Tennessee Science Teachers’ Academic Freedom Guaranteed

By Joy Pullmann

By a three-quarters majority, Tennessee legislators passed a bill to allow public school teachers to explain the strengths and weaknesses of scientific theories such as evolution and global warming.

Gov. Bill Haslam (R) allowed House Bill 368 to pass into law without his signature, to emphasize his opposition, he said, because the legislature could override a veto. It passed the House 72–23 and the Senate 25–8 as Senate Bill 893.

‘Newspaper of Record’ Displeased

The New York Times and Washington Post smacked legislators, saying the bill promotes “pseudoscience.”}

South Carolina School Choice Bill Passes House, Faces Uphill Senate Battle

“IT’S ALMOST NOT WORTH THE EFFORT. A DEDUCTION IS FAR WEAKER THAN A CREDIT. SURE, IT’S NICE, BUT IT’S REALLY NOT THAT MUCH HELP.”

By Whitney Stewart

A bill offering South Carolina parents education tax credits and allowing tax credit scholarships passed the House March 29—a first for any such measure since school choice became key to the Republican agenda in 2004.

With a 62–38 vote, the bill now awaits discussion by the Senate’s Finance Committee. It likely faces an uphill battle through the Senate.

“The options should be broader than the local public schools and the legislature is recognizing that not every student fits into the public schools,” said Julie Shumpert, membership director for the South Carolina Association of Independent Home Schools.

School choice legislation has been raised in the state nearly every year since 2004 and has remained largely a party-line issue. That’s not the
South Carolina Considers Major Charter Legislation

By Whitney Stewart

The South Carolina legislature voted to merge two versions of a bill that could increase the number of public charter schools in the state.

Key to House Bill 3241 are measures that would diversify the types of sponsoring organizations, launch a loan program, and allow greater flexibility in charter school course and extracurricular offerings.

“Superintendent Mick Zais is convinced one size does not fit all in education,” said Jay Ragley, a South Carolina Department of Education spokesman.

In a state that historically has struggled against poor student achievement, he said, increasing experimentation in education creates a better chance of developing strong programs.

“Public charter schools are a way we can offer options to parents and to students—they’re a win-win for everyone involved,” Ragley said. “If they don’t meet the performance objectives in their charter, they close.”

Diversifying Sponsorships

This is the third major iteration of charter school legislation in the state since the alternative to traditional public education was legalized there in 1996. This year 17,000 South Carolina students are enrolled in 47 charter schools. Of those schools, 34 are sponsored by local school districts and 13 are part of the statewide charter school district, which includes both bricks-and-mortar and virtual schools.

The bill would add a third funding source: independent sponsors. Proponents hope diversifying sponsor types would encourage universities, among others, to create charters as live teaching labs for education students, Ragley said.

Financing, Extracurricular Options

Under current law, charter funding sources may not pay for facilities. Charter schools often find and convert space in strip malls, churches, or office buildings.

The legislation would create a loan program enabling charters to accept federal, or more likely private, funds to pay rental and maintenance costs for school space.

“Charter schools are public schools; therefore, the students who are choosing to attend should have the same access and opportunities to facilities and a positive learning environment,” said Stephanie Grisham, spokeswoman for the National Alliance for Public Charter Schools.

Currently, South Carolina online students can participate in community or private extracurricular activities but not in public school programs. The bill would allow charter students to try out for sports team or take music classes at nearby traditional schools.

The legislation also would permit single-gender schools. Currently, schools may offer single-gender classes only if they also offer coed classes.

Whitney Stewart writes from Minnesota.
Bill Guarantees Academic Freedom for Tennessee Science Teachers

Continued from page 1

3,200 people had signed a petition sent to Haslam requesting a veto. “A lot of people used this bill as an opportunity to spew forth their venom and hate towards religion,” said bill sponsor and state Rep. Bill Dunn (R-Knoxville). “The bill doesn’t do anything but tell teachers, ‘As long as you stick with scientific, objective facts you’ll be okay.’”

Approximately 15 states have introduced academic freedom legislation recently, said Casey Luskin, a policy analyst for the Discovery Institute, which offers a model bill Tennessee legislators consulted.

“The Darwin lobby’s main goal is to censor anything that opposes their views of science,” he said. “As soon as they see a policy that would enable teachers to make scientific criticisms, they immediately launch campaigns to scare the public, often with false claims like that the bill would allow teaching religion.”

Allowing Scientific Debate

The two-page bill uses straightforward language to clarify what teachers can teach and to convey its intent to allow scientific debates to enter classrooms.

“Teachers shall be permitted to help students understand, analyze, critique, and review in an objective manner the scientific strengths and scientific weaknesses of existing scientific theories covered in the course being taught,” it reads, specifying evolution, global warming, cloning, and the origins of life as examples of such theories.

The bill also states it shall not be construed as either promoting or discriminating against religion.

“Teachers, when they have to deal with some of these subjects that can be controversial, are not sure how to handle it,” Dunn said. “Sticking with objective, scientific facts helps that. It also allows others to bring in ideas that are objective, scientific facts that the other side doesn’t want anyone to hear.”

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BILL DUNN, STATE REPRESENTATIVE
KNOXVILLE, TENNESSEE

“Academic freedom is integral to the scientific process,” Luskin noted. “If you don’t have the freedom to challenge prevailing dogmas, you can’t advance. Every scientific advance we’ve made [has come from] academic freedom and the right to think for yourself and see whether the evidence supports the consensus.”

Joy Pullmann (jpullmann@heartland.org) is managing editor of School Reform News and a research fellow in education policy at The Heartland Institute.
Deal with Union Clears Way for Cleveland Overhaul

By Casey Cheney

Cleveland Mayor Frank Jackson has reached a compromise with the Cleveland Teachers Union on his sweeping education plan to reorient the troubled district around school and teacher performance.

To get CTU support, Jackson scrapped a plan provision requiring the Cleveland Metropolitan School District (CMSD) and labor unions to renegotiate without carrying over terms from previous contracts. The measure was intended to increase collective bargaining flexibility in a district that had the second most restrictive contracts of the nation’s 50 largest school districts, according to a 2008 Fordham Institute study.

"[Jackson and the CTU] didn’t completely renegotiate the contracts, but they removed many of the major impediments to reform," said state Sen. Peggy Lehner (R-Kettering). Cleveland schools CEO Eric Gordon "felt he had the tools he’s going to need to move forward," Lehner said.

The Ohio Senate and House of Representatives will likely vote this week on the Democratic mayor’s legislation, which Republican Gov. John Kasich supports.

High Costs, Poor Performance

More than 30,000 students have left the school district in the past decade. The district currently has 44,362 students. Eighth-grade students in Cleveland have average National Assessment of Educational Progress scores of 240 in reading and 256 in mathematics; the national averages are 264 and 286, respectively.

Fifty-five percent of Cleveland schools fail to meet the state’s minimum academic requirements, according to a report prepared by the mayor’s office.

