National Tests Undermine Three Years of Accountability

By Loren Heal
The U.S. Department of Education says states can drop their own tests in favor of piloting national Common Core tests in spring 2014 after a tussle with California over a new law enacting the same policy.

California Assembly Bill 484 suspends most statewide tests for 2013–14 and enacts national Common Core tests for English and tests, p. 2

Anti-Voucher Lawsuit Resurrects Louisiana Desegregation Case
By Mary C. Tillotson
At least 600 Louisiana schoolchildren, and possibly 1,300 more, may be returned to failing public schools from better ones, if a motion by the U.S. Department of Justice is successful.

Louisiana’s school voucher program, which gives private-school scholarships to low-income students attending public schools graded C, D, or F, violates desegregation orders from the 1960s and ‘70s, the DOJ alleges.

More than 90 percent of voucher recipients are minorities, and more than 80 percent currently are assigned to D- or F-rated schools.

The DOJ hardly has a case, says Richard Komer, a senior attorney at the Institute for Justice, a Virginia-based law firm.

““The voucher program mandates that for a private school to receive any students’ vouchers from the state, they have to be in compliance [with the 1975 desegregation order].”

RICHARD KOMER, SENIOR ATTORNEY
INSTITUTE FOR JUSTICE

LOUISIANA, p. 3
National Tests Undermine 3 Years of Accountability

Continued from page 1


In 2013–14, students will field-test Common Core exams, and their scores will not be publicly reported. This means a potential loss of three years of information on student achievement, because one can’t compare old state tests to the pilot tests, or the pilot tests to the new Common Core tests. This also complicates comparisons of student achievement before Common Core to the effects of Common Core.

“The biggest point of this whole debacle is the Brown administration’s abandonment of accountability based on student testing,” said Lance Izumi, director of education studies at the Pacific Research Institute. “In its place the administration puts in place nothing. Zip. So this isn’t replacing one type of accountability for another. For at least a year [2014], there will be no real accountability system based on the current performance of students.”

Duncan’s Reversal

U.S. Education Secretary Arne Duncan had objected to California’s plan as it moved through the legislature, then did an about-face and told all states they were free to do the same thing. Instead of “double-testing” students in 2014 by administering both state tests and a field test for Common Core, Duncan said states could choose to administer either set of tests.

“This is a dangerous first step to a long-term gutting of state-based K-12 accountability,” said Andy Smarick, a partner at Bellwether Education Partners. “These tests provide invaluable information to families, taxpayers, districts, schools, and teachers. With tougher standards and assessments on the way, missing a year of information would be an enormous loss.”

Going Dark

California’s new policy will harm students and parents, said Izumi. “There will be no reporting of individual student scores on the Common Core field tests, which are replacing California’s existing state exams,” he said. “With no individual student scores, a huge tool for helping improve student performance is denied to students, parents, and teachers. Also, in 2014, students would only take a field test in one subject, i.e. either English or math.”

States that have experienced the strongest student achievement gains in the past 20 years, such as Massachusetts and Florida, have stuck to accountability regimes that rely on grade-by-grade requirements, called standards, and tests that measure whether students have reached those requirements, Smarick said.

“What California is doing right now is at odds with pretty strong evidence on how to incrementally advance student learning continuously over an extended period of time,” he said. “They are substituting short-term political considerations for long-term student gains.”

Union Influence

California schools have evaded test results for 40 years, said Larry Sand, president of the California Teachers Empowerment Network. In 1999, for example, the state passed a law requiring teacher evaluations to be based on student test results.

“Not one school district, to the best of my knowledge, did that,” he said.

California’s teachers union is one of the most dominant in the country, he said, and it pushes to minimize testing. “If you test kids it might reflect badly on a teacher, and that’s the last thing they want,” he said. “They don’t believe in any kind of standardized testing, or that testing should result in any part of a teacher’s evaluation.”

Duncan also said states may petition the national government to delay for one year their promises to tie teacher evaluations to test scores, given the difficulty of implementing Common Core.

“The teachers unions’ lot in life is to protect teachers at all costs,” said Sand. “And to keep an industrial union, which teachers unions are in this country, to keep them together, you can’t have good teachers and bad teachers. You can’t have good teachers making more money, because it destroys the teachers-as-widget mentality that the unions have.”

Throwing Money Away

“AB 484 is the implementation of Common Core in the state of California. ... Where has this curriculum been tried? We’re getting ready to make this radical change in the way we teach ...”

TOM DONELLY, ASSEMBLYMAN, TWIN PEAKS, CALIFORNIA

Duncan also said states may petition the national government to delay for one year their promises to tie teacher evaluations to test scores, given the difficulty of implementing Common Core.

“AB 484 is the implementation of Common Core in the state of California,” said Assemblyman Tom Donnelly (R-Twin Peaks). “Where has this curriculum been tried? We’re getting ready to make this radical change in the way we teach, and giving control really to a central source for the teaching methodology.”

Federal law requires states to test students on math and reading in grades 3–8 and once in high school, but the Obama administration has waived those requirements in favor of individual negotiations with 42 states. Before creating the “double-testing” waiver, Duncan had warned California that suspending tests for a year might cost it $1.5 billion in federal funds.

“How can we justify spending $1.25 billion to implement Common Core in California,” asked Izumi, “and at the same time we’re not willing to spend a measly $25 million to continue using the existing state tests for 2014? The real agenda here is anti-testing and anti-accountability, with no thought or regard given to the consequences on students and their achievement.”

Another financial concern with Common Core tests is that they must be conducted by computer.

“We have 6.2 million students in the state of California, and we certainly don’t have the money to go out and buy a new computer for every kid in the state,” Donnelly said. “We’re barely keeping our heads above water already.”

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Anti-Voucher Lawsuit Resurrects La. Desegregation Case

Continued from page 1

Resurrecting History
The lawsuit, Brumfield v. Dodd, dates
from the 1970s, when a parent sued
Louisiana and six school districts over
a program granting public funds for
textbooks and transportation to all
Louisiana students, in public or pri-
vate schools.

Desegregation orders prompted
swarms of white families to pull their
children from public schools and send
them to all-white private schools. Some
public schools lost several hundred
white students in a single year, Komer
said. The lawsuit blamed the book-and-
bus program for encouraging “white
flight” and impeding desegregation.

In 1975, a federal judge ruled no
state assistance, including textbooks
and transportation, could go to private
schools shown to engage in racial dis-
crimination. Since 1977, nothing has
happened with the case, though it was
never closed.

Louisiana’s voucher program
requires participating private schools
to comply with the order and not dis-
criminate against students based on
race.

“There are schools in Louisiana that
comply with this court order, and who
from the time of the court order in 1975
have continued to receive textbooks
and transportation for their private
students, because they are in com-
pliance with the court order,” Komer
said. “The voucher program mandates
that for a private school to receive any
students’ vouchers from the state, they
have to be in compliance.”

Race-Counting
The DOJ has not filed a new lawsuit,
but it has revived the old Brumfield
case, claiming desegregation has yet
to be achieved in at least 22 Louisiana
parishes. The scholarship program
could hurt the desegregation process,
they claim.

Federal officials also argue the state
must inspect the racial demographics
before allowing students to use the
vouchers. Students could leave pub-
lc schools only if their doing so would
reduce racial imbalances.

The 22 parishes are among the 34
still not complying with the desegre-
gation orders—likely because districts
still desegregating are eligible for
federal money, said Clint Bolick, vice
president of litigation at the Arizona-
based Goldwater Institute, which will
represent parents in the case.

“Even in the worst-case scenario,
the program would continue for a
majority of the kids receiving scholar-
ships,” Bolick said.

But it’s unrealistic to expect the
state to complete all those inspec-
tions before 2014–15, and students in
those parishes likely would not receive
vouchers.

“That is incredibly perverse. These
kids are the intended beneficiaries
of the desegregation decrees,” Bolick
said.

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tion reporter for Watchdog.org, from
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• Appropriate research methods, reliable data sources and evidence
• Compelling results or substantiated conclusions that contribute to our scientific or scholarly understanding of the topic and inform policy.

KEY ISSUE SPEAKERS

ROD PAIGE
Rod Paige is a life-long educator and served as U.S. Secretary of Education from 2001 to 2005. As Secretary, Paige was an unstinting advocate of student achievement, employing “best of breed” solutions to achieve results towards the Department's goal of raising national standards of educational excellence.

