President Recognizes National School Choice Week, Event Smashes Records

By Teresa Mull

National School Choice Week (NSCW), an annual event celebrating education choice across the country, set new participation records in 2018 and received special recognition from President Donald Trump.

Celebrating Education Choice
“Held every January, [NSCW] shines a spotlight on effective education options for children,” the NSCW website states. “During NSCW, schools, homeschool groups, organizations and individuals plan tens of thousands of independent events. These celebratory events raise public awareness of the different K-12 education options available to children and families, while...”

SCHOOL CHOICE WEEK, p. 6

ESA Bill Passes New Hampshire House, Awaits Finance Review

By Teresa Mull

A bill to establish education savings accounts (ESAs) in New Hampshire passed the state’s House of Representatives and is headed to the House Finance Committee for review, having already passed in the state Senate.

ESAs grant parents access to the money allocated for their children’s government school education to spend on approved alternatives, such as private school tuition, homeschooling textbooks, learning therapies, and tutoring. Senate Bill 193 would grant eligible families—those with special...

NH ESA, p. 4
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By Jenni White

A federal judge ruled an investigative organization has the right to publicly release documents it obtained from the Michigan chapter of one of the nation’s largest teachers unions.

The American Federation of Teachers-Michigan (AFT-Michigan) sued Project Veritas in September 2017, alleging the information an undercover operative obtained from the organization amounted to “trade secrets.”

In September, “A Wayne County judge issued a temporary restraining order, barring the organization from using or publishing any information it obtained from the union,” USA Today reported in December 2017.

Rights in Conflict

U.S. District Judge Linda Parker denied AFT-Michigan’s request for an injunction, ruling on December 27, 2017, “In light of the potential First Amendment issues, a preliminary injunction most certainly will infringe upon Defendants’ First Amendment right.”

AFT-Michigan’s attorney Mark Cousens argued the organization’s information must remain secret because the Project Veritas operative misrepresented herself as an intern and was granted access to “confidential and proprietary information” regarding the organization’s charter school strategy, which otherwise would have been kept in “offices which are closed to the public, behind locked doors and gates.”

Parker ruled there was no evidence Project Veritas violated state eavesdropping law, nor that the potential harm caused by the publication of the documents obtained during the investigation outweigh the rights of the Project Veritas operative.

“Plaintiff’s commercial interests are not greater than the protections guaranteed by the First Amendment,” the judge wrote in her decision.

‘They’re Not Transparent’

Larry Sand, president of the California Teachers Association has the right to protect are the latest ways they can protect are the latest ways they can protect the union from the public, behind locked doors and gates.”

They get the word out to the people they want to vote, but it’s not like ‘Tuesday is Election Day.’

“Their body is all on the left, and that’s the heart of the union, and they vote where all the money goes,” said Sand. “I’m going to guess that most unions do things the same way—they’re not transparent. Anything that can put some light on their method of operations is a good thing.”

Something to Hide?

Kyle Olson, founder of Education Action Group and EAGnews.com, a news service dedicated to education, says AFT’s effort to obtain an injunction against the release of the information acquired by Project Veritas shows the union is intent on keeping the public in the dark about its activities.

“The AFT filed suit against Project Veritas because it didn’t want documents proving that the union only cares about the interests of adults to be aired for public consumption,” Olson said. “The only ‘trade secrets’ the union would be attempting to protect are the latest ways they can fleece taxpayers into giving higher pay and better benefits with no promise of improved student performance in return.”

Battling Competition from charters

Michigan unions and education bureaucrats have been fighting charter schools for years, and the charter school threat was behind the lawsuit, Olson says. Research released in January 2018 shows Detroit’s charter schools outperform the city’s traditional government schools.

“The intern allegedly obtained documents related to the union’s efforts to thwart charter schools,” said Olson. "The union fights parental choice every chance it gets, and the documents likely show it will use any means necessary to kill school choice. The union didn’t want the documents to prove what many suspect: It’s out for the interests of the dues payers, not the children.”

‘They Want Total Control’

Tommy Schultz, national communications director for the American Federation of Children, says teachers unions fundraise to support political causes that advance unions’ interests.

“The teachers unions amassed and spent more than $100 million dollars in 2017 alone that they shuffle around for their political goals,” said Schultz. “They want closed-door negotiations for their taxpayer-funded contracts that siphon money away from students and the classroom. They want total control over the system and block common-sense reforms at every turn.

“When families have school choice, they are empowered to have the freedom to choose what’s best for their child, not a teachers union boss,” Schultz said. “For the teachers unions, it’s all about power. Plain and simple.”

Jenni White (jwplusdmw@gmail.com) writes from Oklahoma City, Oklahoma.

Judge Gives Investigative Group OK to Make Michigan Union Info Public

“The overarching view is that they’re not transparent. The California Teachers Association has a state council, which is their governing body. Good luck trying to find out who’s running for [union offices] or how or when you can vote for them.”

LARRY SAND
PRESIDENT
CALIFORNIA TEACHERS EMPOWERMENT NETWORK

March 2018

USA Today

School Reform News
ESA Bill Passes New Hampshire House, Awaits Finance Review

Continued from page 1

needs children or a low income—up to $3,500 per year to use on educational expenses.

S.B. 193 passed the state Senate in March 2017. The House approved the bill in January 2018, and the House Finance Committee is scheduled to review the bill in April 2018. Gov. Chris Sununu (R) has voiced support for the bill.

Challenges Expected
Supporters of S.B. 193 expect challenges regarding the bill’s constitutionally.

New Hampshire Attorney General Gordon J. MacDonald ruled in December 2017 ESAs are allowable under the state constitution. The American Civil Liberties Union and other reform opponents continue to argue the bill would not hold up in the state Supreme Court, saying it violates the state constitution’s Blaine amendment, which forbids use of public money to fund “sectarian” institutions.

‘This Isn’t Working for My Kids’
Ann Marie Banfield, education liaison for Cornerstone Policy Research, a New Hampshire-based nonprofit organization, says parents desperately want alternatives to government schools, which are beset by federal mandates.

“I tend to focus on how we can improve public education,” Banfield said. “I look at legislation that is targeted toward improving literacy, academic excellence, and parental rights, and since 2010 we’ve had nothing but more federal government intrusion into our schools with Common Core and competency-based education, and our enrollments are declining in public schools.

“I have been focused on improving public schools, but I’ve run into roadblocks,” Banfield said. “The education establishment wants to keep Common Core and competency-based education, so if they want to force that on the public schools, you have to listen to the parents who are saying, ‘This isn’t working for my kids.’ And there’s plenty of them. Since 2010, I’ve been working closely with all of these parents, and they’re fed up, and they’ve pulled their kids out. And if they’re pulling their kids out over these reforms, then we’ve got to give them some kind of avenue when they do pull their kids out of the schools.”

“We actually killed a school choice bill a year ago because it had a [state standardized] testing mechanism attached to it, and we just said, ‘No way,’” Banfield said. “We want to make sure that when this choice is made available to parents, that it’s authentic choice. New Hampshire is doing it differently from a lot of the other states that are supposedly supporting school choice. We’re trying to keep the strings they try to attach, off. We’ve learned from other states.”

‘Eligibility Was Trimmed’
Jonathan Butcher, education director at the Goldwater Institute, a senior fellow at the Beacon Center of Tennessee, and a Heartland Institute policy advisor, says although he’d prefer S.B. 193 to be more inclusive, he thinks that will probably come with time.