The abysmal performance of CMSD schools isn’t for lack of funding. Total CMSD expenditures stretched well above $900 million, or $11,619 per pupil. That’s $1,800 more than the per-pupil public school average in Ohio and nearly $1,500 more than the national public school average.

CMSD also faces a $65 million deficit in 2012–13—more than 10 percent of its current operating budget—and an estimated $40 million deficit in 2013–14, according to the mayor’s report.

Accountability Provisions

Under Jackson’s plan, performance will outweigh tenure in teacher layoff decisions. Schools will be accountable for performance standards, and the most successful—Transformation Schools—rewarded with the most autonomy. Gordon will have the power to fire ineffective teachers.

Each year, the CMSD will target the worst-performing 10 to 15 percent of schools, which will likely face closure and student reassignment or a change of hands to a charter operator. Learning time in all schools will be increased on a year-round calendar, with Transformation Schools allowed to adjust the calendar according to their needs.

"So many of our children lose so much over the summer months. I am thrilled from an academic perspective about that," said state Sen. Nina Turner (D-Cleveland).

The reform emphasizes public schools’ cooperation with high-performing charter schools. Among other things, charters will be allowed to receive money from a proposed levy the public will vote on this November.

“We have to stop looking at [whether students are] from a parochial school, charter school, or traditional school. We should be sharing money, as far as I’m concerned.”

NINA TURNER
STATE SENATOR
CLEVELAND, OHIO

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Frank Jackson
Mayor - Cleveland

Peggy Lehner
State Senator - OH

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Giving charter schools equal funding and access to school levies is rare across the nation and so far nonexistent in Ohio, said Terry Ryan, a vice president at the Thomas B. Fordham Institute.

Bipartisan Bills in Legislature

Jackson’s plan has earned bipartisan support, introduced as Senate Bill 325 by Turner and Lehner and House Bill 506 by state Reps. Sandra Williams (D-Cleveland) and Ron Amstutz (R-Wooster).

The bipartisanism has been a welcome change after last year’s tumultuous battle over education reform concerning Senate Bill 5, which limited collective bargaining and was overturned by a voter referendum.

With CTU’s support and the promising results other school districts have had with similar “portfolio plans,” legislators hope to pass the bill quickly, Lehner said.

“The superintendent is anxious to start addressing many issues in the schools themselves,” she said. “People need to see changes taking place, or they won’t believe quality is going to improve.”

Reforms will start long before the levy comes up for vote, which Lehner said will require some large but temporary cuts in funding.

“Those things they can do without spending money, they’re going to do,” she said.

Casey Cheney (caseycheney@gmail.com) is a writer and graduate of Hillsdale College.

INTERNET INFO

Cleveland Schools reorganization plan: http://webapp.cleveland-oh.gov/aspnet/moc/ClevelandPlanFinal.pdf
Arizona Governor Vetoes Expansion of Education Savings Accounts

By Lindsey Burke

Arizona Gov. Jan Brewer vetoed a bill expanding the state’s first-in-the-nation education savings accounts, charging the education choice program skews “a competitive market.”

The veto “surprised most legislators,” who expected the Republican governor to approve the expansion as she had the original program, said Jonathan Butcher, director of education policy at the Goldwater Institute. Legislators have made plans to adjust the expansion’s funding and coordinate with the governor’s office for another effort.

“We are hopeful that we’ll see an expansion this year,” Butcher said.

The vetoed bill would have extended the school choice option to children with a military parent, gifted children, and children trapped in schools labeled as “D” or “F” on the state report card.

In her veto message, Brewer called on state legislators to approve a state budget before making other financial changes such as the ESAs, noted Arizona public schools are funded on the previous year’s student count, and raised concerns over double-counting students because of this.

Transformative Design

In 2011, Arizona implemented the first ESA, creating accounts that deposit 90 percent of what a special-needs student’s school would have spent to educate him or her into an education savings account. The child’s parents can then use the money for private school expenses, special-education services, online learning, and other education-related expenses.

“A lot of people may be watching states like Louisiana and Indiana, and for good reason—the voucher programs there will be the nation’s most expansive. But the Empowerment Savings Accounts in Arizona had the potential to be the most sweeping, not least because the state would have empowered families to choose from so many services besides a private school,” said Adam Emerson, director of the Thomas B. Fordham Institute’s Program on Parental Choice.

ESAs can help parents customize an education for every child, Butcher said, “so it’s critical that we expand the eligibility provisions.”

Competing to Offer Choice

For Arizona to keep up with education policy innovations around the country, expanding ESA eligibility to students in failing schools “is just the beginning,” Butcher said.

“Indiana and now Louisiana have made school choice a central tenet of system-wide reform, not just for limited interventions,” he said. “Arizona needs to do the same.”

Brewer’s veto shortchanges children in a state with low educational performance, Emerson said.

“Arizona could have been the model for more innovative trials in other states, but Brewer snuffed that opportunity,” Emerson said.

Expanding the program is imperative in ensuring more children have access to quality education options and in encouraging more states to expand school choice, he said.

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

Idaho Legislation Would Give Teachers Associations Equal Access

By Joy Pullmann

The Idaho House of Representatives passed a bill that would let teachers know they have both union and non-union options for buying professional liability insurance and legal employment protection.

Though the bill did not pass the required Senate committees fast enough to receive a vote before the session ended, the bill’s sponsor says he will bring it up again next year.

House Bill 694 amends a law passed in 2011 that attempted to do the same but ended up requiring each of the state’s 129 school districts to list every possible related insurance agency, leading to frustration for districts and confusion for teachers, said bill sponsor state Rep. Steven Thayn (R-Emmett). The new measure would have the state Department of Education compile a list each year of the associations offering teachers these services, and the associations would be required to request placement on the list. It would likely include three to five such groups.

“Last year the bill was written rather sloppily,” Thayn said. He said the rewrite takes the paperwork burden from school districts and eliminates insurance companies that don’t offer liability insurance specifically for teachers.

Most teachers don’t know unions are not the only professional association they can join that provides liability insurance and legal counsel in employment disputes, said Cindy Omlin, executive director of Northwest Professional Educators. NWPE is one of several union alternatives that offer similar professional affiliations and services without the political activism and required membership some teachers have said they dislike.

“There’s basically been a monopoly culture set up, with the union threatening school districts with unfair labor practice complaints and legal action if [districts] allow information in from, for example, our organization,” Omlin said. “So teachers are not getting the word that there are options.”

In recent years, membership in non-union educator associations has begun to grow, while membership in unions like the National Education Association and American Federation of Teachers has shrunk slightly. Educator associations offer insurance against parents suing a teacher for, say, not stopping bullying or if a teacher was nearby when a child was injured during play. They also typically offer legal advice and representation when a teacher believes he or she has been unfairly fired, or with similar employment disputes.

“Teachers want to be protected because education has become a very litigious environment. In the past there was basically the teachers union or nothing at all,” Omlin said.

NWPE dues are $198 per year. Idaho Education Association dues are approximately $600 per year. Most teachers in the state who belong to a professional teaching organization are IEA members.