ALEJANDRA MIZALA
Alejandra Mizala holds an economics degree from the University of Chile and a PhD in economics from the University of California, Berkeley. She is Professor at the University of Chile with the Centro de Economía Aplicada (Center for Applied Economics), Department of Industrial Engineering. She has written articles, chapters in books and a book on a range of subjects including educational policies and Latin American labor markets.

JOHN F. WITTE
John F. Witte is the founding Dean at the School of Humanities and Social Sciences at Nazarbayev University in Astana, Kazakhstan. His research interests include policy analysis, democratic theory, with specialties in education and tax policy and politics with current research on charter schools, open enrollment, and a longitudinal study (through 2012) of the Milwaukee voucher program.

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www.fischlerschool.nova.edu/nieo
By Kellie Slappey

Charter school lawyers met in Chicago in October to discuss the public school choice movement’s greatest obstacles: red tape, union opposition, and funding.

The biggest hurdle facing charters nationwide is “bureaucracy,” said Rocco Testani, a partner at Sutherland Asbill & Brennan LLP, a firm with offices in Atlanta, Austin, DC, Houston, New York, and Sacramento. “Charter schools are dying under bureaucracy and red tape.”

Government officials and agencies often propose new regulations for schools under the “accountability” label, although choice schools naturally operate under a different kind of accountability than most government agencies: accountability to parents, who are free to move their kids to another school. A central reason charters exist is to see what schools can do with greater flexibility than a traditional public school.

“As charters receive more attention and recognition, the demand for regulation will increase,” said Emily Kim, chief legal officer for Success Charter School Academies. “Paperwork and regulation interferes with a charter’s ability to educate children.”

Charter schools first arrived in 1992 in Minnesota, and now 42 states and DC allow them. Charter schools enroll approximately 2 million children, some 5 percent of the nation’s K-12 students. Another half-a-million kids sit on charter school waiting lists.

Illinois Charter Effectiveness

As the state with the third-largest school district in the country and no private school choice programs, Illinois has been the focus of numerous studies on charter school effectiveness.

Despite being surrounded by an array of challenges from a collapsing state budget, narrow authorization procedures, and many vehemently opposed legislators and community members, students in Illinois charter schools get higher test scores than represent an extra 14 days’ worth of reading and an extra 22 days of math learning each year compared to their traditional public school counterparts, according to a recent study by Stanford University’s Center for Research on Education Outcomes.

“You may have great schools, but that doesn’t mean families can’t benefit from a different option,” said Andrew Broy, president of the Illinois Network of Charter Schools.

For the past ten years, charter students in Chicago have been more likely to graduate from high school than their peers in traditional public schools, Broy noted in his opening remarks.

“In 2011 nine of the 10 highest-scoring nonselective high schools taking the ACT in Chicago were charter schools, even though they make up less than 10 percent of the Chicago Public Schools population,” he said.

Union-Led Opposition

Despite such positive outcomes, Illinois charters face many obstacles.

Although parents see the value in having education options for their children, Illinois politicians do not always agree, said Greg Richmond, president of the National Association of Charter School Authorizers.

“Charter schools lost the PR war during the teacher union strike in Chicago last year,” said Elizabeth Purvis, CEO for the Chicago International Charter School. “The strike had nothing to do with charter schools, yet Karen Lewis, the president of the Chicago Teachers Union, made it about charters.”

Union influence reaches far beyond Chicago, Broy said. He said when he has pressured state legislators to expand charter schools beyond Chicago they often say they are receiving money from the Illinois Education Association and don’t want to fight the statewide union.

“It’s hard to get legislators outside of Chicago to care about charter schools,” Broy said.

Need for Teachers

Another obstacle charter schools are facing in Illinois and nationwide is obtaining strong, experienced teachers. The average Chicago public school teacher makes $77,000 a year, whereas the average charter teacher makes approximately $54,000, Broy said.

“Therefore, charters attract younger, less-experienced teachers,” he noted.

New teachers often see charters as stepping stone to a traditional public school where they can make more money.

“Teacher leadership and quality teachers are what make great schools,” Broy said. “If charter schools cannot retain teachers, they cannot be competitive.”

Whether dealing with unions, bureaucracy, a lack of experienced teachers, or financial difficulties, “The goal is take away obstacles that get in the way of educating,” Testani said.

Kellie Slappey is a government relations intern for The Heartland Institute.
Wisconsin Experiments with New Teacher Evaluations

By J.E. Funk

Like many states, Wisconsin is experimenting with ways to evaluate teachers in fulfilling federal requirements. Dozens of Wisconsin school districts are testing The Framework for Teaching, created by Charlotte Danielson.

“Wisconsin, along with the other states, is in a catch-22,” said John Bales, executive director of the Wisconsin Association of School District Administrators. “The federal government can’t require states to force schools to use Common Core or comply with teacher evaluation changes, but a substantial amount of money is tied to compliance.”

Forty-two states have agreed to tie Common Core or comply with teacher evaluation changes, but a substantial amount of money is tied to compliance. These evaluations affect contract renewal and possibly pay.

Mandates Cost Time, Money

A principal must do six to eight hours of observation per teacher for these evaluations. The teacher also must prepare beforehand and attend post-evaluation meetings. An administrator with 20 teachers would average 140 hours per year on evaluations.

“Hiring another administrator to help with all the federal requirements, when these schools need more teachers for oversized classes … will just close small schools. They just can’t do it,” Bales said.

Another element of federal compliance is testing, which amounts to approximately 10 hours per student for each grading period and at district expense. By 2014, Wisconsin will use the new Smarter Balanced national Common Core test for students and teachers.

“I don’t believe we will be ready by that date,” Bales said. “We just don’t know if these tests are going to tell us anything useful about a student. We still don’t have the feedback from last year’s trial tests back yet.”

Useless Observations?

The Danielson Web site says its framework is backed by a three-year study enabled state-level infrastructure, technology, and professional development. “If a state is already far down the line developing their own cost-effective program like Louisiana is trying to do, … enrolling in these federal programs may put them on the hook later or increase their costs.”

LISA SNELL, DIRECTOR
CHILD AND EDUCATION STUDIES
REASON FOUNDATION

Wisconsin Experiments with New Teacher Evaluations

By Ashley Bateman

As education budgets tighten, Louisiana has declined to apply for federal preschool dollars, citing the added regulations as too high a cost.

The national government recently released a list of the 36 states eligible to apply for Race to the Top—Early Challenge, which will allocate $70 million to three to eight states over four years.

Louisiana made the cut, but the state’s Department of Education (DOE) decided not to apply for the maximum $11 million the state could receive.

“Federal grant funding has recently become a flashpoint for those concerned about overreach in Louisiana schools,” explained state Superintendent John White in a public letter. White points out the grant would not fund additional preschool seats.

Concerns over student data tracking, dependency on grant money, and a gubernatorial administration critical of President Barack Obama’s education program all seemed to be major factors in the decision, said Kevin Kane, president of the Pelican Institute for Public Policy.

The DOE would not provide further comment on the topic.

State Plans Take Precedence

Over the past few years, Louisiana has invested time and money in its own preschool plan, White said.

“Louisiana is already unifying its early childhood system by creating statewide expectations for the development of all young learners,” White wrote. “Centers and schools participating in 15 Early Childhood Network Pilot districts have come together to measure children’s progress against these expectations and to improve classroom teaching. Soon networks will begin unified enrollment processes to ensure that all low-income four-year-olds are in a quality early childhood education program.”

The pilots are the first step of 2012’s Louisiana Early Childhood Act. White said the DOE used $5.2 million to support the pilots.

Long-Term Funding Concerns

Preschool “has been a pretty high [state] priority,” Kane said. “From their standpoint, we’ve created this pilot, invested a lot of political capital to revamp our preschool programs, so we don’t want to do something which could then hamper the program. … [Federal money] would come with strings attached, and it would interfere with what we’re doing.”

The federal grant would provide seed money for programs that would cost far more to sustain in the long run, said Lisa Snell, director of Reason Foundation’s child and education studies.

“The cost to the states long-term is really, really expensive,” she said.

