must be framed from the standpoint of the child,” Daniels explained. “Too many people approach it from the standpoint of ‘the system.’”

“You cannot often enough affirm your commitment to the public schools,” he added, continuing his response to a question seeking advice for other reform-minded legislators.

“Ninety percent of Indiana kids are in public schools today. It will always be close to that. And therefore there’s a huge responsibility, and we should all share a commitment, to make public schools better all the time,” Daniels said.

**Bargaining ‘Has Its Place’**

The bills passed at the end of a stormy legislative session during which labor union supporters surrounded the capitol protesting for days, and 38 House Democrats left the state for five weeks to prevent quorum and protest the majority Republicans’ labor and education agendas. The Democrats finally returned in April for a hurried close to the session.

In responding to School Reform News after his speech, Daniels said he faced the most resistance on tying teacher pay to performance and student test results instead of seniority. “Collective bargaining has its place,” Daniels said. “Always will.”

On the last day of Indiana’s legislative session, a Republican state senator inserted language into a conference report giving school districts a veto over parents’ petitions to convert a failing public school into an independent charter school. The move surprised and angered House Republicans.

Daniels hadn’t heard about the last-minute machinations. “If [the bill] picked up encumbrances that made it less direct than we wanted, I’ll be disappointed by that,” he said. “But it’s an important principle, and we argued for it.”

Joy Pullmann (joy.pullmann@gmail.com) is managing editor of School Reform News.

**INTERNET INFO**

Indiana Gov. Mitch Daniels’ speech and Q&A with the American Enterprise Institute: http://www.aei.org/video/101438

**The next Really Big Idea in School Reform is The Parent Trigger**

WHAT IF parents could “pull the trigger” to transform their child’s education?

WHAT IF empowered parents could direct their school districts to convert failing schools to charters or have the funding follow their children to schools that meet their needs?

This is the Parent Trigger, a variation on legislation signed into law in California in January. It could vastly expand the number of charter schools in the U.S. It could jumpstart the national movement for vouchers. Read about it at schoolreform-news.org.

Support this bold new idea for school reform by calling Bruno Behrend, director of the Center for School Reform at The Heartland Institute, at 312/377-4000.
Almost as alarming as the rate at which children drop out of high school is the rate at which young teachers drop out of the profession. According to the National Education Association (NEA), nearly half of all teachers leave the profession within their first five years.

The union says low wages and poor working conditions cause this scandalous turnover rate. But that cannot be universally true for the thousands who enter the teaching profession because they truly want to instill a love of learning in the hearts and minds of a generation, only to abandon the job in disgust a few years later.

Although some young people may find they are simply not cut out for teaching as part of the routine trial-and-error that occurs in any industry, it seems unlikely this could explain a 50 percent attrition rate in a profession that—the NEA's special pleading notwithstanding—provides above-average wages, excellent benefits, and secure employment. No, something else is at work here.

Best Teachers ‘Shrug’
I reflected on this problem after seeing the movie Atlas Shrugged recently. The film, the first of a planned trilogy, hews closely to Ayn Rand’s 1957 classic and controversial novel. But you don’t have to be a Rand fan to appreciate the movie or its message.

The question asked and answered in the film is this: What would happen if the most productive members of society went on strike and dropped out of society?

Life seems to be imitating art in the teaching profession.

In the movie, productive people are hounded out of their businesses by the government and by rent-seekers who leverage the power of the state to harass their competitors, gain favors to protect them from competition, or both.

Centralized bureaucracies that place process over progress preclude people from plying their trades and employing their talents freely. For millions of disaffected and former teachers, this must sound eerily familiar.

Unions Protect Status Quo
Union spokesmen argue that becoming a great teacher requires great diligence, talent, and dedication. I agree. I am on their side.

Indeed, who could possibly disagree?

The answer, it turns out, is ... the teacher unions.

After all, teacher unions are the defenders of the system of centralized bureaucracies that stifle innovation and impose rigidity in the classroom. It’s the union that puts process over progress. The teacher unions are the source of what they lament, and they are driving great teachers out of the profession.

Why Kids Love Athletes
In the movie Up in the Air, the George Clooney character observes, “You know why kids love athletes? Kids love them because they follow their dreams.”

You know why we have been conditioned to love teachers? Because the great ones help kids follow their dreams.

But that love has largely gone unrequited by school systems that seemingly exist to stamp out creativity and standardize mediocrity.

Preventing Premature Retirements
Those who claim to represent the best interests of teachers have debased the teaching profession. Instead of fostering a profession that demands exquisite skill developed over time and refined through practice, the centralized bureaucracies (read: school systems) set expectations of teachers at the same low level as the expectations for their students.

The systems limit individuality, prevent genuine accountability, and undermine the pursuit of excellence. Teachers are treated as day laborers. Punch a clock. Do your shift. Take the summer off. Move the next class down the assembly line. Repeat for a couple of decades. Retire to the Sun Belt.

Across race, gender, religion, party, ideology, and station in life, there is virtual unanimity regarding the importance of teacher quality. The impact of a bad teacher is quantifiable and indisputable.

Thus the nonchalant reaction to the exodus from the profession is this: What would happen if the most productive members of society went on strike and dropped out of society? Life seems to be imitating art in the teaching profession.”

Giving Up Their Dreams
We debate endlessly about compensation packages, work rules, class sizes, and curriculum. We hear from politicians, pundits, school boards, teacher unions, and editorial boards.

Perhaps we should ask those who believed teaching was their calling and who were quite good at it why they left the profession—“went Galt,” to use Atlas Shrugged’s parlance—anyway?

Maybe leaving had less to do with their pension multiplier and more with the lack of opportunities to demonstrate their greatness by setting the children under their tutelage on a path to their own.

It might be worth remembering that teachers who left the profession had dreams, too. It might also be worth rethinking the setup of school systems that lead talented teachers to give up on their dreams—and countless children in the process.

Several years ago, ESPN sportswriter Bill Simmons wrote that when Michael Jordan retired from basketball for the first time in 1993, his coach, Phil Jackson, tried to coax him back by suggesting Jordan had been given a gift that “transcended sports and veered into artistry.” Jordan’s retirement, Jackson said, would deprive people of enjoying his gift.

Jordan had a rare stage on which to share his gift within a system that encouraged the fullest expression of it. Perhaps it is because our teachers do not that so many retire prematurely.

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