Joy Pullmann (jpullmann@heartland.org) is managing editor of School Reform News and a research fellow in education policy at The Heartland Institute.
Duncan Floats ‘Bizarre’ No Child Waivers for Districts

By Lindsey Burke

After offering 16 states waivers of No Child Left Behind requirements in exchange for implementing policy changes he prefers, Education Secretary Arne Duncan publicly floated the idea of offering similar waivers to individual school districts in states that do not receive or apply for them.

Many states have yet to apply for a waiver, and several, including Texas and California, have rejected the offer outright, arguing the federal strings associated with the waivers would cost too much and codify too much control to the federal government.

In a March interview, Duncan said the U.S. Department of Education could offer waivers to school districts in “less functional” states. A DOE spokesman said the department is currently offering no further details.

“[District waivers] are a bizarre notion and represent a really troubling trend,” Hess said. “I think the department really does start to turn the Secretary of Education into the nation’s superintendent.”

While Duncan could claim vestiges of precedent for his state waivers, this is truly unprecedented,” Hess said. “It really does start to turn the Secretary of Education into the nation’s superintendent.”

‘Shattered Rule of Law’

Individual district waivers would be legally impossible, said Neal McCluskey, associate director of the Cato Institute’s Center for Education Reform.

“Legally, school districts are creatures of states, not the federal government, so Washington issuing waivers to districts would violate the Constitution,” he said. “But federal education laws are already a gross violation of the Constitution—there is no enumerated education power—making this just another step away from the already shattered rule of law.”

A better option, McCluskey said, would be to eliminate federal intervention.

“At the very least,” he said, “let states that declare they want to run their own systems keep the taxpayer money that would otherwise have gone to Washington.”

Increasing Paperwork

District waivers also would stretch school districts’ already limited capabilities, Hess said.

“Not only would this create an enormous paper burden for local districts, but it would ensure that leadership time and energy, which is already at a premium, would be narrowly focused on appeasing [the Education Department’s] demands,” Hess said.

Instead, Hess said, the federal government should “scour” federal law and regulations to find and eliminate already burdensome requirements on school districts.

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

Georgia Voters to Consider Charter School Constitutional Amendment

By Ashley Bateman

This fall, Georgia voters will decide on an amendment to the state’s charter law that would allow charter schools to be created without being subject to a school district veto.

The amendment comes in response to a state supreme court decision in 2011 that dissolved the state’s Georgia Charter School Commission, a state body with authority to approve charters, saying it represented an unconstitutional intrusion into local control of education.

The amendment would reestablish state authority to approve non-district charters.

Repressing the Competition

Until the commission was established, start-up or independent charters were practically nonexistent in Georgia, while traditional public schools were creating conversion charters annually.

“The law, up until a few years ago, only allowed a local school system to charter a school. ... [S]tart-up charter organizations came to legislators and said we need another authorizer because the local system won’t approve us.”

Chip Rogers, State Senator, Woodstock, Georgia

Few Standalone Charters

Since the 2011 Georgia Supreme Court decision to dismantle the commission, school districts have approved only three non-district charter applications.

“This was like an alarm being sounded,” Roberts said. “Districts were signaling that unless they ran the charter school as a conversion or as a charter system, they were getting a lot more resistant.”

The state currently has more than 200 charter schools, 62 of which are independent. Georgia law provides guaranteed funding for school districts even when students leave for a charter.

Amendment Passage Likely

The amendment is likely to pass without difficulty, said Kelly McCutchen, president of the Georgia Public Policy Foundation. “People have seen the success of charter schools,” he said. “They have a diverse student body and provide some needed alternatives.”

The state’s Annual Yearly Progress rating and National Assessment of Educational Progress scores underlie the success of Georgia charters. Charter students scored about 20 percent higher than those in traditional public schools on AYP, and a few percentage points higher on NAEP.

Georgia voters understand the state has had a poor education system for decades, Rogers said.

“You’d be hard-pressed to find a group of parents to rise up and say, ‘Let’s stop these charter schools,’” Roberts said.

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

PODCAST INFO

By Vicki Alger

A new survey finds huge majorities of teachers are satisfied with their jobs and embrace limiting tenure, more rigorous evaluations that include student achievement growth as a measure, and ending last-in, first-out hiring and firing practices.

Primary Sources 2012: America’s Teachers on the Teaching Profession is the second survey of teachers’ opinions by Scholastic and the Bill & Melinda Gates Foundation. The 2012 report surveyed more than 10,000 pre-K-12 teachers and is considered the largest national teachers survey.

“Primary Sources tells us teachers want stronger curricula that relate to the real world, and they welcome accountability that’s done thoughtfully and fairly,” said Vicki Phillips, director of education for the Bill & Melinda Gates Foundation. “When it comes to evaluations, teachers know what’s good for students is good for them, too: multiple measures of their performance and consistent feedback to help them improve.”

The results demonstrate teachers, far from viewing education reform with suspicion, “are embracing key reforms like never before,” said Alix Schroek, communications manager for the Association of American Educators (AAE), the fastest-growing national non-union teachers association.

Talent, Not Time Served

Ninety-two percent of teachers surveyed said tenure should not protect ineffective teachers, and 80 percent said tenured teachers should be regularly reevaluated. Eighty-five percent supported using student achievement growth as an evaluation measure.

Most states award tenure after just three years. Thirty-nine percent of teachers said tenure should be granted after five to 10 years of teaching, 15 percent said it should be after 10 years, and another 7 percent said tenure decisions should not be based on teaching time at all.

“People really want to examine tenure more,” said Scholastic Vice President Francie Alexander. “Nobody wants tenure to protect teachers who aren’t good.”

The survey found 74 percent of teachers think layoffs should be based on many factors, not just seniority—which matches AAE’s 2011 member survey results.

Teacher Support for Key Reforms

Tenure & Seniority

92% say tenure should not protect ineffective teachers
74% say seniority should be one of many factors affecting layoffs
14% say seniority should be the only factor affecting layoffs
39% say tenure should be granted after five to 10 years of teaching
15% say tenure should be granted after 10 years of teaching
7% say tenure decisions should not be associated with years of teaching at all

Teacher Evaluations

85% say student achievement growth is the most important measure of their performance
95% say formal principal observations and reviews should happen annually
80% say tenured teachers should be regularly reevaluated

Merit Pay

75% say salary is important to retaining good teachers
16% say performance pay helps retain good teachers
70% say monetary rewards for improving student achievement affect teacher retention

Less Enthusiasm for Merit Pay

Teachers largely agreed higher salaries would help teacher retention, with 75 percent of respondents saying they are essential or very important, but only 16 percent of respondents said merit pay would help keep good teachers. Just 26 percent of teachers said merit pay would have a strong or very strong impact on student achievement.

Supportive school leadership and family involvement were ranked most important in terms of teacher retention.

High Job Satisfaction

Survey respondents indicate job satisfaction is high among teachers, with 89 percent saying they are satisfied or very satisfied with their jobs. Sixteen percent of teachers said they planned to leave the profession, compared to 29 percent of teachers in a recent MetLife Survey of the American Teacher.