“It was originally pretty broad and inclusive as far as eligibility, and then into December, the eligibility was trimmed,” Butcher said. “They’ve narrowed the eligibility, which, of course, is not ideal, but as we’ve seen in other states, I think … once lawmakers and taxpayers and voters see students beginning to benefit from this, you can begin to build a consensus that this is something really valuable and students from all walks of life could benefit from it.”

‘Taxpayers Are Paying Twice’
Butcher says a provision of S.B. 193 would essentially pay school districts for students after they’ve left to use an ESA.

“What caught my eye in reading the bill was a section about ‘stabilization grants’ that are going to go to districts when students leave to use an account,” Butcher said. “They’re going to backfill districts when students leave to use an education savings account, and I think that’s not responsible fiscal policy.

“I understand that compromises need to be made to build consensus around a bill, but … that means taxpayers are paying twice for students, and that’s not fair to taxpayers or families, especially when we have examples from Arizona where a child leaves their public school to use an ESA, the money is just moved from one place in the general fund to another, and there’s a period of adjustment, but eventually, the district doesn’t get money anymore for that child,” Butcher said “That’s the way it should be, instead of paying the district for an empty seat.”

Teresa Mull (tmull@heartland.org) is a research fellow in education policy at The Heartland Institute.

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The Michigan Supreme Court has agreed to hear a case brought by gun rights organizations challenging school districts’ authority to ban firearms on school property.

Lawsuits against Ann Arbor Public Schools and the Clio Area School District have been ongoing. Michigan Open Carry, Inc. sued Clio on behalf of a parent who was denied entry to his child’s school in 2013 and 2014 because he was openly carrying a handgun.

In 2015, Michigan Gun Owners, Inc. sued Ann Arbor Public Schools on behalf of a parent who openly carried a pistol to a school event, because the district changed its policy to designate all school property as firearms-free zones.

Michigan law forbids concealed carry of firearms into schools, but it does not ban open carry.

A three-judge Michigan Court of Appeals panel ruled in favor of the school districts in 2017. The Michigan Supreme Court will hear oral arguments for both cases in 2018, The Detroit News reported in December 2017. By the end of January 2018, a date for the cases had not yet been set.

‘Can’t Trump State Law’

Jim Makowski, an attorney for Michigan Gun Owners, says state law takes precedence over local preferences. “The local school district can’t trump state law,” Makowski said. “In Michigan, it’s illegal to conceal-carry a firearm onto school property. The only way to legally carry a firearm onto school property is to have a concealed-carry license but to carry it openly. Frankly, we’re hoping the legislature decides to change the law and to allow concealed carry on school property.”

‘A Power Grab’

Makowski says the suits are a response to school districts trying to assert authority they don’t have. “This is a power grab by the school district,” Makowski said. “The district has crossed the line, hoping to upend the law that the Michigan Legislature has [passed]. In the last 25 years, the laws have been really consistent, yet the district has picked a really ridiculous reason to limit access.

“If the courts rule against us, each district in Michigan would be able to determine its own policy in regard to firearms.”

JIM MAKOWSKI
ATTORNEY, MICHIGAN GUN OWNERS, INC.

‘We Should Trust Parents’

Ben DeGrow, director of education studies for the Mackinac Center for Public Policy, says giving parents the freedom to choose where they send their children to school would solve such problems without imposing one-size-fits-all rules.

“Families have different views on all kinds of sensitive issues, including those that affect what kind of safety policies a school may have,” DeGrow said. “We should trust parents with more power to make informed decisions about many kinds of educational options that will help their child learn best and will meet their family’s needs and values.”

Kenneth Artz (kartz@heartland.org) writes from Dallas, Texas.
President Recognizes National School Choice Week, Event Smashes Records

Participate in school choice programs
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in a statement on the White House
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in a statement on the White House
website in January. “Families that
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are not the only ones who benefit from
expanded educational options. Children
in traditional public schools benefit as well. Twenty-nine of the top 31 empiri-
cal studies on the topic have found that
school choice improves the performance
of nearby public schools.
“My Administration is refocusing
direct taxpayer resources, including
States, local school boards, and fami-
lies. … By giving parents more con-
control over their children’s education, we
are making strides toward a future of
unprecedented educational attainment
and freedom of choice. Under the lead-
ership of Secretary of Education Betsy
DeVos, we will continue to advance
choice so that every child in Ameri-
a has access to the tools best
enabling them to achieve the
American Dream.
“During National School Choice
Week, I encourage parents to explore
innovative educational alternatives,
and I challenge students to dream big
and work hard for the futures they
derserve,” the statement said. “I also
urge State and Federal lawmakers
to embrace school choice and enact
policies that empower families and
strengthen communities.”

‘Reflects increased awareness’
Shelby Doyle, director of communica-
tions and external relations for NSCW,
says the event covers all bases of ed-
ucational attainment from 150 events
in 2011 to tens of thousands.

‘Just the Beginning’
Ellen Weaver, president and CEO of the
Palmetto Promise Institute, says NSCW
encourages parents to explore educa-
tional opportunities for their children.
“School Choice Week is really just the
beginning of the conversation,” Weaver
said. “It’s a wonderful open door that
invites parents in to learn more about
the many options currently available
for their children. And where options
aren’t available, it is a perfect chance
to empower them with the informa-
tion and strategies they need to fight
to change that reality and create new
opportunities for their children and
community.”

Teresa Mull (tmull@heartland.org) is
a research fellow in education policy at
The Heartland Institute.

Continued from page 1

spotlighting the benefits of school
choice.
“NSCW recognizes all K-12 options,
including traditional public schools,
charter schools, public magnet
schools, private schools, online acad-
emies, and homeschooling,” the website
added. “Started in 2011, NSCW
is now the world’s largest annual cel-
bration of opportunity in education. Over
the past seven years, there have
been more than 58,000 NSCW events
planned across the country and around
the world.”

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LEARN MORE
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The Heartland Institute, January 18,
2018: https://www.heartland.org/
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ever
SCOTUS Prepares to Hear Arguments on Forced Union Dues

By Ashley Bateman

Forty years ago, Detroit government school teachers fought for their right to opt out of union agency dues, and they lost.

Now, one public sector worker’s lawsuit may result in the overturning of the Supreme Court’s 1977 decision.

Years in the Making

“In Abood v. Detroit Board of Education, the Supreme Court ruled that government school teachers do not have the right to fully opt out of union membership where teachers are unionized in a state,” said Jesse Hathaway, a research fellow at The Heartland Institute, which publishes School Reform News.

The current case, Janus v. American Federation of State, County, and Municipal Employees (AFSCME), was filed by Mark Janus, an employee of the Illinois Department of Healthcare and Family Services, along with several fellow government employees, in 2015 to end the state’s so-called ‘fair-share’ law.

“The U.S. Supreme Court heard a similar case, Friedrichs v. California Teachers Association, in March 2016. Rebecca Friedrichs, a California teacher, argued forcing nonunion employees to pay union dues, which funded causes Friedrichs did not support, violated teachers’ rights. In March 2016, after the death of Justice Antonin Scalia, the U.S. Supreme Court issued a 4–4 ruling leaving in place a lower court’s decision in favor of the unions.

The U.S. Supreme Court began hearing oral arguments for Janus v. AFSCME in late February 2017.