“Preschool is so confusing, more than any other sector—there are really all these competing federal government streams,” Snell said. “If a state is already far down the line developing their own cost-effective program like Louisiana is trying to do, … enrolling in these federal programs may put them on the hook later or increase their costs.”

More Money, Please

Education’s Next Horizon worked closely with the state on its preschool program. The organization has voiced disappointment at the DOE’s decision not to apply for the Early Challenge grant.

In the first round of Race to the Top—Early Challenge, Education’s Next Horizon was part of a team working on the application before it was pulled.

“The state DOE has acknowledged there is going to be a need for resources, … technology, training, professional development,” said CEO John Warner Smith. “The grant would have funded seats, … but there are some funding issues that will have to be addressed. Beyond that the grant would have enabled state-level infrastructure, technology, and professional development.”

Grant money could have reduced one-time implementation costs without affecting long-term sustainability, Smith said.

“The superintendent has acknowledged the needs and has said publicly he’s committed to seeking state funding or funding from other sources to address the need,” Smith said.

PODCAST INFO

Kansas Families Sue to Stop National Science Standards

By Joy Pullmann

When the Kansas board of education voted to trade its science standards for a national model, board member Ken Willard predicted doing so would spark a lawsuit.

Three months later, his prediction came true. Nine families and a nonprofit organization have sued the state in federal court, charging the Next Generation Science Standards (NGSS) establish a secular humanist religion within public schools and violate their religious freedom.

NGSS’s curriculum and test mandates are “non-objective” on scientific controversies, particularly global warming and evolution, Willard said: “[These controversies] are presented as fact rather than as a debatable issue.” The board voted 8–2 to adopt NGSS in June.

The lawsuit could upend not just science instruction in Kansas and other NGSS states, but also public schools’ default enforcement of secular humanism, said E. Calvin Beisner, president of the Cornwall Alliance for the Stewardship of Creation, a Christian nonprofit organization focused on environmental stewardship.

Failure of Neutrality Test

The standards “assume matter and energy is all that exists,” Beisner said. “That is a religious position. So the science standards fail the Supreme Court’s religious neutrality test. They favor one religious worldview over all other religious worldviews.”

Although public schools have retreated to an absence of religion to avoid religious disputes, in 1961 the Supreme Court ruled secular humanism, which includes atheism, is also a religion: “[Religion ... is an aspect of human thought and action which profoundly relates the life of man to the world in which he lives,” it said in McGowan v. Maryland.

“If it’s religious to believe in God, it’s got to be religious to not believe in God,” Beisner said.

Eight of the families suing are Christians whose children attend public schools. The ninth joined the suit as taxpayers who oppose government-supported religion.

Standards Spreading

Seven states have adopted NGSS since the standards were published in April, and 26 have committed to consider doing so. Because NGSS was designed to fit with national math and English standards called Common Core, several state leaders have said they expect most states will adopt the science standards, too.

The Kansas department of education and state board remain committed to NGSS and are reviewing legal options, said spokeswoman Denise Kahler: “You bring in who you believe to be the right people that have researched the issue thoroughly and ... you develop standards you believe in.”

NGSS was written by an assortment of federal agencies, nonprofit organizations, state employees, and scientific organizations. A state committee recommended Kansas choose NGSS because committee members considered it “a significant improvement over our current standards.”

The only independent evaluation of NGSS graded the standards a C for, among other things, an “acute dearth of math content, even in situations where math is essential.” It also found they “omit essential science content” including almost all high school chemistry. The evaluation rates Kansas’s previous science standards “clearly superior” to NGSS.

Answering Ultimate Questions

Although science can study and posit theories about the natural world, it cannot prove God does or does not exist or answer ultimate questions such as “How did humans get here?” said John Calvert, a lawyer for the Kansas families. Despite this limitation, NGSS pushes children to accept that science does answer these questions, he said, with answers that lead to atheism.

“The standards have children learn evidence to support evolution, for example, but none that critiques the various theories of human origin.”

“The standards lead the child to believe that evidence for a creator is an illusion,” Calvert said.

The standards also accept only physical explanations for the causes of phenomena such as the origin of the universe, the genetic code, and life itself, say comments on NGSS from Citizens for Objective Public Education, the nonprofit party to the lawsuit. The standards assume human-created systems are designed but natural ones are not, the organization says.

The complaint alleges such instruction in public schools violates the U.S. Constitution’s provision banning government from establishing religion and its equal protection clause by giving preference to atheism in public schools.

This forces taxpayers to pay for religious instruction many disagree with, interferes with parents’ right to direct their children’s religious instruction, and violates students’ “right to not be indoctrinated to accept a particular view,” Calvert said.

Illusion of Neutrality

The plaintiffs are asking the court to require public schools to either avoid religious topics or provide students with evidence that may lead people to answer such questions differently.

Beisner thinks it’s impossible for a school to be neutral toward religion altogether.

“Too many people think there is a qualitative difference between faith or belief, on the one hand, and scientific conclusions on the other,” he said. “But faith or belief is simply affirmation of propositions. What you think is true is your belief, whether you think it’s true because of divine revelation or hallucination or because you did a scientific experiment and observed the outcome.”

He says schools cannot be neutral on religion because, as the Supreme Court has said, how you think about humans and the universe constitutes religious belief.

“If we think there should be religiously neutral schools, we should conclude there should be no government-supported schools,” Beisner said. “I cannot figure out how it makes sense to entrust to the government the shaping of the minds of the citizens upon whose consent the government is supposed to be based.”

Joy Pullmann (jpullmann@heartland.org) is a research fellow of The Heartland Institute and managing editor of School Reform News.
Wisconsin’s limits on collective bargaining for public employees have survived another lawsuit.

“Of the eight total challenges to Act 10, six have been victories” and the other two await rulings, noted Tom Evenson, Gov. Scott Walker’s (R) spokesman. U.S. District Court Judge Conley threw out a lawsuit challenging the law in September.

A few days later, Dane County Judge Juan Colas, who ruled certain provisions of the bill unconstitutional in 2012 on freedom of speech and association grounds, denied Madison Teacher Inc.’s request for an injunction against Act 10 while its case awaits appeal. The request “confuses the right to organize with collective bargaining,” said Rick Esenberg of the Wisconsin Institute for Law & Liberty.

Esenberg said he thinks the state supreme court eventually will reverse Colas’s 2012 decision. Unlike freedom of association, “the statutorily conferred privilege to choose to bargain collectively … is not constitutionally protected,” and a state may decide to limit or even withdraw it entirely, he said. Conley “did not confuse the two” and, as a result, rejected the very claim Colas accepted in his ruling.

To the Supreme Court
“Colas’s ruling will most likely be overturned, delivering a victory to the taxpayers and to the state of Wisconsin,” agreed Christian D’Andrea, an education policy analyst at the MacIver Institute, a Wisconsin-based think tank.

Despite the Colas ruling, it is becoming increasingly likely Act 10 will remain law in Wisconsin, two years after unprecedented demonstrations against it rocked the state’s capital and the nation, leading to a series of recall elections against Wisconsin officials. Those also largely failed.

Consequences for Wisconsin
The rulings in favor of Act 10, if they stand, will likely cause a decrease in union membership, in some cases by more than 50 percent, savings of tens of millions of dollars for Milwaukee every year, the end of a monopolistic health insurance system for school districts, and a lower student-to-teacher ratio in public schools.

The reduction in union membership will result from Act 10’s requirement that all workers vote every year to remain unionized, not just those who chose to vote, as before. The law also prohibits unions from directly deducting dues from employee paychecks. As a result, employees who opt out of union membership don’t have to pay dues.

As to health care savings, Milwaukee alone will save millions of dollars because beneficiaries must now contribute 12 percent to their health care costs, which tripled their contributions and thus lowered the school district’s.

For example, before lawmakers passed Act 10 in 2010, Kaukauna School District was contractually compelled to provide employees with health insurance exclusively through WEA Trust, a company created by the Wisconsin teachers union, which charged above-market rates. This is no longer required of Kaukauna and the state’s other districts.

In addition, Kaukauna can now extend teachers’ work week to 40 hours from 37, which has decreased class sizes from 31 to 26 students per teacher.