“Studies like these are critical in promoting needed change in our system,” said Schroek. “Teachers are on the front lines in American classrooms and deserve a voice in implementing these policies.”

Vicki Alger, Ph.D. (vicki@vickialger.com) is a senior fellow at the Independent Women’s Forum. She is also a research fellow at the Independent Institute in Oakland, California, working on a book examining the history of the U.S. Department of Education.
Retired Ill. Teachers May Pay Price of State Insolvency

By Vicki Alger

A confidential memo from the director of Illinois’ largest state pension system said decades’ worth of unfunded liabilities may require the state to cut benefits for current and retired teachers.

With the state currently owing $43 billion to the fund, Illinois Teachers Retirement System Director Dick Ingram cited forecasts predicting the pension fund could be insolvent by 2029.

“If that is the case, the only other option available that would significantly change the amount owed is to reduce past service costs for active members and retirees,” Ingram wrote in the memo, obtained by the State Journal-Register. In a subsequent interview, he said, “I’m really stuck. I have to say that the math is not trueing up with what is constitutional or fair or earned or whatever else.”

A 1995 law requires the state to bring pension funding up to 90 percent by 2045. Ingram recommends scrapping Illinois’ current law and following Ohio’s lead by raising the retirement age, increasing member contributions, and reducing annual cost-of-living adjustments from 3 percent to 2 percent.

“What we’re saying is that the number is so bad that you have to start having those conversations,” Ingram said.

Coming to Terms

There is growing consensus Illinois’ teacher pension system must be fixed, “a huge change of position” from past thinking, said Collin Hitt, senior director of government affairs for the Illinois Policy Institute.

Two years ago, he says, studies by Northwestern University, Carnegie Mellon, and Boston University showed Illinois’ teacher retirement fund was going broke. Yet officials sought to discredit those findings rather than reduce the lavish benefits, he said.

An Illinois teacher who retired in 2010 after 30 years of service, for example, receives a starting annual pension of $60,000 with annual raises, Hitt said.

“This is an extremely generous benefit continued at taxpayer expense,” he said.

Difficult Solutions


Illinois Education Association lobbyist Will Lovett says altering retirees’ benefits is unconstitutional. “That is crystal clear,” the teachers union representative said.

Yet the state cannot afford to raise taxes enough to make the teacher fund solvent, says George Clowes, a senior fellow in education policy for The Heartland Institute, which publishes School Reform News. That would bring state per-pupil funding to more than $14,800, among the highest in the country, he said. Teacher pension costs would account for 15 percent of that amount, more than $2,200.

Both Clowes and Hitt say Illinois’ 3 percent annual cost of living increases for retirees must be reduced, but that is only the first step.

‘Nobody’ Paying Their Share

“Legislators will have to consider other options, too,” said Clowes, “including raising the retirement age, requiring higher employee contributions, and converting the system from a defined-benefit system to a defined-contribution system.”

Defined-benefit systems state what percentage or dollar figure in real dollars an employee will continue to receive for the entirety of retirement, which now averages more than 20 years. Defined-contribution systems pay back what employees and employers have saved up for the employee during his or her employment. The latter are similar to 401(k)s, whereas the former are standard post-World War II-type pensions.

“Nobody is paying their own share [of retirement],” Hitt said. A return to fiduciary responsibility is critical to real reform, he continued.

“While legislators have been only too willing to vote for increased benefits for teachers and other government employees, they have been unwilling to exercise their corresponding fiduciary responsibility to adequately fund those benefits,” said Clowes.

“I fail to see why current taxpayers should be asked to foot the cumulative pension contribution bill for two decades of nonfeasance by Illinois legislators,” he continued. “Everybody should fund his or her own pension, especially if that pension is greater than that provided by Social Security, which is certainly the case for most teacher pensions in Illinois.”

Vicki Alger, Ph.D. (vicki@vickialger.com) is a senior fellow at the Independent Women’s Forum. She is also a research fellow at the Independent Institute in Oakland, California, working on a book examining the history of the U.S. Department of Education.

Idaho Kids Can Graduate High School Halfway Through College

Idaho’s governor signed a bill allowing high school students to graduate with up to two years of college credits.

The sponsor of House Bill 426, state Rep. Steve Thayn (R-Emmett), said his daughter inspired the measure. She will graduate early with college credit through an existing program few students knew about because school counselors did not publicize it.

“My youngest daughter has been my guinea pig,” Thayn said. “I realized through her experience this is something everybody could do.”

The “Eight in Six” program will allow students in seventh through 12th grade to move more quickly through their coursework by taking extra classes online over the summer and during the school year so they can dual-enroll in college classes in their junior and senior years of high school and head to college with it already half-completed.

Funding is already allocated through the state-sponsored Idaho Digital Learning Academy. In the first three years, program enrollment is limited to 10 percent of students in the state.

“It extends the school year without the expense of running buses and whatever else,” Thayn noted.

— Joy Pullmann

LEARN MORE

Rep. Thayn talks about the early graduation program: http://www.youtube.com/watch?v=-NW1cioc_Go
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President Obama Aims to Shift National Testing Focus

By Ashley Bateman

In his $70 billion 2012 budget request for the U.S. Department of Education, President Barack Obama seeks to reduce funding for the nation’s top education comparison test, the National Assessment for Educational Progress, by $6 million.

“The money isn’t going back to the taxpayers, though. The president is requesting the same amount for a pilot program states could use to tie state tests to the Program for International Student Assessment (PISA).”

It’s debatable whether shifting to PISA is an improvement over the status quo, said Jonathan Plucker, director of Indiana University’s Center for Evaluation and Education Policy. Though international testing data are important in evaluating U.S. education, PISA may not be the best indicator, he said.

“We already have really good international data,” he said. “NAEP is one of the best tests in the world, and they keep investing a lot of time, talent, and money in making it even better. Anything that could potentially harm that, I’m not sure is in the country’s best interest.”

Politically Influenced Budgeting

PISA surveys 15-year-olds from more than 70 industrialized countries every three years under the assumption most have completed their compulsory education. PISA tests reading, math, and science literacy, requiring students to answer both multiple choice and independent reasoning questions.

However, “There are clearly ideological biases built into PISA,” said Mark Schneider, former commissioner for the National Center for Education Statistics. “It is clearly a European-dominated test. It’s a legitimate, reasonable test, but the biggest problem is that we think that there’s more in it than there really is. The current administration puts way too much stock into the kinds of lessons we could learn from PISA.”

The Obama administration may view the popular PISA as a smart political move during a campaign year, Plucker said, though the line item is likely to garner little attention.

“They’re trying to appear fiscally conservative, so we’re going to add this sexy new comparison, but to do this we have to cut from somewhere else,” Plucker said.

U.S. Losing Its Advantage

U.S. educators and policymakers are rightly concerned how quickly international students are outstripping Americans in an increasingly global economy.

“We live in a global world, and we need to think about competing with more than just the states next door, but there’s way too much emphasis on the lessons we could learn from PISA, which are limited,” Schneider said.