Politics vs. Collective Bargaining

Martin West, an associate professor of education at the Harvard University Graduate School of Education and executive editor of Education Next, says courts should consider the dual roles government employee unions fill.

Opposing Union Bosses

Hathaway says the Janus case is about employees controlling their own money. “[Janus’] argument is that the union is violating his rights by taking money from his paycheck without his permission,” Hathaway said. “He wants nothing to do with the union, but he still has to pay for it. You can’t pull out completely unless you quit the job. Janus is concerned and upset about this because in the current situation, the union boss uses individual workers’ money to say what the union boss wants to say.

“All across the nation, people like Mark Janus, who don’t want to join unions, are effectively being denied the right to determine for themselves what they want to do with their money,” Hathaway said.

‘They Are Affecting Policy’

Hathaway says union fees inherently affect politics.

“All public-sector union activity is political, because even the most routine contract negotiation directly affects government action and government policy, and in turn, taxpayers,” Hathaway said. “So those contract negotiations, because they are affecting policy, are politics; they affect political activity. It’s a free-speech issue.”

West says teachers don’t want their agency fees to be used to represent political opinions with which they disagree.

“I think unions do provide services to those who they are required to represent, and an argument can be made that it makes sense to allow them to charge agency fees to prevent free-riding, but in my mind, the argument that those fees do amount to political speech is equally or more compelling.”

West said, “I’m informed, in part, by some of the survey work we’ve done on this topic. We find when we ask teachers themselves whether they support or oppose the practice of agency fees, teachers [are] more likely to be opposed than supportive. It’s a slim majority, but a majority nonetheless.”

‘Big Consequences for Unions’

West says a ruling in favor of Janus could hurt unions but would not destroy them.

“Agency fees are a major source of revenue for teachers unions nationally,” West said. “A decision preventing them from collecting them going forward would have big consequences for unions as organizations and their ability to engage in political activity, but it certainly wouldn’t put them out of business.

“We know that because their agency fees are not allowed in 29 states already, and we know unions have an active presence even in those states,” West said. “We’ve seen in the wake of bans on agency fees that states adopted voluntarily, for example in Wisconsin, there have been sharp declines in union memberships. So it would have big consequences. The national unions are currently doing a lot of planning to see what they have learned from Wisconsin to try to prevent the losses if agency fees go away.”

Larry Sand, president of the California Teachers Empowerment Network, says a win for Janus would be a victory for school choice.

“[Unions] will still be very powerful,” Sand said. “They are not going away. But they will have less money. They can’t do the same without the same amount of people and power and 25 percent less money. That bodes well for conservatives and center-right people and reform efforts like school choice.”

Ashley Bateman (bateman.ae@gmail.com) writes from Alexandria, Virginia.
North Carolina Bill Would Allow ‘Certain Towns’ to Operate Charter Schools

By Ashley Bateman

A bill pending in North Carolina would enable towns to create their own charter schools rather than rely on the state to authorize them.

The towns of Matthews and Mint Hill are in the Charlotte-Mecklenburg Schools (CMS) district. The Town of Matthews Board of Commissioners formed a “Mayoral Task Force on Education” in March 2016 to, according to the town’s website, “create a high performing school system responsive to the needs of families within our community.”

Task force chair Landon Dunn, an attorney, told School Reform News the board initially thought Matthews should become its own school district. To separate from CMS, however, the town would have to get a bill from the state legislature to create a separate district, and the creation of a new district did not seem financially feasible, the task force determined.

Innovative ‘Charter School Campus’

Dunn says the task force refocused its energies on school choice to satisfy the diverse needs of the community.

“We came up with an idea of a charter school campus,” Dunn said. “Matthews would have a business park that we would fill with charters. There could maybe be a language immersion school, classical school, and an incubator for parents who were interested in getting started on a charter school.”

The schools would share certain facilities, such as a gymnasium and auditorium, Dunn says, with the focus on providing a stable community for the children and other residents of Matthews.

North Carolina House Bill 514, introduced by Rep. Bill Brawley (R-Mecklenburg) in March 2017, would “permit certain towns to operate charter schools,” the bill’s language states. The bill would create a Charter School District for Matthews and Mint Hill and would enable the towns to give admission preference to town residents.

PHOTO COURTESY SOUTHERN PREP/WIKICOMMONS

“North Carolina House Bill 514, introduced by Rep. Bill Brawley (R-Mecklenburg) in March 2017, would ‘permit certain towns to operate charter schools,’ the bill’s language states. The bill would create a Charter School District for Matthews and Mint Hill and would enable the towns to give admission preference to town residents.”

“Parents Feel Overwhelmed”

Terry Stoops, vice president for research and director of education studies at the North Carolina-based John Locke Foundation, says parents want more control over their children’s education.

“Parents feel overwhelmed with an operation that has 140,000 children ... that their child is not getting the type of individual attention that they need and their child is constantly under the threat of being redistricted to another school. “There are a lot of issues parents have with the state of CMS, [such as] controversies over curricula and the transition to a new superintendent,” Stoops said. “It makes sense that parents would be looking for additional options.”

“A Lot of Tension”

Brawley says suburban parents have needs and wants that contrast with those of big-city dwellers.

“There has been a lot of tension between some of the small suburban towns and the metropolitan school system, for years,” Brawley said. “A lot of it centers around, as the schools have grown, attendance zones are adjusted and there are times children are not able to go to school close to their home.”

A Town, in theory, could establish a not-for-profit corporation and use that as a vehicle to build a charter school. There are two things they would not be able to do, and those are things my bill does: expend tax money on the school, both in building it and operating it if necessary, and people who live within the town of Matthews would have a preference to attend the charter school. If the school does not fill, it would be open to any child in North Carolina,” Brawley said.

“Bill Brawley

North Carolina Representative
(R-Mecklenburg)

Avoiding DOE

Charter schools are limited by a sole authorizer in North Carolina: the state’s Board of Education. Stoops says this is an unnecessary hoop — if charters have to jump through.

“It does raise an important point that there should be some way for town councils, nonprofits, and universities to create charter schools without having to go through the state [Board of Education],” Stoops said. “That’s been one of the issues in the past. The state Board Of Education has gone through times when they’re not friendly to charter schools.”

Ashley Bateman (bateman.az@gmail.com) writes from Alexandria, Virginia.
Common Core-Aligned Standards Decrease Mass. Students’ Achievement

By Ashley Bateman

Massachusetts student achievement continues to decline in the wake of the state’s adoption of Common Core State Standards, a new study has found.

“The 2017 update of Massachusetts’ English and math K-12 academic standards represents further deterioration in English, while the math standards are essentially unchanged from the 2010 version, according to the first independent evaluation of the newly revised standards,” the Pioneer Institute reported in a December 2017 press release announcing its publication of “Mediocrity 2.0: Massachusetts Rebrands Common Core ELA & Math.”

“The 2010 standards, which were based on Common Core, led to declining scores on national tests in both English and math,” the release states.

In 2010, K-12 public schools in Massachusetts implemented Common Core, a set of standards dictating what students should know at the end of each grade level, in exchange for Obama administration financial incentives.

“So Disappointing”

Jane Robbins, an attorney, senior fellow with the American Principles Project, and coauthor of the study, says the results of the research are especially jarring in light of how highly regarded Massachusetts’ state standards once were.