Benton Howser writes from Wisconsin.
Why Charter Schools Have Fewer Disabled Students

By Ashley Bateman

Special-needs students represent a smaller share of New York City charter school populations compared to traditional public schools due to lower application rates and labeling, not discriminatory practices, concludes a Center on Reinventing Public Education (CRPE) study.

“Charter schools are public schools, so they are particularly interesting in why they serve this lower number of kids in special ed,” said Marcus Winters, the study author and a senior fellow at the Manhattan Institute. “I was trying to look at some of the underlying factors.”

Critics of school choice often suggest the difference in special-needs enrollment between these options and traditional schools means choice programs discriminate. But Winters also has studied lower rates of special-needs children in voucher schools, finding the same main reasons for the difference: Parents of special-needs children appear less interested in choice options, and choice schools often provide lower-performing children extra help rather than label them learning disabled.

Less Parent Interest

Winters found parents of special-needs children are less likely to apply for charter spots.

“Parents with special-needs kids are very sensitive to where their kids are going to school and whether they are receiving special services,” Winters said.

Many parents of special-needs children receive public services as early as the preschool years.

“They have experience receiving services through the public sector and are comfortable with that setting and worry that the charter schools may not accommodate them,” Winters said.

Florida’s McKay Scholarship program is the largest special-needs voucher program in the country. Florida law requires school districts to notify parents the voucher is available.

“I don’t know that we could answer as to why parents choose any school,” said Adam Miller, director of charter schools for the Florida Department of Education. “It’s a very complicated decision that takes into account a lot of different factors.”

Student Transience

Special-education students are more transient than their peers, Winters found. That greatly affects the special-

“The private schools have so much a philosophy of inclusion they don’t even label them, ... [which is] the most preferred way to deal with special needs.”

PATRICK WOLF, PROFESSOR
UNIVERSITY OF ARKANSAS

education gap in charter schools.

“The mobility of kids in charter schools is the same or less than in the public system,” Winters said. “Charter schools accept the majority of their students in gateway grades. If you start in a charter school and you leave that charter school, for whatever reason, the chance that you’d find yourself in another charter school is very small because they accept so fewer students in the later grades. This contributes to the gap.”

Winters found more disabled students were entering charters than exiting them as they progressed through elementary school.

Lacking Labels

When the Wisconsin Department of Instruction reported 1.6 percent of private school students in the state have special needs, University of Arkansas professor Patrick Wolf decided to study special-education enrollment in Milwaukee’s voucher system.

“My colleagues and I had the data to prove that was not correct, so we wanted to put out a number to correct the public record,” Wolf said.

Their estimate was that approximately 11 percent of Wisconsin voucher students would be labeled special-needs if they attended public schools.

“The private schools have so much a philosophy of inclusion they don’t even label them, ... [which is] the most preferred way to deal with special needs,” Wolf said.

Their research showed public schools far more often label a student disabled than do private schools. Wolf suggested this is because public schools receive extra money upon labeling a child disabled.

“The label doesn’t really mean anything to private schools [since] it doesn’t open the doors to anything else,” Miller noted.
In Ky. Science Debate, Guv Overrides Legislature

By Kathlyn Shirley

Kentucky Gov. Steve Beshear has overruled the state legislature’s rejection of national science standards.

In a statement, the governor vowed to “implement the regulations notwithstanding the finding of deficiency” because he “views these standards as a critical component in preparing Kentuckians for college and the workforce.”

The Kentucky Board of Education voted in June to replace state science standards with Next Generation Science Standards (NGSS), which six other states have adopted. The legislature must also approve the standards. But the General Assembly’s Administrative Regulation Review Board voted 5–1 against implementing NGSS.

Committee members said the standards lacked essential content. Standards determine what kids will learn and be tested on in each grade.

“Education standards need to be quite clear, detailed, and they also need to be expressed as much as possible in measurable terms. You find none of that in Common Core or Next Generation Science Standards,” said Dick Innes, a Bluegrass Institute education policy analyst.

For and Against

Kentucky was one of 26 “lead state partners” that contributed to NGSS, which was fostered by the same organization that created Common Core national math and English standards: Achieve Inc. Several federal agencies and science organizations also were involved.

The NGSS was published in April. A 2009 law required Kentucky science standards to be updated by December 2010, but lawmakers postponed until NGSS arrived.

“You never get standards perfect the first time—they need to be updated,” Innes said. “A high-quality system won’t be born from scratch.”

Several groups, including the Kentucky Academy of Science and Kentucky Science Teachers Association, endorsed NGSS and asked the state to adopt it. Of nearly 4,000 public comments, more than 3,700 favored the plan, said Kentucky’s Department of Education.

“Kentucky’s own science standards aren’t worth much, … and the proposed [NGSS] are just a little better,” said Paul Gross, a retired biology professor at the University of Virginia.

Losing Essential Content

Gross compared NGSS to existing science standards for the Thomas Fordham Institute. Fordham rated NGSS a C and gave Kentucky’s existing standards a D, noting each system falls short in several ways.

The review says NGSS overemphasizes useless practices over content, omits essential content, fails to integrate critical math content, and places arbitrary ceilings on the content to be tested.

“[NGSS] does not incorporate most of the subjects in a standard chemistry or physics course,” said Innes, an engineer and former flight instructor. “How can you … say these standards will foster more [science, technology, engineering, and math] careers?”

Beshear, a Democrat, has the executive authority to implement NGSS, but Kentucky’s General Assembly can reopen the issue in its 2014 session by creating legislation to counter his decision.

“Kentucky would be best served by adopting—and modifying as necessary—one of the excellent state standards documents” such as those from Massachusetts, South Carolina, or the District of Columbia, Gross said.

Kathlyn Shirley writes from Washington, DC.

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PODCAST INFO


Maryland School Officials Will Police What Kids Say on Facebook

By Kellie Slappey

In May 2013, Maryland lawmakers passed a cyberbullying law making it a misdemeanor to use a computer to “inflict serious emotional distress on a minor.”

Although the Maryland American Civil Liberties Union’s policy director told the Baltimore Sun “portions of this bill are unconstitutional” because the bill too broadly restricts free speech, the ACLU currently has no plans to file a lawsuit.

Violators face up to one year in jail or a $500 fine. Eighteen states have cyberbullying laws, and one similar to Maryland’s is under consideration in Congress. Federal statistics show bullying has been declining for two decades.

Facebooking Bullies

Now the Maryland attorney general has partnered with Facebook to let school officials flag for removal online posts they deem harmful. All Maryland schools must now assign an employee to alert Facebook of what they consider questionable material.

“The pilot project is designed to allow for a more direct line of communication between schools and Facebook when potential cyberbullying occurrences may not be resolved through Facebook’s normal reporting process or require more immediate attention,” said Alan Brody, a spokesman for Maryland’s attorney general.

He was quick to note school officials can’t tell Facebook what to censor but can only advise them of material they find offensive.

‘Sufficient Remedies’ Already in Place

“Existing laws against harassment already provide significant remedies against bad behavior, whether online or off,” said Walter Olson, a Cato Institute senior fellow in legal affairs.

He continued, “Controversies like these may lead more people to question the premises that (1) online behavior is somehow so dangerous in itself that it needs extra-stringent rules that we would not apply to in-person or in-real-life social interactions and (2) that the government—and schools in particular—should intervene in proactive ways in the conversations students get into outside school hours.”

Many anti-bullying laws make schools responsible for students’ behavior off school property and after school hours.

Courts typically have ruled against laws criminalizing behavior that inflicts “emotional distress” on others, ruling such laws too broadly restrict free speech.

As a private entity, Facebook may legally delete any posts its administrators wish, and it already has policies that allow people to complain about certain posts or behavior on the site. If the pilot goes well in Maryland, Facebook may expand it nationwide.

Kellie Slappey is a government relations intern for The Heartland Institute.
Parents Want Different Styles of Schools, Survey Finds

By Joy Pullmann

The governors of Iowa, Arizona, and Maine recently issued executive orders on Common Core national education standards, but to little effect.

On October 16, Iowa Gov. Terry Branstad (R) wrote, “The State of Iowa, not the federal government or any other organization, shall determine the content of Iowa’s state academic standards, which are known as the Iowa Core. ... Only aggregate student data shall be provided to the federal government to comply with federal laws.”