According to the Organization for Economic Cooperation and Development’s 2011 data, the U.S. has a high percentage of college-educated individuals, but due to the “rapid expansion of tertiary education both in the industrialized world and in emerging economies, the U.S. is fast losing its advantage.”

“The United States actually spends more per student than any other country in the world with one or two possible exceptions, and it’s not in the top dozen in PISA results,” said Herb Walberg, a fellow of the Hoover Institution and policy advisor to The Heartland Institute, which publishes School Reform News.

“The United States is not going to continue to lead the world if it’s backward [in education].”

Better Alternatives

One technical problem with shifting to PISA is comparison basis. In the United States, 15-year-olds are found in multiple grades. Another global test, the Trends in International Mathematics and Science Study, samples by grade instead of age.

“TIMSS translates into policy interpretation a lot better,” Plucker said.

“We’ve learned a lot when states have taken TIMSS, and at least three [Indiana, Massachusetts, and Minnesota] have done that. At the same time, NAEP and TIMSS are fairly similar.”

Walberg says the discretionary $6 million could be better spent to calibrate NAEP to PISA for “universal scales,” and that a stronger focus on state tests and privatization should be priorities.

“Not only do we have terrible test scores, but probably a very sizeable amount of cheating,” Walberg said. “Instead of PISA or NAEP, I would strongly favor private organizations doing the testing and certifying the results.”

That would be analogous to the process in law and medical school, he said, where students must take a test independent of their school to graduate.

“Keep it in the private sector where you have more entrepreneurship and firmness,” he said.

Ashley Bateman (bateman.aa@gmail.com) writes from Williamsburg, Virginia.
By Casey Harper

Holding kids back in school is actually better for them in the long run, according to a new study with policy implications.

The study compared groups of third-graders under Florida’s test-based promotion policy and found held-back students outperformed their passed-forward counterparts on standardized tests every single year into seventh grade.

Conducted by Marcus Winters, a Manhattan Institute for Policy Research senior fellow, the study comes at a pivotal point in the increasing debate about requiring schools to hold back students who cannot perform grade-level work by the end of third grade. Thirteen states have passed or are considering such legislation this year.

“A lot of states are thinking about replicating what Florida has done,” Winters said. “We can say with very high confidence that Florida’s policies had a very large, positive effect on students, so replicating what Florida has done seems like the best option here.”

**The Florida Model**

Florida’s policy mandates third-grade students pass a state literacy exam. Unless their superintendent intervenes, students who fail are retained one year, in which they receive a state-rated high-quality teacher and undergo remediation.

Under the policy, Florida fourth-graders went from scoring the fifth-lowest in the nation on the National Assessment of Educational Progress’s reading exam to eighth-highest. In addition, the number of students coming into third grade who need retention and remediation dropped.

“This policy is benefiting the kids who are actually retained,” said Matthew Ladner, a senior researcher for the Foundation for Excellence in Education. “But the larger context of the policy shows that it has been a radical success because it has encouraged schools to focus on teaching kids how to read in the first place.”

**Creating More Reliable Research**

The study quotes a representative critic, Arizona State University professor David Berliner, saying, “It seems like legislators are absolutely ignorant of the research, and the research is amazingly consistent that holding kids back is detrimental.”

Winters responds most previous research is outdated and unreliable because it fails to take into account factors such as a student’s maturity level or home environment.

“A lot of the policy debate has been centered around very low-quality research, so my hope with this study is to provide a rigorous evaluation of the policy that many states are pointing to when they are considering whether to adopt these test-based promotion policies,” Winters said.

Critics also claim holding a student back can be socially traumatic, but lacking academic skills contributes to that feeling far more, Ladner said.

“What really happens with these kids is that they don’t learn to read and they get passed on grade to grade and fall farther and farther behind each year,” Ladner said. “You wind up with an eighth-grader who can’t read a science textbook, and these kids know instinctively that they’ve been given the short end of the stick. The bottom line is, learning how to read is actually good for your self-esteem.”

Casey Harper writes from Hillsdale, Michigan.
Maine Legislature Cool to School Choice Bills

By Ben DeGrow

A pair of school choice initiatives backed by Maine’s governor has received a cold legislative reception, including the demise of a proposal to open the state’s publicly funded tuition program to religious schools.

Two of four education bills supported this year by Gov. Paul LePage (R) would expand Maine parents’ power to select different education options for their children. Neither has been able to secure a majority of votes, but the state’s unusual legislative procedure keeps one of the choice measures in play for now.

“The governor’s initiatives are good,” said Kenneth Capron, CEO of the Maine Policy Institute. “It’s all about getting money to follow the child.”

Rewritten in Committee

Legislators have not responded favorably, however. The House Education Committee overhauled Legislative Document 1854, which originally was written to allow students to take state education dollars to nonresidential public school districts or approved private schools.

Twelve of 13 committee members voted instead to convene a task force to draft school choice proposals legislators could consider in 2013. The committee’s other member backed a version of open enrollment that excluded private schools. Under Maine legislative rules, the full House could have adopted the majority report, minority report, or the full House could have adopted the task force’s other member backed a version of LD 1854, enabling parents to take funds directly to an approved “open enrollment” private school.

“We are certainly encouraged by the fact that all members of the committee see the need to do some sort of school choice legislation,” said Maine Department of Education spokesperson David Connerty-Marin.

Religious Choice Rejected

The defeat of the governor’s other school choice measure has been sealed. LD 1854, a companion to LD 1854 that would have restored religious schools’ eligibility to participate in Maine’s town tuitioning program, was rejected in both chambers.

Since 1873, Maine’s tuitioning program has granted rural towns the ability to direct local and state education tax dollars to private schools. According to the Friedman Foundation for Educational Choice, private schools in the program served more than 5,000 students in 2010. In 1981, the Maine legislature excluded religious schools from participating, a provision twice challenged unsuccessfully in state courts.

“The legislature should address the court’s decision,” Capron said. But he also said the choice initiatives suffered from insufficient outreach. “There has been little or no effort to educate the public about these issues.”

Local Pushback

Private schools could bypass the town tuitioning program altogether to receive public funding, under the original version of LD 1854, enabling parents to bypass their community’s decision and take funds directly to an approved “open enrollment” private school. But the desire to keep local taxes within school district coffers has fueled some opposition.

“I don’t think that any state capital should tell local taxpayers what to do with locally generated taxpayer dollars,” said James Morse, superintendent of Portland Public Schools.

Portland’s 7,000 students make its school system the largest in Maine. Eighty percent of the property-rich district’s revenues come from local tax sources, more than five times the amount of state dollars it receives.

Under current law, a student may transfer to a school district outside his or her area of residence if the superintendent of both the outgoing and receiving districts sign off on the enrollment change. Morse says he approves requests “99 percent of the time,” but he acknowledges it can be “pretty common” for superintendents in less-populated parts of the state to deny a transfer.

Taking Stock

Despite his concerns about the school choice initiatives, Morse favors much of the governor’s education agenda and lauds the state’s appointed schools chief, Stephen Bowen.

“The commissioner is doing a good job articulating the issues that affect Maine’s children,” he said.