“Massachusetts has always been the crown jewel in America’s academic standards,” Robbins said. “It was so disappointing [for those] who knew about the Massachusetts standards, that they decided to get rid of those and accept the federal money to use the Common Core standards.”

‘Diversity’ Replacing Classics

Mark Bauerlein, an English professor at Emory University and study coauthor, says Common Core has watered down the use of traditional educational materials in favor of more politically correct ones.

“What Common Core did to Massachusetts in English language arts was deplete the curriculum of strong literary-historical and philological content,” Bauerlein said. “Multiculturalism demanded that the English literary tradition be displaced and ‘diversity’ replace it. The new revisions extend this break-up even further. It will produce high school graduates with less knowledge of the literary patrimony, which includes less historical and philological knowledge.”

Missing a ‘Golden Opportunity’

Even after the first wave of scores showing decreased achievement came in, education decision-makers chose to stick with the federal standards, Robbins says.

“In 2016, [the state] decided to update the standards, so this was the golden opportunity to fix it, to go back to what they had or at the very least fix the most egregious problems with their Common Core standards,” Robbins said. “They didn’t change very much.

“The evidence is all trending in the same direction, but I think there are a couple of things that are keeping them from going back,” Robbins said. “The new federal education law, the Every Student Succeeds Act (ESSA), is supposedly taking the boot off the neck of the state as far as standards go, but if you read ESSA, it does describe the standards that it wants, and it describes the Common Core standards. A lot of states are reluctant to change because they don’t want to fight with the feds over ESSA. ... The path of least resistance is just to keep what you have so you don’t have to defend it to the federal overlord.”

Ashley Bateman (bateman.ae@gmail.com) writes from Alexandria, Virginia.

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Most State Bans on ‘Sectarian’ Aid are Unconstitutional, Research Shows

By Robert G. Natelson

In Trinity Lutheran Church of Columbia, Inc. v. Comer, decided in June 2017, the U.S. Supreme Court struck down a Missouri state policy that prevented religious institutions from participating in state grant programs.

The policy arose from the state government’s efforts to comply with the Missouri Constitution’s prohibition on use of public funds to benefit “any church, sect or denomination of religion.”

Common Provision

Many states have prohibitions that are broader than Missouri’s. Most state constitutions adopted during the 19th century, unlike that currently prevailing in Missouri, identified their proscribed recipients and purposes as “sectarian.” This was true of Missouri’s superseded 1875 charter, and it is also true of charters under which many states still operate.

In some cases, prohibitions against aid to sectarian organizations or for sectarian purposes were not in the state’s original constitution but were added by amendment during the 19th century. Many of these changes were minor alterations in wording, suggesting no major substantive changes were contemplated. In other cases, 20th century constitution writers copied such prohibitions from their states’ earlier charters.

Arguments Over Constitutionality

Commentators have long argued prohibitions against aid to sectarian groups are void under the First and Fourteenth Amendments to the U.S. Constitution. Their arguments traditionally have taken one of two forms.

First, they argue, assuming that sectarian merely means “religious,” then a ban on aid to sectarian recipients unconstitutionally discriminates against religion in favor of non-religion. Of course, this argument is not persuasive with “strict separationist” jurists, who believe it is fully consistent with—and may be required by—the First Amendment’s Religion Clauses for a state to put space between its official functions and religion, so long as all religions are treated equally.

Second, they say sectarian is principally a 19th century code word for “Catholic,” so the intent behind such provisions was to discriminate among religions, which almost everyone agrees is prohibited by the Religion Clauses.

Blaine Game

In support of the latter contention, opponents typically connect these provisions to James G. Blaine’s 1875 effort to harness anti-Catholic sentiment to bolster his presidential ambitions by sponsoring a federal amendment barring state aid to schools controlled by any “sect” or “denomination.” Although that proposal failed, the argument goes, Blaine remained so powerful that federal territories seeking statehood felt compelled to insert anti-sectarian language in their proposed state constitutions to win congressional approval.

In commemoration of the putative link between state constitutions and Blaine’s proposal, anti-sectarian clauses are frequently called “Blaine amendments” or “Blaine provisions.” However, there are some weaknesses in arguments blaming anti-Catholic sentiment or Blaine for anti-sectarian provisions in state constitutions. First, the historical record does not support a link in every state between anti-Catholic animus and the state constitutional language. Second, several state anti-sectarian clauses antedate Blaine’s proposed constitutional amendment. Third, Blaine himself was far from anti-Catholic. Indeed, Blaine’s amendment, although it exploited anti-Catholic animus for political support, would not have placed Catholic schools in a position any worse than those sponsored by other religious denominations.

When understood in its 19th century context, the addition of the word sectarian creates effects more discriminatory and sinister than anything Blaine proposed.

True Meaning of ‘Sectarian’

Although the texts of 19th century constitutions do not define the word sectarian, their language and structure show it was not merely a synonym for religious. Some 19th century constitutions used the term sectarian to modify “religion,” a modification that would have been unnecessary if they meant the same thing.

I consulted 19th century dictionaries to learn how drafters and ratifiers of these constitutional provisions used sectarian and certain related words. I then examined contemporaneous newspapers to verify whether the dictionaries were accurately reflecting common usage. My findings follow.

First, there is no evidence whatsoever that sectarian merely meant “religious.” An editorial, for example, could criticize “sectarian” influence while also mocking a proposal for dismissing religion from public life.

Second, sectarian had very negative associations. Newspapers frequently paired sectarian with other disparaging words: “sectarian bigotry,” “sectarian bigot,” “sectarian dogma,” and so forth.

Third, clinging to an unpopular religion in a way incomprehensible to the majority rendered a person sectarian. A Washington, DC paper assailed “men, otherwise respectable for understanding and deportment, who are so warped by sectarian or party spirit as not to acknowledge truths as plain as axioms.”

Fourth, in contemporaneous discourse most Christians were not considered sectarian.

Fifth, authors often contrasted sectarianism unfavorably with “good” Christianity.

Sixth, sectarian was not a mere synonym for denominational.

Implications for Constitutionality

My survey of dictionary and newspaper evidence shows during the 19th century, sectarian was a word used to tar and marginalize unpopular religious groups. Bans on aid to “sectarian” institutions were designed to target religious groups of which the dominant culture disapproved, not all religions.

State constitutional provisions adopted during the 19th century prohibiting aid to sectarian groups required the state to discriminate only against religions that majority opinion deemed prejudiced, bigoted, or extreme. In some states, the most natural targets were Roman Catholics, but these provisions authorized discrimination against other unpopular religions as well.

Because constitutional provisions are construed according to the understanding of their ratifiers, those provisions mean what they meant in the 19th century. Their meaning is not changed or “purged,” as some have argued, by easing of anti-Catholic animus or other intervening events.

Robert G. Natelson (rgnatelson@gmail.com) is a senior fellow in constitutional jurisprudence at The Heartland Institute and the Independence Institute. An earlier version of this article was published by The Federalist Society. Reprinted with permission.

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DOE Plans More Federal Regulatory Reform in 2018

By Harry Painter

The U.S. Department of Education (DOE), led by Secretary Betsy DeVos, plans to review and reform regulations, requirements, and guidelines set during previous administrations, The Washington Examiner reports.