In September, Arizona Gov. Jan Brewer (R) ordered the standards’ name in Arizona changed to “Arizona College and Career Ready Standards” from “Common Core.” State Superintendent John Huppenthal explained the change as a matter of perception, not substance: “The Common Core brand has become devalued by curriculum issues not associated with the standards.”

Maine Gov. Paul LePage (R) delivered a strongly worded executive order in September: “The federal government has no constitutional authority to set learning standards in Maine or any other state, nor determine how children in the State of Maine or any other state will be educated.”

The governors of Iowa, Arizona, and Maine recently issued executive orders on Common Core national education standards, but to little effect.

By J.E. Funk

The statements appear to result from agitation against the national initiative among the governors’ conservative bases and Republican Party organizations, but since the orders don’t actually change anything, they have not reassured critics of the Common Core, said Jonathan Butcher, education director at the Arizona-based Goldwater Institute.

“The governor and her staff have clearly stated that they are not changing the actual content of the standards, just the name of the standards,” Butcher said. “If the state board isn’t changing the standards, then just changing the name of the Common Core isn’t going to address the main problems: low-quality, expensive, and characterized by federal overreach.”

In Iowa, political analyst Shane VanderHart says Branstad’s order had some effects, such as allowing local districts to ignore Common Core’s suggested texts.

The Maine Non-Event

As in Arizona, Maine’s education department stands firmly behind the Common Core standards, a national template for what kids should learn in K-12 math and English, accompanied by federally funded national tests starting in 2014–15.

“Some have rightfully questioned the role of the federal government in the development of the standards, and what impact having shared standards with other states will have on Maine’s longstanding tradition of local control,” said Maine Department of Education spokeswoman Samantha Warren. In response, the governor issued his executive order. “That executive order in no way moves Maine away from the learning and accountability standards that are in place today,” Warren said.

The order was intended to “remove any doubt” among Maine voters “about who sets learning expectations for Maine students,” she said. State policymakers still do that, and local school boards are responsible for carrying out the goals they set, she said.

Local Control an Illusion

Although state and federal lawmakers continue to insist the public has local control of schools through school boards, most boards have little real power over schools, said local school board member Elaine Heuiser of Casco, Maine.

“The structures existing in our states today are designed to shield school boards from any control,” she said. “When I first became a board member, I had to attend seminars designed to dissuade me from ever believing we could change how our district designed curriculum. They explained that we had to go through a complicated process to get legislation passed at the state level.”

For example, schools are rated by the state and sometimes funded based on student test scores, which are tied to the federally funded Common Core tests. Teacher evaluations also often depend on these scores, giving teachers and local districts strong impetus to teach Common Core.

“To date, no one has brought to us an individual standard or standards and suggested specifically how it could be improved to better prepare students for success beyond high school, but we would certainly welcome that,” Warren said.

By J.E. Funk

Most K-12 parents want a solid core curriculum in reading, math, and science, but they have different preferences for school culture and emphasis, a new survey finds.

The survey of more than 2,000 parents distinguished groups who prefer particular education styles. The largest, labeled “pragmatists,” constituted the 36 percent who want vocational education. They tend to have lower incomes and be parents of boys.

“Jeffersonians,” the second largest at 24 percent, want education aimed at civics and leadership. Twenty-three percent of parents prize high test scores. Other categories include “multiculturalists,” parents who prize arts instruction, and others who seek elite college acceptance.

These findings reinforce 20 years of similar polls, and they show governments shouldn’t enforce one course of study for all children, said the Cato Institute’s Andrew Coulson.

“For those who want to believe that the state must control what goes on in classrooms, no amount of evidence will ever convince them otherwise,” Coulson commented on Cato’s blog. “But for the rest of the population, Fordham’s study will go a long way toward showing that efforts like ‘Common Core’ are, at best, superfluous.”

“Parents Want Different Styles of Schools, Survey Finds” by Joy Pullmann, Fordham Institute, August 2013: http://www.edexcellence.net/publications/what-parents-want.html

Joy Pullmann (jpullmann@heartland.org) is a research fellow of The Heartland Institute and managing editor of School Reform News.

J.E. Funk writes from northern Wisconsin.
Mo. State Audit Finds Trouble in St. Louis Schools

By Loren Heal

A September audit of the St. Louis Public School District flagged many problems, including failure to bid contracts, lack of internal audits, potential violations of the state’s Sunshine Law, lack of safeguards against cheating on tests, and rampant social promotion.

“These were not token issues,” said Spence Jackson, a spokesman for the state auditor’s office.

The district, Missouri’s largest, spends more than $15,000 per pupil and enrolls 25,000 students. It has been academically and financially troubled for some time.

Social Promotion Rampant

The auditor’s central finding was the district’s failure to hold back low-performing students, said James Shuls, an education analyst at the Show-Me Institute.

In 2011 and 2012, the report says, 2,000 students in grades 1–8 scored “below basic” in reading. This is the state test’s lowest designation. But the district held back only 155 and 128 students from these grades in 2010–11 and 2011–12, respectively. Passing most of these students may violate state law, the report says.

“The bigger question is whether realistically one can expect inner city urban districts to meet high academic expectations when the problems are as much related to nonschool factors—dysfunctional families, for example—as school factors,” said J. Martin Rochester, a political science professor at the University of Missouri-St. Louis.

The audit found the district’s central office does not know how many education programs it has—the report estimated more than 1,000—and does not evaluate them to see if they actually benefit students.

Wasting Money in Contracts

The district has contracted with the same vendor for student busing since 2004 without requesting competitive bids, the report notes.

“The district is awarding multimillion-dollar projects without receiving multiple bids,” Shuls said. “This is very concerning to taxpayers. Multiple bids are needed to ensure the district is spending money wisely. The lack of received bids for these projects indicates the [request for proposals] process is not being conducted thoroughly.”

The St. Louis area has many large bus companies that likely would compete for the district’s contract if they could, he said. The report also noted the district’s contract if they could, he said. The report also noted the district has contracted with the same legal and lobbying firms for several years, also without requesting competitive bids.

Next: Another Report

State Auditor Thomas Schweich will perform a follow-up audit in “about 90 or 120 days … to see what action, if any, has been taken on the recommendations that we’ve made,” Jackson said. Both reports will be available on the state auditor’s Web site.

“We considered the St. Louis School District a rating of ‘fair’ but it was a low fair, because they just had a lot of issues.”

Spence Jackson, Spokesman
State Auditor’s Office

Auditor Thomas Schweich discusses the audit of the St. Louis Public School District: https://www.youtube.com/watch?v=mYq16bQntuY


“Loren Heal (loren.heal@gmail.com) is a research programmer at the University of Illinois at Urbana-Champaign and a reporter for The Heartland Institute.”

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California Governor Vetoes Bill Twisted to Protect Abusive Teachers

By Larry Sand

Mark Berndt, a first-grade teacher at Miramonte Elementary School in the Los Angeles Unified School District, allegedly committed “lewd acts” against perhaps dozens of children over the course of a 31-year career.

Berndt’s case exposed the tortuous legal process that makes it nearly impossible for schools to get rid of predatory teachers. It also brought to light the lengths to which teachers unions will go to defend their members, even those accused of horrific crimes.

Berndt is still awaiting trial on 23 counts. Last year, district officials agreed to pay him more than $40,000 to resign in lieu of exercising his “due process rights,” which could have dragged out his termination for months or possibly years—while he continued to collect a salary and accruing pension benefits—through a series of contractually mandated hearings and appeals. In March 2013, the district announced it would pay $30 million to the parents of 61 of Berndt’s former students.

**Governor’s Veto**

A bill written supposedly to ease the process of removing from the classroom those teachers who have engaged in “immoral or unprofessional conduct” would have made matters much worse by giving teachers like Berndt even greater protections against dismissal.

No surprise, the California Teachers Association (CTA) and California Federation of Teachers had endorsed Assembly Bill 375, which Gov. Jerry Brown (D) vetoed in October. The governor said the bill would have made the process of removing from the classroom “too rigid and could create new problems.” That’s an understatement.

Oakland Democrat Joan Buchanan, who chairs the assembly’s education committee, introduced AB 375 earlier this year as a “compromise” after fierce union opposition led to the defeat of Los Angeles Democrat Alex Padilla’s Senate Bill 1530. Both bills were written by Governor’s veto committee, introduced AB 375 earlier this year as a “compromise” after fierce union opposition led to the defeat of Los Angeles Democrat Alex Padilla’s bill, offered AB 375 with union backing. Despite CTA President Dean Vogel’s assurances, AB 375 never came close to fulfilling its promise to keep children safe.