LePage introduced two other education initiatives to the legislature in 2012. Proposals to increase access to vocational education alternatives and to tie teacher evaluations more closely to student achievement moved forward with less controversy.

Despite the cold reception to more significant school choice proposals, state officials are not ready to concede defeat on both initiatives.

“We’ll have to take stock and decide what to do next,” Connerty-Martin said.

Ben DeGrow (ben@i2i.org) is senior education policy analyst for the Independence Institute, a free-market think tank in Denver, Colorado.

New Hampshire, Virginia Pass Education Measures

The New Hampshire House sent Gov. John Lynch (D) a bill that would give tax credits to businesses for 85 percent of their donations to nonprofit scholarship funds. House Bill 1607 would make New Hampshire the ninth state to offer the business credit.

The scholarships, which must average $2,500, would go to parents who want to send their child somewhere other than his or her assigned public school. To be eligible, a family must make less than 300 percent of the federal poverty level, or approximately $65,000 for a family of four.

“All families should have a choice in education, not just those who can afford to have one now,” said House Deputy Speaker Pam Tucker (R-Greenland).

Virginia became the latest state to require high school students take an online class to graduate, following Idaho’s requirement of two online classes and Florida’s requirement of one.

Gov. Bob McDonnell (R) signed the requirement into law with the expectation it would help students better prepare for “the job market of the twenty-first century,” spokesman Jeff Caldwell said.

— Staff Reports
Alternately Certified Teachers Outscore Counterparts

By Casey Cheney

The academic performance of alternatively certified teachers is as good as or better than the performance of those certified traditionally, according to a study of Florida data by Georgia State University economist Tim Sass.

Differences between the two are due largely to the type of applicant they draw, the study shows. Average SAT scores of alternatively certified teachers are 100 points higher than those of traditionally certified teachers. Graduates of the alternative-route American Board for Certification of Teacher Excellence (ABCTE) average 150 points higher.

While approximately two-thirds of traditionally certified teachers passed the math portion of the licensure exam the first time, almost all ABCTE teachers did, Sass found.

“One large caveat,” he said: Sass’s sample of ABCTE teachers is slightly fewer than 100. He is working to increase it.

The ABCTE graduates’ stronger showing is consistent with the organization’s internal research, said ABCTE CEO Albert Chen.

“It’s really nice to see a third-party corroboration of that data,” he said.

Liberalization Sparks Quality

On par with traditionally trained teachers in reading, ABCTE teachers’ performance in mathematics is “substantially better, on average,” the report says.

ABCTE requires online courses, then qualifying exams, rather than the extensive coursework in education required for traditional graduates.

“It’s attracting a different kind of person—one who has a degree in something other than education and doesn’t want to obtain additional coursework that wouldn’t transfer to other occupations,” Sass said.

More Content Knowledge

Whereas traditionally certified teachers major in education, graduates of ABCTE and other alternative certification programs more often graduate with degrees in the subject matter they will teach.

Sass notes alternatively certified teachers are more likely to teach middle and high school, instead of elementary grades, than traditional ed school graduates. That, he said, could account for some of the performance differences.

“One possibility is that content knowledge may trump [pedagogical skills] in older grades,” he said.

The average age of ABCTE applicants is 39, Chen said, so these “second-career” teachers have had 10 to 20 years of experience in their field before entering education.

“It’s not surprising that these programs are producing teachers who are really, really good at accomplishing greater student achievement in certain subject areas,” said Dr. Emily Feistritzer, president and CEO of the National Center for Alternative Certification. “Teachers are coming from actual career experiences in that field. People who have majored in that as an undergrad are more likely to leave the profession.”

Higher Retention Rates

Feistritzer dispelled a popular myth that alternatively certified teachers are more likely to leave the profession.

“The research is actually to the contrary,” she said, noting the retention rate after five years for alternatively certified teachers is 87 percent, much higher than for teachers straight out of an undergraduate education program.

Chen said ABCTE graduates stay because they are invested in the communities where they teach.

Casey Cheney (caseyrcheney@gmail.com) is a writer and graduate of Hillsdale College.

Choice Doesn’t Threaten Public School Finances, New Study Says

By Rachel Sheffield

School choice programs don’t threaten public school budgets, according to a new study by the Friedman Foundation for Educational Choice.

Opponents of school choice programs often contend allowing children to leave public schools will leave those schools with fewer resources to pay fixed costs, notes study author Benjamin Scafidi, an associate professor at Georgia College & State University.

“They’re saying that all costs of running a public school are fixed costs,” Scafidi said. “If that’s true, taxpayers should not give them any extra money when they get additional students. But of course the public education establishment doesn’t believe that.”

Scafidi analyzed public schools’ short-term variable and fixed costs. Fixed costs are overhead like buildings and heating bills. Variable costs such as books and staff can be trimmed more quickly. In the long run, he said, all costs are variable.

Most Costs Variable

His findings show U.S. average per-pupil public school spending is $12,450 per year. Over one year, he said, 36 percent of that amount is a fixed cost and 64 percent is variable.

If a student leaves, any dollar above the fixed cost of that student’s education is profit for the public school. In most choice programs, far less than 100 percent of per-pupil costs follow the child.

“In no other business in America do you get to keep money for customers you no longer serve,” Scafidi said. “Public education is the only enterprise in America that gets paid for customers they no longer serve.”

Focused and Productive

Research also shows school choice fosters improved academic achievement in public schools.

“The empirical studies consistently find school choice programs improve outcomes both for participants and public schools,” said Greg Forster, a Friedman Foundation senior fellow.

School choice gives participants the opportunity to find the right school to meet their needs and helps public schools by creating “healthy incentives to keep them mission-focused and productive,” he said.

Once a school choice program has been in place for a few years and surrounding public schools have adjusted enrollment, school choice programs can be expanded and given more equal funds, Scafidi said.

“In the long run, I would allow all money to follow the child,” he said.

Rachel Sheffield (rachel.sheffield@heritage.org) is an education research assistant at The Heritage Foundation.

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PODCAST INFO

Colo. Senate Panel Votes to Restrict Teachers Who Want to Leave Unions

By Joy Pullmann

A Colorado Senate Committee rejected a bill that would have ended the widespread practice of giving teachers approximately two weeks per year to end union membership. The measure had passed the House 33-32 on a party-line vote, with Republicans in favor.

House Bill 1333 would have required school districts to stop deducting union or teacher association dues from a teacher’s paycheck within 30 days of receiving a written request to do so. It also would have granted all professional teaching associations, not just unions, the ability to have dues deducted from member paychecks and required labor organizations to make annual disclosures to members about how their dues are spent.

“Teachers are paying union dues against their will,” said Tim Farmer, membership director for the Professional Association of Colorado Educators, a non-union teachers association. PACE provides teachers liability insurance and legal representation in employment disputes, but it does not collectively bargain or engage in political activism.

‘Deceptive’ Practice

Farmer says teachers are unaware that many of the state’s school districts, including 20 of the largest, have a two-week period in the fall for opting out of union membership. The narrow window of opportunity for opting out is largely unadvertised in districts encompassing thousands of teachers.