“DOE Press Secretary Liz Hill told the Examiner the department’s Regulatory Reform Task Force in charge of scrutinizing regulations and guidance would focus on Title IX’s college sexual assault provisions and the Every Student Succeeds Act (ESSA), which replaced No Child Left Behind in 2015. DOE will also review borrower-defense regulations, rules that govern federal relief to student loan borrowers defrauded by schools. The department has plans for K–12 reform as well. It will consider delaying the ‘significant disproportionality’ rule that requires states to keep track of school districts that “discipline children from any racial or ethnic group of school districts that “discipline children from any racial or ethnic group at markedly higher rates than their peers.”

‘Common Core Is Dead’

DeVos also recently took aim at the Common Core State Standards, developed at the national level during the Obama administration in 2009. “[The Obama administration] dangled billions of dollars through the ‘Race to the Top’ competition, and the grantmaking process not-so-subtly encouraged states to adopt the Common Core State Standards,” DeVos said in a January speech. “With a price tag of nearly $4.5 billion, it was billed as the ‘largest-ever federal investment in school reform.’ ... Nearly every state accepted Common Core standards and applied for hundreds of millions of dollars in Race to the Top funds.

“I agree—and have always agreed—with President Trump on this: ‘Common Core is a disaster,’” DeVos said.

‘Might Be Well-Meaning’

Aaron Garth Smith, an education policy analyst at Reason Foundation, says even well-intentioned regulations often end up being ineffective or worse.

“Federal regulations might be well-meaning, but it’s important to distinguish between their intent and actual effects,” Smith said. “In the case of school discipline, educators have their hands tied and are incentivized to make critical decisions based on arbitrary benchmarks instead of what’s best for students in a given situation. This can lead to disastrous effects on a school’s learning environment and even safety, often hurting students of color the most. Bureaucrats in DC are essentially telling educators that they know what’s best for every classroom in the U.S. based on a few numbers in a spreadsheet.”

Remembering Campaign Promises

USPIE says DeVos should focus on fulfilling Trump’s professed vision for the DOE.

“USPIE is hopeful Secretary DeVos will … work to implement President Trump’s campaign promises to eliminate Common Core and earnestly begin to sever the federal constraints created with passage of ESSA, to truly return education to states and local districts by shutting down the federal Department of Education.”

U.S. PARENTS INVOLVED IN EDUCATION (USPIE) is an organization working to eliminate the Department of Education, by shutting down the federal Department of Education,” USPIE said in its statement. 

Improving Teachers’ Lives

Smith says eliminating unnecessary regulations will be good for teachers.

“Reducing federal overreach is a step toward cutting the red tape that makes educators’ lives difficult and putting the power back where it belongs: in the classroom,” Smith said. “Teachers deserve to be treated as professionals, and far-reaching regulations do nothing of the sort.”

Harry Painter (jharrypainter@gmail.com) writes from Brooklyn, New York.
Federal Student Loans Increase Tuition Costs

By Jane S. Shaw

Federal student grants and loans increase the cost of tuition at colleges and universities, a newly published survey of scientific studies concludes.


“In it, he wrote, ‘If anything, increases in federal aid significantly increases the cost of college, possibly across all sectors.”

Evidence ‘Is Compelling’

Robinson’s research merged findings from 25 empirical studies on the Bennett Hypothesis. Fourteen studies, more than half the total, reported increases in federal aid had a positive effect on increases in tuition. Seven found student aid had no effect on tuition prices.

“Taken together, the research suggests that it is likely that federal financial aid does enable or contribute to increases in tuition, probably to a large degree,” wrote Robinson. “The evidence in favor of the Bennett Hypothesis is compelling. It is most likely that federal financial aid significantly increases the cost of college, possibly across all sectors.”

‘An Ugly Cycle Ensues’

“The theory is really just common sense,” Robinson wrote in an article for the James G. Martin Center summarizing the study. “If the government gives money to students to spend on education, then students will be able and willing to spend more on that product. Universities, knowing that the funds are available, raise tuition without worrying about whether students can afford it. An ugly cycle ensues.”

College tuition has increased faster than inflation for many years, Robinson states in the study.

“The price of college tuition and fees has risen 1,335 percent since 1978: much faster than inflation and faster even than medical care (704 percent) and housing (511 percent),” Robinson wrote.

Not So Simple?

Michael Rizzo, an economist at the University of Rochester who studies higher education, says it’s unwise to assume too direct a connection between federal student aid and tuition.

“There are many reasons for high and increasing tuition,” Rizzo said. “Subsidizing college increases the demand for college. Whether one would expect a small, large, or negligible effect on tuition depends in a huge way on the underlying elasticity of supply of seats at colleges. I think private schools choose not to expand seats, even though doing so would not be very expensive.”

Rizzo’s theory may explain why not all the studies found aid affected tuition. The Martin Center report says the effect is clearer with student loans than with grants. Pell Grants are often less than the price of tuition and less likely to push it up.

“Going forward, the Department of Education’s main focus should be on Pell Grants to the nation’s neediest students,” Robinson wrote.

Such grants, which are limited in scope and size and meet a true need, are the policy least likely to encourage colleges and universities to raise tuition, Robinson states in her article. Robinson also recommends “skin in the game,” a policy in which universities have to bear some of the repayment costs when students borrow taxpayer money and then drop out. Such a provision is part of a proposed congressional revision of the Higher Education Act.

Far-Reaching Consequences

Thomas Lindsay, director of the Center for Higher Education at the Texas Public Policy Foundation, says high tuition prices affect everyone.

“The tuition hyperinflation under which we have suffered injures not only students, their parents, and college professors, but the American economy as a whole,” Lindsay said. “As William Bennett stated it in 1987, ‘Federal student aid policies do not cause college price inflation, but there is little doubt that they help make it possible.’

“The Martin Center’s recommendations would do much to right the ship,” Lindsay said. “Universities must share some of the costs of these policies in order to incentivize them to economize on their expenses. Moreover, we must refocus our funding to address the truly needy through Pell Grants, which studies demonstrate are the means of support least likely to cause universities to hike tuitions further.”

Jane S. Shaw (janeshaw5966@gmail.com) is School Reform News’ higher education editor.

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Small Colleges Struggle with Declining Enrollment

By Jane S. Shaw

Decreasin enrollment at small colleges and universities is a growing matter of concern, college administrators report.

For the sixth straight year, overall enrollment in the nation’s colleges has declined, from a peak of 20.1 million in 2011 to 18.5 million today, according to the National Student Clearinghouse Research Center. Initially, the fall in enrollment centered on for-profit colleges, which took a hit from policies imposed by the Obama administration. Now all categories—public, nonprofit, and for-profit schools—are showing declines.

‘A Negative Outlook’

In a January 2018 report titled “U.S. Higher Education Sector 2018 Outlook: Additional Credit Pressures Spell a Negative Outlook for Institutions,” financial services research organization Standard and Poor’s states many colleges are at “a difficult operational crossroads” because of “students’ continued expectations of increased college affordability and lower tuition and debt” combined with their “demand for more and better facilities, services, and general college experience.”

The drop in attendance is occurring while the overall U.S. population in the college-aged group is increasing, though it experienced a slight dip in the past three years. “Between 2000 and 2015, the 18- to 24-year-old population rose from approximately 27.3 million to some 31.2 million,” the National Center for Education Statistics reported in 2017.

The Council of Independent Colleges, a national organization of private, nonprofit colleges, issued an upbeat report in August 2017, saying, “While small and mid-sized private colleges and universities face many challenges, a review of their financial health over the last 14 years provides ample reason for optimism about their future.”