The bill required that any misconduct case be concluded “within seven months of the date of the employee’s demand for a hearing.” That sounds reasonable, but as Romero argued recently, “the time limit becomes tantamount to a ‘get out of jail free card,’ giving teachers facing firing every incentive to delay their case past seven months.”

What would happen if district officials couldn’t reach a decision within that time period? Could a teacher force the district to settle? The legislation was unclear.

Similarly, the California School Board Association (CSBA) pointed out in an analysis opposing AB 375 that the bill would have let a credibly accused teacher “challenge a suspension while he or she awaits the dismissal hearing. This new procedure would add time and costs to the hearing process... and make it more difficult to meet the 7-month deadline for completion.”

The bill would have handcuffed districts further by preventing officials from adding new charges or evidence of abuse to an existing complaint.

**Union Protects Predators**

AB 1530 fell one vote short of getting out of the assembly’s 11-member education committee when four legislators abstained. Former state senator Gloria Romero charged the abstainers were “cowering in fear,” afraid to run afoul of the “moneyed political interests”—the unions. The Sacramento Bee’s Dan Walters echoed that sentiment. “If the unions can have their way on child abuse, they can have their way on anything in the current Legislature,” he wrote.

Buchanan, one of two lawmakers on the education committee to vote against Padilla’s bill, offered AB 375 with union backing. Despite CTA President Dean Vogel’s assurances, AB 375 never came close to fulfilling its promise to keep children safe.

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**Adding Cost and Delay**

SB 1530 would have given final say on teacher firings to districts. That’s a key reason why unions opposed it. AB 375, by contrast, would have kept an arbitration panel in place while letting any party file objections to its members’ qualifications. That, too, sounds reasonable, but as the state school board association noted, such objections add “cost and delay to the process without a benefit.”

Buchanan’s bill also limited the number of witnesses a district could bring against a teacher accused of sexual misconduct to five—a particularly egregious provision Brown singled out in his veto. Berndt may have molested more than 60 children and faces criminal charges for at least 23 of those. How could legislators exclude so many victims’ testimony?

AB 375 did include a few decent reforms, but the bill’s minor positives obviously couldn’t outweigh its overwhelming negatives. Now Brown wants lawmakers to “continue working with stakeholders to identify changes that are balanced and reduce procedural complexities.”

That mission shouldn’t be limited to teachers unions and their legislative cronies. Maybe next time, parents will be given a greater role in working out a solution that doesn’t protect union members at the expense of innocent children.

**Larry Sand** (ldsand@sbcglobal.net), a retired teacher, is president of the California Teachers Empowerment Network. Reprinted from City Journal with permission.
Seized German Homeschool Kids Returned Home, With Conditions

By Ashley Bateman

Three weeks after 20 German police and social workers raided a family’s home and removed their four children for the crime of homeschooling, the children have been returned home—on the condition that they attend government schools.

“What we’ve seen today is a reversal in the German courts caused by the mounting international pressure from human rights advocates,” said Home School Legal Defense Association Chairman Michael Farriss. “This is a promising start to what will hopefully be a reversal on Germany’s stance on homeschooling altogether.”

Dirk and Petra Wunderlich, who live in Darmstadt, had cited religious reasons for homeschooling, claiming German schools do not allow for a Christian worldview. German private schools are funded by the government and strictly regulated.

Approximately 2 million American children are currently being homeschooled, according to the National Center for Education Statistics, and homeschooling is legal in all 50 states. In much of Europe, however, homeschooling is illegal, resulting in countries such as the Netherlands, Sweden, and Germany seizing children from their parents.

The Obama administration has used arguments from international laws against homeschooling to attempt to deport another German family, who fled to the United States after German authorities threatened to remove their children for homeschooling.

“Germany is the only country in the European Union that treats homeschoolers with such aggressive enforcement,” said Mike Donnelly, HSLDA’s director of international affairs. “It’s the only country in the EU that has a Supreme Court decision saying it is [acceptable] to ban home-based education.”

Fear of Separation

While ostensibly overseeing a free, democratic society, the German government treats homeschooling families harshly, Donnelly said.

A German headmaster and longtime educator, who wished to remain anonymous because of political concerns, said attending private or religious schools there tends to be a mark of social status and segregation from the public system.

Germany’s ban on homeschooling dates back to the Nazi era, and it persists in large part because Germans fear ethnic and religious separation.

“The biggest concern against homeschooling is the fear of upcoming parallel societies, which in Germany definitely exist—but not due to homeschooling, due to immigration,” he said.

Obama DOJ Supports German Law

In 2010, HSLDA assisted another German family, the Romeikes, with a petition for asylum after they immigrated to the United States from Germany to avoid having their children removed from their home.

A judge granted the family asylum in January 2010, but in 2012 the Obama administration revoked that asylum in response to an appeal from the German government.

U.S. Department of Justice briefs on the case stated, “the law could not be considered persecution unless it is selectively enforced or one is disproportionately punished.”

The Obama administration argues “homeschooling is not a fundamental right and that the government can prohibit and regulate homeschooling,” Donnelly said. “Resisters in Germany are treated very harshly—right now there’s a family appealing their criminal conviction. We would say that’s persecution because the government is motivated by an improper purpose, which is to suppress this group of social homeschoolers.”

The Department of Justice refused comment.

‘It Can Happen Here’

“American homeschoolers, and people who love and support freedom, need to understand … if it can happen there, it can happen here,” Donnelly said.

When homeschooling first resurfaced in the United States in the 1970s, parents were fined and taken to court, and some had the custody of their children threatened or were jailed, Donnelly said.

“When an ally to the United States is permitted to get away with this kind of behavior it sends the wrong message,” Donnelly said. “Education should not be used to create political functionaries.”

“Education should not be used to create political functionaries. It’s a fairness issue. Everyone pays taxes for their local education.”

More German families would homeschool if a fight with the authorities weren’t standing in the way, the German headmaster said.

“My children both have almost finished school, but I can say that it would have been better for both of them to have been homeschooled,” he said. “I think children could learn more at home, could learn in a better atmosphere, and teaching social skills would be easier at home.”

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

Missouri Superintendents Want to Reform Tenure, Survey Says

By Joy Pullmann

A new survey of Missouri superintendents shows 92 percent support tenure reform and nearly three-fourths find it difficult to remove poor-performing tenured teachers.

The Show-Me Institute report estimates 0.3 percent of tenured teachers in the state are ever removed from the classroom for poor performance. Even so, 65 percent of Missouri eighth graders are not proficient in reading, and 68 percent are not proficient in math, according to the latest National Assessment of Educational Progress.

Report authors James Shuls and Kacie Barnes surveyed 192 public school superintendents.

“If we want to truly equip local leaders with the ability to lead their districts, then we need to unshackle them from the restrictive teacher tenure laws and give them more authority to develop these policies locally,” Shuls told School Reform News.

He continued, “Doing this would allow local schools to develop policies that best meet their needs. Some districts might move towards multiyear contracts; others may base tenure on performance in the classroom.”

Most states require only two or three years in the classroom before granting tenure, but Missouri requires five.

Joy Pullmann (jpullmann@heartland.org) is a research fellow of The Heartland Institute and managing editor of School Reform News.

LEARN MORE

22% of Federal Student Loans in Default or Delayed Default

By Matt Faherty

Only 40 percent of individuals with direct federal student loans are currently repaying their debt. Many of the rest are taking advantage of a grace period before repayment, but 14 percent are in forbearance (delayed default) and 8 percent are in default, according to a report by the Consumer Financial Protection Bureau.

“There are over 7 million borrowers in default on a federal or private student loan. We also estimate that roughly a third of Federal Direct Loan Program borrowers have chosen alternative repayment plans to lower their payments,” wrote report author Rohit Chopra, the CFPB’s student loan ombudsman.

The figures do not bode well for American taxpayers, as student debt totals approximately $1 trillion.

Free-market advocates for years have been warning against the potential dangers of government-granted and subsidized student loans as a distortion of the education market and a financial burden on the taxpayers.