“I called the Denver Classroom Teacher’s Association to cancel my membership. I was told I missed the ‘revocation period’ and would have to wait until November 2012. I had no idea a revocation period even existed,” said Ronda Reinhardt, a Denver public school teacher. “I feel this is deceptive. ... It pains me when every month they are taking $66 out of my paycheck to pay for things I don’t support.”

In Colorado, union dues are between $750 and $850 per year. PACE membership is $180 per year.

“The public perception is there’s millions of teachers out there in lockstep with the union, ready to march, and it couldn’t be farther from the truth,” Farmer said. “Half the teachers that join [do so] for the liability insurance.”

Teachers can currently request refunds of the amount of their union dues spent on political activities, but the process can be complicated and the most teachers can receive back is $63 each year, said Ben DeGrow, senior education policy analyst at the Independence Institute.

Party-Line Support

The prospects for H.B. 1333 were unfavorable in the Democrat-controlled Senate, DeGrow said, because the state’s largest teachers union opposed the bill and support splintered along party lines, with Democrats opposed. The wife of bill sponsor state Rep. Jon Becker (R-Fort Morgan) is a PACE-affiliated teacher.

All the Republicans on the House Education Committee and in the House of Representatives voted to approve the bill, and all the Democrats voted against it, DeGrow noted. He attended the House committee hearing on the bill and said opponents’ argument centered on letting local school districts, and thus state-union-negotiated contracts, retain control.

“The state has an interest in protecting teachers from unfair treatment,” DeGrow said. “Teachers deserve options. It’s a policy of basic common sense and respect.”

Obstacles to Teacher Choice

Colorado allows teachers to choose whether to join a union, unlike many states where teachers are automatically enrolled in a union as a condition of employment, but many school districts create obstacles to teachers choosing freely, DeGrow said.

One such obstacle, he said, is the extremely narrow opt-out periods, and another is school districts automatically enrolling non-union teachers back in the union unless they send a registered letter each year reaffirming their decision to stay non-unionized. If the letter misses the arbitrary deadline by a day, he said, teachers are stuck having union dues deducted from their salaries for the next year.

“The union does a poor and uneven job of informing teachers of all these different options, and it’s good to see that teachers have more options from groups like PACE that offer services teachers want,” DeGrow said. “Teachers should have the full right to choose membership and have all the information at their hands to make their own decision.”

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New Orleans’ Model for Education Transformation

By Vicki Alger

Louisiana’s Recovery School District is improving student performance by creating the country’s first choice-based, charter-school district, and a new guide shows other cities how they can do the same.

Hurricane Katrina destroyed 100 of New Orleans’ 127 public school buildings when it hit at the beginning of the 2005-06 school year. At that time the Orleans Parish School Board (OPSB) ran the state’s worst-performing school district, and parents had few school options.

The district was bankrupt, superintendent turnover was high, and the FBI even located staff in the school board’s building to keep up with its high volume of fraud investigations. Meanwhile, dropout rates at some New Orleans high schools reached 30 percent, and almost 80 percent of New Orleans students attended failing schools.

Today, the percentage of students in failing schools has been cut in half, to 40 percent.

The proportion of students attending failing schools under tougher state standards adopted last year is projected to drop below 5 percent by 2016.

Successes Documented

New Orleans-Style Education Reform, the guide from New Schools for New Orleans, chronicles these events and offers other cities a model for reform.

“Our goal is for New Orleans to be the nation’s first truly excellent urban educational system,” explained Neerav Kingsland, NSNO’s chief strategy officer. “To do that, we’ll need to continue to grow our best charter school operators as well as provide more support to the mission-driven talent that leads the vast majority of our classrooms and schools.”

New Orleans Difference

“Educators, not bureaucrats, are best positioned to find the answers to our nation’s most complicated educational problems,” the guide explains. “This is why we believe in autonomy and accountability generally, and charter schools specifically.

Louisiana adopted legislation in 2003 authorizing a state entity, the Recovery School District (RSD), to take over failing schools. The RSD’s scope was expanded in 2005 to virtually all New Orleans public schools.

“There was a broad spectrum of deep commitment to ensuring public education would be done differently,” explained Sarah Usdin, NSNO founder and CEO. “There were many people taking roles in setting high standards.”

NSNO formed after Hurricane Katrina to advance education reform. With RSD officials it developed a strategy to convert the lowest-performing quarter of New Orleans public schools to charter schools within five years. The effort is funded by a $28 million federal grant and $5.6 million in private funds.

With few resources, students, or teachers left after the hurricane, the OPSB laid off its entire teaching force, effectively disbanding the teachers union. Only about 20 percent of the original teaching force returned after taking mandatory basic-skills tests.

Freedom for Families, Teachers

Most OPSB schools opted to convert to charter schools, leaving the board with only five traditional schools to run. The RSD oversaw the remaining public schools.

New Orleans attendance zones were abolished so parents could choose their children’s schools. Along with veteran New Orleans educators heading up turn-around charter schools, educators from Teach for America and the New Teacher Project flocked to New Orleans.

“In New Orleans, educators had choices about where to work. Most important, they had control over how to work,” the guide explains. “Such total freedom existed in no other public education system in the United States.”

The Thomas B. Fordham Institute ranks New Orleans one of the best places for school reform, and Stanford University’s Center for Research on Education Outcomes found nearly three times as many New Orleans charter schools achieve superior academic performance compared with charter schools nationwide.

Between 2005 and 2010, New Orleans schools reduced dropout rates by half. From 2007 through 2011, the rate of RSD student achievement growth increased 25 percent, compared to the state average of just 7 percent. The performance gap between New Orleans African-American students and all of Louisiana was eliminated.

Currently more than 80 percent of New Orleans students are enrolled in charter schools, a share projected to reach more than 90 percent by 2014.

Challenge of Ongoing Improvement

“So far New Orleans has gone from an ‘F’ to a ‘C.’ We’ve taken a broken system and replaced it with one where educators drive educational decisions and are then held accountable,” Kingsland said.

“The outstanding question is if we can get to an ‘A.’”

Three critical components are required to succeed, the guide says: a strong governance and accountability structure; human capital development, to ensure a consistent supply of high-quality educators, administrators, board members, and entrepreneurs; and charter school development, to produce well-managed, innovative schools where talented teachers can thrive and help sustain the long-term performance gains of the system.

“I serve on the board of an organization that runs three public charters in New Orleans and can testify to the importance of a supportive network,” said Kevin Kane, president of the Pelican Institute for Public Policy. “NSNO has had the opportunity to witness and participate in a revolutionary experiment with charter schools. The lessons learned need to be shared. ... Hopefully, these sorts of studies will give other decision makers around the country the confidence to break away from the traditional public school model.”

Vicki Alger, Ph.D. (vicki@vickialger.com) is a senior fellow at the Independent Women’s Forum. She is also a research fellow at the Independent Institute in Oakland, California, working on a book examining the history of the U.S. Department of Education.
Calif. Affirmative Action Ban Upheld by Federal Court

By Casey Cheney

The U.S. Ninth Circuit Court of Appeals has again upheld California's ban against factoring race, ethnicity, and gender into student admission decisions by public colleges and universities.