In January 2018, however, the Council peppered its annual Presidents Institute meeting with sessions on “Enrollment, Marketing, and Today’s Students: Getting Them and Keeping Them,” “Lower Cost Models for Independent Colleges,” and “Presidential Considerations for College Mergers and Acquisitions.”

Rick Seltzer of Inside Higher Ed reported in January “a heightened sense of concern underpinned much of the organization’s annual Presidents Institute this year.”

Problems for Oberlin

Oberlin College, a liberal arts school in Oberlin, Ohio, illustrates the growing problem of declining enrollment. Oberlin is an elite college, accepting only 28 percent of its applicants and charging more than $69,000 a year. It has an endowment of $770 million, but a $5 million gap between income and expenses during the 2017-18 academic year has spurred a salary freeze and campus-wide cuts.

The immediate cause of the deficit was a decline in enrollment in the fall of 2017. The school expected 2,895 students, but only 2,815 enrolled.

“This not only strains budgets for the upcoming fiscal year, but also points toward a much larger budgetary issue that has been brewing under the surface for years,” wrote Sydney Allen and Alexis Dill in the college’s newspaper, the Oberlin Review, in September 2017.

The school had already offered early retirements, cut faculty research grants, and left jobs unfilled, the article reported.

A national enrollment decline of 8 percent over six years may not seem severe, but it is giving college administrators the shudders, especially those who head small colleges in out-of-the-way places.

“Oberlin’s numbers show just how razor thin the margin of success or failure can be in the world of elite liberal arts schools,” Alana Dunagan, a researcher for the Clayton Christensen Institute, wrote in January 2018.

Mergers, Threatened Closings

Other schools are facing hard times, too. This past fall, Wheelock College, primarily a teachers college, was merged into the much-larger Boston University, a private school about a mile away. Sweet Briar College, a respected women’s school in Virginia, announced it was closing its doors in 2015. Alumnae fought the closure in court, and the school was “rescued,” but the total enrollment in fall 2017 was only 300 students.

Shimer College, a Great Books school (an institution following the tradition of studying the classic literature of Western civilization), merged with North Central College in Naperville, Illinois after Shimer’s enrollment fell below 100.

Devaluing the Four-Year Degree

David Riggs, a board member of the James G. Martin Center for Academic Renewal, says a four-year degree isn’t as good a deal as it once was.

“The value proposition of a four-year degree is less today than it was decades ago,” Riggs said. “Costs have gone up while average starting salaries for graduates have decreased. Students are recognizing that fact and exploring alternatives. Consequently, there’s downward pressure on the demand for college. That pressure is likely to spur consolidation in higher education, creating mergers and acquisitions and school closings.”

Loans ‘Harder to Bear’

Ashley Thorne, executive director of the National Association of Scholars, says the prospect of crippling personal debt is a turnoff to would-be students.

“Enrollments are decreasing as the burden of student loans becomes harder and harder to bear. Colleges are in a moment in which they must prove the value they provide. The best value colleges can give is not just financial return on investment but equipping students for life as citizens, imparting to them wisdom and virtue and teaching them to pursue the truth.”

ASHLEY THORNE
EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF SCHOLARS

"Enrollments are decreasing as the burden of student loans becomes harder and harder to bear. Colleges are in a moment in which they must prove the value they provide. The best value colleges can give is not just financial return on investment but equipping students for life as citizens, imparting to them wisdom and virtue and teaching them to pursue the truth."
Merit-Based Teacher Pay Leads to Higher Student Achievement, DOE Study Finds

By Kenneth Artz

Rewarding teachers with salary incentives for successful performance leads to increased student achievement, a study commissioned by the U.S. Department of Education (DOE) reports.

“Within the ten evaluation districts, pay-for-performance led to slightly higher student achievement in reading and math by the second year of implementation,” the study states. “Student reading achievement was higher by 2 percentile points at the end of the first year in schools that offered pay-for-performance bonuses than in schools that did not. The total difference remained at 1 to 2 percentile points across the subsequent three years and was statistically significant in most years.”

The study, conducted by Mathematica Policy Research for the U.S. Department of Education’s Institute of Education Sciences, examined performance in schools participating in the Teacher Incentive Fund (TIF), which Congress established in 2006 to provide “grants to support performance-based compensation systems for teachers and principals in high-need schools,” the report states.

“Evaluation of the Teacher Incentive Fund: Final Report on Implementation and Impacts of Pay-for-Performance Across Four Years,” released by DOE in December 2017, examined TIF programs in more than 130 districts awarded grants in 2010, performing in-depth examinations of 10 districts.

The researchers performed a random assignment study of the pay-for-performance component of TIF in the 10 evaluation districts.

“Within those districts, this evaluation provided a more in-depth examination of TIF implementation and measured the impacts of pay-for-performance bonuses on educator effectiveness and student achievement,” the study states.

‘It Is Not That Easy’

Corey DeAngelis, a policy analyst at the Cato Institute and a distinguished doctoral fellow at the University of Arkansas, says incentivizing teachers isn’t enough to overcome the harms of a monopolistic arrangement. DeAngelis says the system requires an injection of real, market-based choice.

“Being a free-market advocate, I initially strongly supported merit pay programs,” DeAngelis said. “Market supporters hear words like ‘incentives’ and ‘merit’ to describe pay-for-performance programs and inappropriately think that the reform is a step in the right direction. But we should not expect that putting one aspect commonly associated with the free market— incentives— into the broken system of residentially assigned government schools will lead to better lives for our children.

“Unfortunately, it is not that easy,” DeAngelis said. “The most important aspect of a market is the ability for customers to choose among alternatives. Sadly, anything short of that is unlikely to work. If families do not value test scores, and merit pay programs entice teachers to become test-score-maximizers, the result could be a lower-quality educational product overall. In the current system, since families do not have an exit option, they cannot incentivize schools to change their performance pay practices. The unfortunate reality is that the government, not the customer, decides what kinds of metrics will be used for the performance pay system.”

Prescribes Parent Power

DeAngelis says the system would be better if parents were allowed to decide what factors they value most about schools.

“Researchers like Jay P. Greene at the University of Arkansas are frequently pointing out that test scores are not good proxies for the long-term outcomes that society actually cares about,” DeAngelis said. “For example, some charter school evaluations have found huge positive impacts on test scores with no effects on graduation rates or college enrollment. On the other hand, other recent school choice studies have found little or no test score gains with much larger positive effects on graduation rates, college attendance, earnings, and crime reduction.

“Because non-cognitive skills are so difficult to capture with objective metrics, the only way for performance pay to work is if we combine it with a market that allows customers to exercise educational choices based on their unique and subjective evaluations of teacher quality,” DeAngelis said.

‘Still Have a Lot to Learn’

Matthew G. Springer, an associate professor of public policy and education at Vanderbilt University’s Peabody College and director of the National Center on Performance Incentives, says the study’s results are not as cut-and-dried as they may appear.

“We still have a lot to learn in terms of what is an optimal design for a merit-based pay system,” Springer said. “The Mathematica study adds important knowledge to the existing research base showing that merit pay systems can have a positive impact on student test scores. However, how we design those systems and what the optimal system will look like over time still needs to be decided and, to some extent, is context-specific.