Education Lending Bubble

The federal government’s student loan policy does not offer competitive interest rates based on risk of default. Just as manipulations in the home lending market caused a proliferation of subprime mortgage loans to borrowers who would never be able to repay their debts, student loans are being offered to individuals who have slim hope of earning enough money to repay those loans even if they complete their college educations.

“These young people are being sucked into taking out loans that will stick to them forever. Only Congress could think up such a scheme and call it a benefit to the youth,” said George Clowes, a Heartland Institute senior fellow in education and formerly managing editor of School Reform News.

Government-backed student loans are luring academically weaker and less committed students to enroll in college, leading to increased dropout rates, said Neal McCluskey, associate director of the Cato Institute’s Center for Education Freedom. He noted “roughly one out of every two college students don’t graduate today.” Even at higher-end private schools, the graduation rate is only about 66 percent. Graduation rates for part-time students are well below those averages.

Competing Tuition Solutions

With easy credit sparking heightened demand for higher education, colleges have responded by raising their tuitions. The higher tuitions have in turn raised the demand for more easy credit for student loans.

McCluskey said free-market advocates support an end to student loans to save the taxpayers money and stem the artificial demand for college educations that has driven up prices.

However, the Obama administration has been hinting at the opposite of a free-market solution: tuition price controls. Administration officials have suggested the federal government could cut off student loans to attend specific institutions that continue to raise tuition prices.

The sky-high college tuitions are not bettering higher education, said Herbert Walberg, distinguished visiting fellow at the Hoover Institution, professor emeritus at the University of Illinois-Chicago, and a senior fellow in education at The Heartland Institute, which publishes School Reform News. Much of the money is being directed to administration and other ancillary activities.

Too Little Teaching

“There is too much focus on community service and research, which doesn’t help students,” Walberg said. “We need to return to the old days when colleges concentrated on teaching.”

With 8 percent of students in default on their student loans and 14 percent in forbearance, taxpayers must cover billions of dollars of losses. Those losses are expected to increase as tuition costs rise and more students find themselves unable to pay back their loans.

To reverse course on student lending will require a substantial change in the way people view higher education, said Frederick Hess, resident scholar and director of education policy at the American Enterprise Institute.

He said the key is to “stop romanticizing college loans. We need to worry about students, but policy must be appropriate.”

Giving Parents Power

Lots of people talk about school reform, but how much change actually occurs?

Here’s an idea that has promise: the Parent Trigger. If a majority of parents and guardians of children at a particular school sign a petition demanding reform, then the school district must do as the parents ask.

This Policy Brief looks at the Parent Trigger laws already in place and how they have worked in practice, and it offers suggestions to parents and elected officials for crafting their own legislation.

Free download at heartland.org

For more information about the Parent Trigger, visit theparenttrigger.com

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Matt Faherty (matt.heartland@gmail.com) writes from Chicago.
Most States Use Useless Preschool Ratings, Study Finds

By Ashley Bateman

Twenty-six states rate preschools with a system that doesn’t identify quality institutions, finds a recent study in Science magazine.

The Quality Rating and Improvement System (QRIS) is the most widespread preschool rating system; its use has been spreading as states increase government preschool subsidies. Researchers say QRIS doesn’t actually tell whether a particular preschool benefits kids. “The QRIS is being rolled out really quickly and there is not a lot of empirical evidence on its effectiveness,” said the report’s lead author, Terri Sabol.

The authors of “Can Rating Pre-K Programs Predict Children’s Learning?” determined QRIS’s lack of outcome measures, coupled with too many indicators, produce essentially useless ratings.

Sabol found similar results when examining preschool ratings in Virginia in a previous study and so decided to examine QRIS as well. “This is a really significant piece of research because right now we’re considering the national universal preschool program and Race to the Top has already entailed millions of dollars [for preschool],” said Lisa Snell, Reason Foundation’s director of education and child welfare. “Every state has raced to replicate this.”

Measuring Inputs, Not Outcomes

The authors studied data from the early 2000s to determine whether QRIS adequately measured how much preschoolers learn. QRIS has a five-star rating system. “Basically, we took the indicators that states are using, replicated the scoring system, and then we aggregated the scores together and converted to program ratings,” Sabol said. “Then we created a generic system that included the CLASS (Classroom Assessment Scoring System) program.”

“When these systems were created there was a lack of empirical evidence. ... As more and more researchers are getting involved we can try to figure out empirically what the key to quality actually is.”

TERRI SABOL, LEAD AUTHOR

The authors found QRIS labels some high-quality programs ineffective because it uses bad criteria for quality. Private, homeschool, and other alternative establishments that provide excellent preschool offerings may be rated much lower under QRIS than they should be, Snell said.

“We’re not measuring outcomes, we’re measuring inputs, and then we’re making systems to validate those inputs,” Snell said. “If you have low teacher-child ratios and high credentialing, that’s what we’re going to invest in.”

Although other, lesser-known systems exist, such as the Childhood Environmental Rating Scale, QRIS has had the biggest impact nationwide, affecting policy and funding, all without proof that children benefit from preschools highly rated under the QRIS standard or any rating systems.

QRIS criteria focus on inputs such as teacher credentialing, service hours, and similar measurements, which research shows have no significant impact on learning, said Vicki Alger, a senior fellow at the Independent Women’s Forum.

A Market-Based Approach

Research shows parents of all income levels look for lots of different things in early childhood programs, Alger said.

“Parents want nurturing care providers, safety, and cleanliness, and parents want convenience because of a growing number of mothers working in the labor force who are looking for high-quality care,” she said.

QRIS has become an attractive, universal standard that makes parents feel secure about their choice. Unfortunately, it doesn’t allow for the variety of needs parents express when choosing childcare.

Even so, QRIS is an important first step in providing parents with a market-based approach to choosing preschools, Alger said.

“Any sort of measure is going to start to break down under a certain amount of scrutiny,” Alger said. “[QRIS] is filling a void, a place where parents can go in and start asking questions. Parents are the ultimate arbiters. [QRIS] is meant to be a guide. Parents have to build on it and make the right decision for their individual child.”

Measuring Outcomes

More outcome-based measures are necessary to improve preschool rating systems, Sabol said.

“When these systems were created there was a lack of empirical evidence,” Sabol said. “States, with the best intentions, wanted a set of indicators. As more and more researchers are getting involved we can try to figure out empirically what the key to quality actually is.”

Large-scale studies of preschool and high-quality datasets already in existence could suggest new methods of rating, Snell said.

“There are not as many barriers [compared to K-12 settings],” Snell said. “It’s easier to get consent from parents, and there is quite a lot of public information and philanthropic dollars and national datasets studying these kids.”

Key to Quality: Teachers

The top measure of quality researchers are currently aware of is teacher quality, both in preschool and K-12, Sabol said. Although teacher quality is the most important and widely recognized measure for student success, it is still a politically sensitive matter, Alger noted.

“How we’re looking at education versus care is another thing we have to separate out,” Alger said. “We should have measures that assess what parents are most interested in. It may just be that children are happy, healthy, and safe for 36 hours a week. Once we start throwing in the educational components, we need stricter, more meaningful measures.”

An improved system would include initial and follow-up diagnostics, percentile rankings for motor skills, and other indicators of learning, Alger said. “There is a lot of potential for QRIS,” Sabol said. “Directly observing classrooms and then providing information to parents and options for improvement could have a great impact.”

Ashley Bateman (bateman.ae@googglemail.com) writes from Williamsburg, Virginia.

INTERNET INFO

“Can Rating Pre-K Programs Predict Children’s Learning?” Science, August 2013: http://www.sciencemag.org/content/341/6148/845.summary

Monopoly’s the Problem with Our Schools

By John Conlin

It took just eight years and 56 days for the United States to deliver on President John F. Kennedy’s pledge to put a man on the moon. But we’re still waiting on another Kennedy proposal: school reform.

In fact, every president since Kennedy—10 presidents over 50 years—has had a plan to “reform” our failing public education system. None of their proposals has noticeably improved student achievement.

After President Franklin Delano Roosevelt started an organization to fight polio in 1937, it took about 30 years to eradicate polio from most of the world.

In 1983, President Ronald Reagan called for developing technology to intercept incoming enemy missiles. Many thought the idea impossible. Today this technology is deployed around the globe.