"In general, for the Ninth Circuit to do something sensible is headline news," said Stephan Thernstrom, a Harvard University professor and race relations expert at the Manhattan Institute. "It's the most overturned appellate court in the U.S. courts by far. Even they could not find a way to declare Proposition 209 unconstitutional."

Proposition 209, the California Civil Rights Initiative, amended the state constitution to prohibit state government from considering race, sex, or ethnicity in employment, contracting, or education. A three-judge panel of the Ninth Circuit first ruled in favor of Proposition 209 in 1997, a year after it became law. Challenges raised the issue a second time several years later, to no avail.

This time, however, affirmative action supporters had new ammunition: the U.S. Supreme Court ruled in favor of colleges using race, ethnicity, and gender in admissions in 2003, and last year the Sixth Circuit Court of Appeals overturned Michigan's affirmative action ban.

"It's all over but the shouting," said Ward Connerly, founder and chairman of the American Civil Rights Institute and a leading force in Proposition 209's passage. "And I'm ready to do a little shouting."

Continued Challenges
Affirmative action proponents, however, are banking on this third time being the charm—or maybe the fourth or fifth, since it is unlikely they will stop bringing lawsuits, Connerly said.

The advocacy group known as BAMN has "fought us everywhere we have gone," Connerly said.

"It's a very, very left-wing group," he said. "They live by their 'by any means necessary' creed."

The Sixth Circuit court turned BAMN's case away before overturning the affirmative action ban in Michigan. Connerly said he believes efforts in California will be no different.

"When you get the Ninth Circuit coming down as strongly as they did on the constitutionality of Proposition 209, a rational human being would say they've lost that battle," Connerly said. "But [BAMN] can try again with a full Ninth Circuit panel."

Affirmative Action at an End?
Connerly said the affirmative action movement is on its way out.

"Throughout the country there is a growing awareness that race preference under the guise of affirmative action is probably over," he said. "It is a dying argument."

The U.S. Supreme Court will rule on affirmative action this year in Fisher v. University of Texas. Connerly said the ruling could go one of two ways.

The court could "tighten the screws on the governing factors for the use of race," he said, or it could rule in favor of Texas's race-neutral approach to affirmative action. The state's policy is for state universities to admit the top 10 percent of graduating students from a high school.

"They could throw the whole [expletive] thing out and move to a colorblind ethic, which would be my greatest hope," Connerly said. "But that might be wishful thinking."

Casey Cheney (caseyrcheney@gmail.com) is a writer and graduate of Hillsdale College.

The Next Steps for Congress

With a mandate for change from the American voters, Congress now must get to work. This booklet aims to bridge the gap between campaign promises and actual governance. In a series of essays, it offers some incremental but bold proposals that would improve public policy and increase individual freedom. Here are practical, positive, forward-looking ideas to protect the environment, improve health care, enhance education, and more.

"Good public policy comes from good ideas. This guide, we believe, provides a group of them."

– Eli Lehrer
Editor

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Available for free online at www.heartland.org.
By Jack Chambless

On the first day of class last fall, I asked my college students to spend ten minutes writing a brief essay explaining their definition of the American Dream and what they expected the federal government to do to help them achieve it.

The first part of all their essays was pretty standard stuff. They wanted to have a good job, a home, a family, and enough money to enjoy their lives for decades.

It was the second part of the majority of these essays (from a population of 180 students) that left me discouraged and bewildered.

When contemplating the role of Washington, DC in helping them achieve their life goals, my students—most of whom were educated in the nation’s public schools—wrote that they wanted government to “pay for my tuition,” “provide me with a job,” “give me money for a house,” “make sure I get free health care,” “pay for my retirement,” “raise taxes on rich people so that I can have more money,” and so forth.

One student who thought her American Dream could be best achieved through more government regulations went so far as to say, “We all know that there are many bad side effects when regulations take place, but as human beings, we are not really responsible for our own acts, and so we need government to control those who don’t care about others. It makes sense that our freedom is reduced every day with the new regulations.”

Fewer Contributors

Recently, the Wall Street Journal reported that for the first time in our nation’s history, 51 percent of Americans will not pay income taxes this year. In 1983, just over 29 percent of Americans received some form of government assistance. Today the figure is 44.4 percent.

These figures are noteworthy and arguably linked to my students’ concept of what the role of government should be.

After all, it makes intuitive sense that in a nation where fewer and fewer Americans are net contributors to our prosperity, the children of those who increasingly live off their fellow citizens would develop the perception that part, if not all, of the American Dream involves taking money away from a working, productive American in order to fill the financial gaps in their lives.

Property Confiscation Illustrated

On the second day of class, I asked my students to pull out their purses and wallets. In each class, I approached one student, and with his or her permission, took all of the cash in the wallet.

I then told the students that part of my American Dream is to have a cabin on a lake in northern Minnesota some day so that I can enjoy my retirement in that beautiful part of the country.

My students listened to a mini-lecture on our Founding Fathers’ view of rights, especially as it pertains to the pursuit of happiness.

Many seemed to comprehend, perhaps for the first time, that all of us have every right to pursue access to high-quality health care, a good job, a home, cars, retirement, and whatever else we might want to acquire peacefully, but that no one has an inherent right to use government to forcibly take the private property of another citizen to obtain our desires.

In effect, with every dollar we receive by force to gain our dream, we are diminishing, by one dollar, some other person’s dream.

Abolishing Property Rights

Four months later, on the first day of the spring semester, I handed 137 students an essay question asking whether they would be willing to support a law that banned the right to own property and imposed heavy, progressive income taxes on people to reduce poverty and instill a “greater sense of community.”

Some of my students recognized that much of this question’s wording came directly from The Communist Manifesto, written by Karl Marx and Friedrich Engels in 1848. These students eloquently pointed out the severe and dangerous consequences of abolishing property rights and punishing productive human beings with the tax code.

Yet, 28 percent of my students—college students who are supposedly studying in order to earn more income and acquire property later—wrote they would support, enthusiastically in some cases, eliminating the right to property and far greater taxation for Americans.

If almost three in ten college students support such severe measures to impose equality on all of us, one can only imagine what the rest of the citizenry—many of whom are far less educated—might support.

United States and Rome

I spent most of day two of my classes reading to my students the story of the fall of the Roman Empire. Many were astounded to hear about the source of Rome’s wealth: free trade, modest taxation, and private property rights.

Equally surprising to many was Rome’s progression toward a massive welfare state, rising taxes, onerous regulations, and wildly out-of-control money-creating to pay for imperial expansion of plunder.

I sincerely hope that in the years to come they will acquire a greater understanding of the concepts of free markets, the dangers of the welfare state, and the historical proofs of liberty’s superiority over the tyranny that comes from elected officials’ good intentions.

If not, I hope they cannot find me in northern Minnesota.

Jack Chambless (jchambless@valenciacollege.edu) is a professor at Valencia College and a policy advisor to The Heartland Institute.
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