As we think about the impact of merit pay systems more generally, it is also critical we talk about the impact on the teacher labor market. I believe the greatest potential benefit of merit policies will be their ability to recruit and retain high-performing educators and counsel low-performers to seek ways to improve or exit the profession.

“Merit pay systems must incorporate multiple measures of teacher effectiveness,” Springer said. “They need to take classroom observations into consideration. They need to take value-added measures of teacher effectiveness into consideration, both at the individual and group or team levels. Some merit pay systems even include student feedback as well as individual student learning objectives. If we can begin to move toward using multiple measures to evaluate teacher performance, we are going to get more robust and arguably more effective merit pay systems in the long run.”

Kenneth Artz (kartz@heartland.org) writes from Dallas, Texas.

“The Mathematica study adds important knowledge to the existing research base showing that merit pay systems can have a positive impact on student test scores.”

MATTHEW G. SPRINGER
ASSOCIATE PROFESSOR
VANDERBILT UNIVERSITY’S PEABODY COLLEGE

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December 2017: https://www.heartland.org/publications-resources/publications/evaluation-of-the-teacher-incentive-fund
Selling lesson plans online is a growing trend among teachers looking to earn extra money, though the practice has some people concerned about curriculum quality and teacher collaboration.

“Teachers Pay Teachers is a marketplace where teachers come together to buy, sell, and share original educational materials,” PBS reported in January 2018. “Today, two-thirds of teachers in the U.S. are active members of [the] platform.”

The PBS report quotes a teacher who earned $14,000 in three months through the sale of her lesson plan online, and it says some teachers have become millionaires by selling lesson plans through the online marketplace.

The PBS story also reports some education analysts are concerned about the effect on the quality of lesson plans, potential reduction of in-person teacher collaboration, the legality of the process, and whether the lesson plans legally belong to the districts or to the teachers.

‘A Great Development’

Timothy Benson, a policy analyst for The Heartland Institute, which publishes School Reform News, says opening the classroom to the free market will benefit everyone involved.

“Teachers being empowered and incentivized to sell their lesson plans is a great development for both teachers and students,” Benson said. “Those fretting about the unknowns should have nothing to fear from teachers taking the initiative to create plans they think will be of benefit to their peers. These teachers are in classrooms in the first place because there is a trust in their abilities to effectively educate students. If these administrators say we cannot trust these teachers to create lesson plans, then why should we trust these teachers to be in the classroom in the first place?”

‘Competition is the Key’

Benson says bad lessons will be weeded out, and good ones will prevail, if the market is given the opportunity to function freely.

“Competition is the key, and the feedback these teachers will receive from their customers and fellow teachers will ensure the people creating these plans will be constantly seeking to improve and perfect them. If you offer a weak or substandard plan, it most likely won’t find a market. The rating system from verified customers will also help to cull these plans and keep the bad ones from reaching a large audience.”

‘Empower Teachers’

Corey DeAngelis, a policy analyst at the Center for Educational Freedom at the Cato Institute and a distinguished doctoral fellow at the University of Arkansas, says teachers, left to their own devices, can determine which products are most valuable to them and their students.

“Some educational scholars suggest that selling lesson plans could incentivize teachers to buy ‘catchy’ lesson plans that are low-quality,” DeAngelis said. “However, while these same scholars may think that plans that look exactly like theirs are ‘high-quality,’ it is almost impossible to capture quality using crude metrics, especially since children’s needs are unique.

“Because it is extremely difficult to objectively define what a quality lesson looks like, it is a great idea to empower teachers to shop for the lesson plans they see are most beneficial for their own students,” DeAngelis said. “Much like we use Google and Yelp to decide which restaurants to eat at and what books to read, teachers already have an online star-rating system available to help them make the right choices.”

National Collaboration

DeAngelis says he doesn’t see a lack of teacher collaboration as a potential problem.

“Some critics argue that online lesson plan sharing would make teachers less likely to collaborate with one another,” DeAngelis said. “However, it is not clear to me that teachers in residentially assigned government schools collaborate a whole lot with one another currently. And this system would just provide various teachers with an additional incentive to create and share interesting content. Importantly, teacher collaboration is not restricted to individual schools when the sharing system is done online: the интернет system allows teachers to collaborate with thousands of others around the world in seconds. Let’s allow them to do that.”

Learning from Other Countries

DeAngelis says the sale of lesson plans is already an established practice in academically successful countries.

“While we do not do a lot of this in the United States currently, teachers in other academically superior countries like South Korea have figured out that online exchanges can be extremely beneficial,” DeAngelis said. “For example, South Korean tutor Kim Ki-Hoon earns millions of dollars each year by providing engaging lectures to interested students online. It is also worth noting that South Korea ranked among the top 10 countries in the world for the most recent math and reading PISA scores.”

Combining with School Choice

DeAngelis says parents should always have other options if they don’t like what’s being taught in the classroom.

“Although I believe most teachers have interests in helping their students, some may indeed choose to purchase low-quality lesson plans that the students do not find engaging and that their families would not approve of,” DeAngelis said. “This is a problem that is inherent to the traditional government school system based on residential assignment. If the teacher, for whatever reason, makes a bad decision on their lesson plan purchase, their students may suffer without an exit option.

“I would be much more comfortable if this system of exchanging lesson plans were combined with a system of school choice,” DeAngelis said. “That way, lesson plan quality would be judged by the families and their children rather than [only] the teachers. Schools with teachers that poorly choose lesson plans would lose students, while schools with teachers that find the best lesson plans possible would be financially rewarded from additional demand from families.”

Kenneth Artz (kartz@heartland.org) writes from Dallas, Texas.
For years after President Barack Obama signed then-First Lady Michelle Obama’s ironically named Healthy, Hunger-Free Kids Act of 2010 into law, students at Penn-Trafford High School in Harrison City, Pennsylvania staged an unintentional trash can rebellion.

As in many districts, waste management companies were the only winners, as students dumped their school lunches into the garbage.

For the current school year, Penn-Trafford High School tossed Mrs. Obama’s school lunch plan, and now President Donald Trump is doing the same on a national scale.

Inflexible Mandates
As with any policy created by coercive utopians to control personal choices, nothing about the Obama plan made sense. Kids, parents, and school districts hated it, and its restrictions harmed children it was ostensibly designed to help.

The directives in the law called for lowering calories, portions, and sodium through whole grains and nonfat milk and increasing fresh veggies and fruit, a one-size-fits-all approach that resulted in the first decrease in participation in the $13.6 billion National School Lunch Program in decades.

Although the Obama administration never published the number of schools dropping the program, the media was full of such reports, and social media exploded with memes, tweets, and videos made by disgusted, hungry children.

Nutritional Deficits
Of great concern to school nutritionists are the more than 21 million children who receive free or subsidized lunch each school day. For many, this meal is their main source of calories and nutrition. New York City admitted when it first implemented the program, its meals fell below minimum calorie guidelines and created nutritional deficits. For a child dependent on these calories, restrictions and edibility issues render the trashcan a deadly enemy.

Mrs. Obama claimed these changes were designed to fight obesity, but where do most kids get their daily calories, and whose fault is it if they are overweight?

Planning a Full Overhaul
Schools are utilizing healthy alternatives on their own and in greater numbers. Salad bars are becoming more popular, and local “farm to school” programs are now operating in nearly 43,000 cafeterias. As kids clamor for real chocolate milk instead of cocoa-flavored water, some districts are throwing caution to the wind and serving 1 percent milk again instead of nonfat.