It’s also been 30 years since the Reagan administration issued its famous education reform report, “A Nation at Risk.” But those warnings have gone largely unheeded.

Nation Still at Risk

You could staff a small army with the number of people fighting to reform public education. But most fourth and eighth graders aren’t proficient in math or reading. The college-readiness testing service SAT reports 12th graders’ reading scores are at a 40-year low. Its competitor, ACT, reports 75 percent of incoming college freshmen are not prepared for college.

Only 4 percent of African-American students graduate from high school ready for college. Forty percent of all college freshmen must take some sort of remedial course work. Fewer than half of college students graduate within six years. And the U.S. Chamber of Commerce reports 80 million to 90 million adults—about half the workforce—don’t have the skills required to get or advance in jobs that pay a family-sustaining wage.

Our schools are failing even though our country is filled with hardworking, dedicated, and loving teachers, administrators, paraprofessionals, and volunteers.

For the most part they labor mightily to succeed. But they don’t have the power to unravel the mess the public education system has become. Sure the teachers unions are resistant to change. But they’re not the reason for these failures.

Money’s Not the Problem

The United States spends more money per pupil than any other country on the planet, save one, at about $13,000 per pupil per year. In many places the figure is far higher. In Washington, DC it’s an astounding $30,000 per pupil. In New York City it’s $27,000.

Over the years, researchers have found increased education spending has little or no impact on student achievement.

Why are our schools, whose only purpose is education, unable to teach children of average intelligence to read in eight or even 12 years?

It’s the system that’s broken, not the people running it.

Joel Klein, former chancellor of the New York City Department of Education, has described our public school system as a state-run monopoly highly resistant to change.

Fund Students, Not Bureaucracies

The solution? End the monopoly and force schools to compete for students by funding students, not schools or school districts.

That’s what we propose:

• Any state or school district that accepts federal education funds must provide parent-directed funding for their children’s K-12 education equal to at least 95 percent of the average total per-pupil spending of that specific school district or state.

• Parents or guardians will direct how and where this money is spent: at any state-approved school or course provider to purchase any and all learning services and other school-related needs. Unused funds may be retained for future education, including college tuition and fees.

• Per-student spending for special-needs children will be adjusted as determined by elected state officials, being some multiple(s) of the adjusted average total per-pupil spending.

• States will have two years to implement these changes. After that, failure to comply will result in the immediate termination of all federal education funds until the state complies.

Most parents aren’t classroom experts. But they know what’s good for their kids. Giving parents control over the money spent to educate their children will:

• Turn parents into consumers in a competitive marketplace, giving them the power to choose the schools their children attend.

• Force K-12 schools to compete for students. Poor-performing schools will either improve or go out of business. And with millions of families to serve, there will be huge incentives for educators to create new schools that will do a good job.

• Force schools to treat parents and their kids as customers. Successful schools will be the ones that do the best job of serving family needs.

One Simple Change

This one simple change, which could be implemented right now, will unleash the wisdom of millions as the power of free people freely interacting with other free people transforms public education. Every student will gain, as will every teacher.

Based on the success of competition everywhere else, our proposal is guaranteed to work. It can be done quickly. And it doesn’t cost an extra dime.

What moral and honorable reason is there for not making this change right now? What moral and honorable reason is there for fighting to keep the same old failing system?

John Conlin (johnconlin@endthedevelopmentplantation.org) is a management consultant who lives in Littleton, Colorado. He is founder of End The Education Plantation.
By Paul Kengor

There’s an intense debate right now over Common Core, a major effort to implement national education standards in public schools nationwide. So far, these education goals and corresponding national tests have been adopted by 45 states and the District of Columbia.

Though it isn’t my area of expertise, I’ve received numerous impassioned emails on the subject. Among them, one person’s concerns particularly struck me.

This person is an education expert. She is thoughtful, serious, and no foe of public education. Her concerns especially hit home given current fears over privacy intrusions by the federal government. Those fears have swirled around the National Security Agency, Justice Department, and Internal Revenue Service. But they don’t end there. There are potentially serious privacy problems involving Common Core, which likewise relate to data collection, dissemination, and use.

My friend hopes to at least help kindle some public awareness of this reality.

Forget the Parents

“The portion of Common Core that I believe is most important for raising public awareness,” she writes, “is the changes to the FERPA regulations, which have greatly expanded who has access to student data.” FERPA is the Federal Education Rights and Privacy Act of 1974.

The Obama administration changed FERPA in a way that leaves (some believe) parents uninformed as to how their children’s records are shared. “Parents seem totally unaware of what data is being collected,” she adds. “In Pennsylvania it is collected under something called the PIMS system, but in other states it has different labels.”

There’s more. There’s also the problem of a rise in “outside vendors and providers to manage student data—again, without parental consent.”

Rise in Data Collection

How would this happen?

For starters, Common Core includes a heavy testing component, which collects a great deal of student data. Coupled with this heightened data collection is the prevalence of so-called “longitudinal state reporting systems.” The federal Race to the Top initiative encouraged states to create “robust data collection systems.” These systems were touted as a mechanism to provide school districts, state governments, and federal policymakers with more data to analyze trends in student achievement and improve education efforts.

Although this might seem benign, my friend notes, we cannot ignore the sheer volume of data that will be collected and how that data might be misused. For instance, most parents have no idea that their child’s “personal information” includes not just test scores but Social Security numbers, attendance records, records of interaction with school counselors, identification of learning disabilities, and even disciplinary records.

All of this is being collected.

Where’s the Oversight?

Yet because such enhanced data collection exceeds the resources of many districts and states, schools will be forced to contract for service to corporations that collect, manage, and store such data—and possibly share it. In other words, outside data managers must be employed to maintain this personal data on your kids. Is there any level of oversight to ensure this data is protected from hackers, data-mining companies, and social engineers?

My friend writes, “This trend of data collection relates to changes in the FERPA regulations by the Education Department in 2012. These changes, made without congressional approval, now allow third party access to student data without the consent of parents. For example, vendors, seeking to market particular products, can access this data.”

Religious Schools Not Exempt

And there’s still more, relating specifically to private religious schools. My friend adds, “One particular concern that I think speaks to Catholic interests is the rush on the part of some dioceses (and other private schools) to adopt the Common Core and buy into the assessments connected with such systems (and as such the data collection).”

Indeed, the Catholic press is hot on this issue, realizing the distinct impact Common Core can have on Catholic schools—the nation’s largest segment of private/religious schooling. Nationwide, groups of Catholics have sprung up in protest. The National Catholic Education Association hasn’t endorsed the standards, but it is helping Catholic schools prepare for implementation.

Perhaps most troublesome, all of this derives from federal/national influences, even as Common Core is instituted within states. As my friend notes, “the push for the adoption of the state longitudinal data systems and the Common Core assessment collection all stem from national influences. Certainly, the changes in FERPA were undertaken through the U.S. Department of Education.”

My friend sums up: “I find the level of data collection on individual students to be excessive, and the transparency … to be lacking.” Such data collection methods “put the federal government in a position to track student achievement in ways that have been previously unavailable due to the sheer size of data mining, and have been (until recently) safeguarded by privacy regulations. As an educator I care deeply about the ability for our nation’s school children to achieve high levels of learning, yet I believe the decisions for student learning are best accomplished at the classroom and school level, not the federal level.”

We’re facing, in essence, unchecked data collection as part of a significant and sweeping federal educational mandate. Are we ready for this, and its repercussions?

My friend pleads for some “public awareness and dialogue in this area.” Who could object to that?

Paul Kengor (pgkengor@gcc.edu) is professor of political science at Grove City College.
Don’t just wonder about global warming.

Understand it.

The most widely cited authority on the causes and consequences of climate change is the United Nations’ Intergovernmental Panel on Climate Change (IPCC). But this political entity is biased toward finding a human role in climate change and exaggerating its consequences. To truly understand climate change, you need a second opinion from an independent group of scientists committed to only one thing: finding the truth.

The Nongovernmental International Panel on Climate Change (NIPCC), started in 2003 by Dr. S. Fred Singer, one of the world’s most distinguished climate scientists, has produced a series of scientific reports exposing the IPCC’s errors and omissions. This international team of respected scientists concludes global warming is not a crisis.

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