The Healthy, Hunger-Free Kids Act was not designed by kids, nor does it make anyone hunger-free. Under Agriculture Department Secretary Sonny Perdue, the Trump administration has already rolled back a few of the more ridiculous Obama-era restrictions and is planning on instituting a full overhaul by the beginning of the next school year. With input from varying school districts, School Nutrition Association, and, one hopes, parents and children, children can start enjoying their lunches again.

The students at Penn Trafford were not elected, but then, neither was Michelle Obama. And President Trump was. A revised school lunch program can serve up a lesson about how a democracy is supposed to work and whose choices really matter.

Kerri Toloczko (think@heartland.org) is a public policy analyst and expert in coalition management. This article was originally published by Townhall.com and is reprinted with permission.
Indiana Lawmaker Reintroduces Bill to Mandate Teaching Cursive Writing

By Lindsey Schulenburg

An Indiana lawmaker has, for the seventh consecutive year, introduced a bill mandating the instruction of cursive writing in public elementary schools.

Indiana’s adoption of the Common Core State Standards in 2011 made teaching cursive optional. State Sen. Jean Leising (R-Oldenburg) has introduced legislation every year since to require schools to teach cursive.

Leising introduced Senate Bill 8 in January 2018. According to the bill’s text, the legislation would “[require] each school corporation, charter school, and accredited nonpublic elementary school to include cursive writing in its curriculum.”

S.B. 8 passed the Senate, as it has in every previous year, in January, and is under consideration by the House.

Says Schools Want Cursive

Leising says data show individual schools in Indiana value cursive but few teach it.

“A survey conducted by the Indiana Department of Education from August 4 through October 1, 2017, of all teachers, principals, superintendents, and school board members indicated the following: Seventy percent of the 3,878 respondents were in favor of teaching cursive,” Leising said. “Only 20 percent of the schools indicated they were teaching cursive.”

Leising says other states have addressed the issue of cursive in the classroom.

“Currently, 23 states require the teaching of cursive. In addition, 14 states have pending legislation. Many states had abandoned cursive when Common Core was introduced.”

JEAN LEISING
INDIANA STATE SENATOR
(R-OLDENBURG)

Cites Cognitive Benefits

Leising says she introduced S.B. 8 to preserve the important skill of handwriting and the developmental benefits of learning cursive.

“According to medical professionals, cursive writing enhances the cognitive development of the brain in young children as they learn to connect letters,” Leising said. “Children who are not taught cursive cannot read cursive. They do not have a signature.”

Leising says she is hopeful this will be the year her bill finally passes.


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BOOK REVIEW

Clever Propaganda Masquerading as Teacher’s Guide Should Stay Out of Classroom

By Jay Lehr, Ph.D.

The Teacher-Friendly Guide to Climate Change is a blatant effort to convince teachers to instill in their students false premises of climate change alarmism.

In the guise of a paleo-geology book and a modern U.S. geography text, the authors offer the reader interesting knowledge before inserting inaccurate information on humanity’s impact on our current climate. Wherever possible, the authors insert the notion that mankind’s allegedly excessive emissions of carbon dioxide (CO2) are responsible for an impending climate change catastrophe.

False Claims About Climate

The authors begin by extolling the importance of scientific consensuses, declaring, “Climate change is politically but not scientifically controversial. More than 97 percent of climate scientists agree that climate change is caused by human activity.”

This claim has been proven false, notably in the work of David Legates and other scholars who wrote “Climate Consensus and ‘Misinformation’: A Rejoinder to Agnotology, Scientific Consensus, and the Teaching and Learning of Climate Change,” published by Springer Science+Business Media in 2015.

Abundance of Falsehoods

While acknowledging weather and climate are complex phenomena, The Teacher-Friendly Guide argues, “Mathematical models have been proven to accurately predict both past and recent outcomes.” Actually, not a single one of more than 100 global circulation models financed by governments has been able to display what our weather has been over the past 20 years. Ignoring this critical refutation of their claims, the authors go on to offer model calculations predicting damaging future outcomes in every geographic region of the United States if we do not significantly reduce carbon dioxide emissions.

Disparaging Dissenters

The book disparages dissenting opinions by offering quotes from only those scientists supporting their position.

The authors leave condemnation of their theory’s leading detractors—The Heartland Institute and the Nongovernmental International Panel on Climate Change—to the last of the book’s 250 pages. There, they state Heartland used only 50 experts to write its Climate Change Reconsidered books, compared to 2,000 from 100 countries who wrote the Intergovernmental Panel on Climate Change (IPCC) reports.

The authors fail to acknowledge that few of the IPCC participants are trained climate scientists. They are instead politicians and economists. The authors also incorrectly characterize Heartland as supporting big oil and efforts to thwart the Endangered Species Act and downplaying secondhand smoke, acid rain, and ozone depletion.

Obscuring the Sun’s Effects

In arguing the Sun can only have a long-term impact on variable climates, and thus no reasonable impact on recent changes in climate, the authors explain the well-known Milankovitch cycles. They accurately describe the 100,000-year eccentricity of Earth’s orbit, the 41,000-year change in obliquity, and the 20,000-year precession of the equinoxes. They fail, however, to mention the short-term solar cycles that change the Sun’s radiation every few decades.

For reasons of possible obfuscation, the authors offer their version of a climate history of each of the geologic eras, always arguing ancient variations are unrelated to today’s climates.

The book then describes the differing climates in the various regions of the United States, and the authors depict, in very scary detail, the disasters they claim will happen in each area if we cannot successfully shut down our use of fossil fuels.

Glorifying Green Energy

The book also reviews potential mitigation techniques, extolling the wonders of wind and solar power, green buildings, energy-efficient appliances, public transportation, self-driving cars, and carbon capture. They do not call the latter carbon dioxide capture, which is the accurate label, but instead use the false term to suggest all these efforts are required to reduce accumulations of soot, which most people would rightly consider worth a high cost but has already been accomplished in the United States and the rest of the developed world.

Another chapter explains “geoengineering,” in which people would control the global temperature through enhanced chemical weathering, ocean fertilization, aerosol distribution, albedo alteration, and more.

If we do not carry out mitigation and geoengineering, sea levels will rise, floods and droughts will increase, as will hurricanes, tornadoes, and other extreme weather events, the authors claim. As noted above, that is simply false.

Encouraging Alarmism

Perhaps the most disturbing part of the book describes how teachers can bring their students and their peers to the alarmist point of view. The authors explain how to use language to propagandize for a government-mandated near-elimination of CO2 emissions.

This book is not a valid science book, and it certainly is not a good tool for teachers. It is clever propaganda for climate alarmists.

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The Heartland Institute is pleased to announce the release of the fourth edition of *The Patriot’s Toolbox*, coauthored and edited by Dr. Herbert Walberg and Joseph Bast, with contributions from 18 other distinguished policy experts.

More than 100,000 copies of the first three editions of *The Patriot’s Toolbox* were distributed since 2010, making it one of the most widely circulated and influential books on public policy in the United States. This edition is completely rewritten and thoroughly updated to reflect the events of 2016 and so far in 2017.

As the coauthors write in the preface, *The Patriot’s Toolbox* “offers an agenda for incumbent office holders, a platform for candidates for public office, and a report card for civic and business leaders and journalists following the policy moves of the Trump administration, Congress, and state lawmakers.”

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