Arizona to Consider Expanding School Choice

By Mary C. Tillotson

With at least four school-choice bills likely on the table this session, Arizona families could see more options in education in the next school year.

Arizona’s education savings accounts (ESAs)—often praised by reformers as being “school choice 2.0”—function much like health savings accounts. Eligible families receive a debit card and can spend their allotted money—90 percent of the state’s per-pupil spending—on private school tuition and fees, private tutoring, curricula, textbooks, education therapy, and other education-related expenses. Money rolls over year-to-year and can go toward college.

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**PolicyBot™** is The Heartland Institute’s online database and search engine offering reviews and the full text of more than 30,000 articles and reports from 350 think tanks and advocacy groups.

Private School in Charleston, SC May Manage Failing Public School

By Jenni White

Once construction of a new downtown Charleston, South Carolina elementary school is complete, the Brentwood Middle School now housing its students will be empty. Local leaders are considering using it as a model for a new experiment in school flexibility.

“The state legislature passed a brand new law (Title 59-19-350) in May 2012 that allows districts to be creative and flexible in delivering educational services within the district,” explained Cindy Bohn Coats, chairwoman of the Charleston County School Board.

Charleston is the first district to move toward taking advantage of the new flexibility law.

Such measures often allow districts to convert traditional schools to charter schools: public schools that accept students outside district attendance zones and receive more regulatory freedom in exchange for tighter accountability. Charleston school leaders are considering a variation on this concept by partnering with a local private school to reopen Brentwood with a defined attendance zone in an effort to provide choice and relieve overcrowding in its high-poverty neighborhood.

Private-Model Public School

Meeting Street Academy (MSA) opened in Charleston in 2008 to give parents an option outside the poor-performing public schools their children must otherwise attend. The school, which offers pre-K through fourth grade, focuses on poor and academically struggling children. It spends approximately $12,000 per child per year, and outside donors largely have bankrolled its efforts. Fees to attend MSA are calculated on a sliding scale, with parents generally spending less than $400 a year to educate a child. Since 2008, attendance has grown to 120 students, and the school’s intensive vocabulary and literacy-based pre-K instruction appears to be producing results.

Charleston’s school board is considering having MSA manage the reopened Brentwood school to serve more than 100 children from age three through first grade in its first year. School operations would be funded by both Charleston County Public Schools (CCPS) and MSA in a roughly 80/20 split. Students would be educated using MSA’s current academic model.

Coats notes the proposed partnership is currently only in the discussion phase; a Memorandum of Understanding (MOU) must be created between MSA and CCPS before the board can take concrete steps.

“As a public body, we needed to openly state that we are looking at this partnership and that we think it is a good idea to explore,” she said. “Without a public approval of an MOU, the district and the Meeting Street Group [the umbrella organization for the two current MSA campuses] could not begin these discussions in earnest. That would not have been good public policy and would have lacked transparency. Any approval to begin operations will have to come from the CCPS board and will specifically outline the rights, roles, and responsibilities of each party.”

Education Officials Speak Out

Though several CCPS board members have voiced questions regarding the merger, CCPS Superintendent Nancy Mc Ginley has said she thinks MSA could handle a public school because of its comprehensive approach to education. MSA uses a unique community method that includes early education, working closely with entire families, offering medical and dental screening and healthy meals, and giving teachers specialized training and coaching to help students from high-poverty backgrounds succeed academically.

State Superintendent Mick Zais has commended Charleston education leaders for their “creativity” and “innovation” in proposing the idea. Once the MOU between MSA and CCPS is complete, the public will have an opportunity to help determine whether the project should move forward. In an overcrowded district with few education options, parents and community members may elect to have their district continue its movement toward more public school flexibility.

Different from many charter and private schools, “This will be a traditional school—any child living in this attendance zone of this school age will go to this school and will be admitted into class at any time. No waiting lists, no lottery.”

CINDY BOHN COATS, CHAIRWOMAN CHARLESTON COUNTY SCHOOL BOARD

“This will be a traditional school—any child living in this attendance zone of this school age will go to this school and will be admitted into class at any time. No waiting lists, no lottery.”

Jenni White is cofounder of Restore Oklahoma Public Education and a former public school science teacher.
$4.6 Bil. in School Turnarounds a Waste, Report Says

By Ashley Bateman

A $4.6 billion federal school improvement program aimed at the bottom 5 percent of U.S. schools has at best done nothing for them, and at worst spent money as some schools worsened, federal data show. Analysts and educators are questioning the program.

The U.S. Department of Education released a report November 21 comparing average proficiency rates of School Improvement Grant (SIG) schools in 2011–12 to the year prior. Although some schools’ academic performance improved, many worsened.

“SIG is almost certainly going to go down as one of the U.S. Department of Education’s biggest and most expensive mistakes—possibly the biggest,” said Andy Smarick, a partner at Bellwether Education Partners. “Schools are getting millions, and we’re just not seeing anything close to the gains that were promised and are needed.”

According to the report, which is now under review because of erroneous exclusion of data by the research contractor, two-thirds of the schools had slightly increased performance, on average. A 5 percent increase in reading and an 8 percent increase in math scores were noted at these schools. Decreases in performance were noted in the other third of schools.

“It’s going to be a few more years before we really understand the effect that SIGs have,” said David Stuit, a researcher at Basis Policy Research who has studied school turnaround efforts. “You might expect regression with an implementation dip. In the early years these schools are forming new cultures. … This is radical change.”

Will More Time Help?

Although U.S. Education Secretary Arne Duncan stands behind the grants, stating time will prove them effective, Smarick says the money is simply wasted spending.

“This is the exact same line used by the proponents of every failed turnaround effort: Give us more time and money and things will get better,” Smarick said. “I’m disappointed USDOE hasn’t admitted its mistake and changed course, but I’m not surprised. It’s going to be hard for the administration to admit that $5 billion were misspent … and that we had decades of evidence telling us that this was the likely outcome.”

Very few poorly performing public schools ever significantly improve, Stuit said, and the big question is whether the minor gains for SIG schools will increase or fade.

“We don’t have evidence whether [turnarounds] work,” he said. “It’s still an open question and still early to know what these average proficiency increases and increases for certain schools mean.”

Closures, Restructuring

Denise Watts, community superintendent of a failing school zone in the Charlotte-Mecklenburg school district of North Carolina, works with three SIG schools.

Watts’ schools are experimenting with improvement mechanisms called “opportunity culture,” in which higher-performing teachers specialize and increase their reach, receiving a salary raise.

Graduation rates in one high school Watts works with increased from 56 to 71 percent from 2011–12 to 2012–13. But Watts isn’t convinced any specific reform ushered in the change.

“There are all types of ways that we have tried to solve school problems,” she said. “School issues are huge, ambiguous problems to solve, with many layers. It’s not a linear process. I think it’s very difficult to say SIG did or did not work.”

Denise Watts
COMMUNITY SUPERINTENDENT
CHARLOTTE-MECKLEnBURG, nC

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.

THE PARENT TRIGGER: JUSTIFICATION AND DESIGN GUIDELINES
BY JOSEPH L. BAST AND JOY PULLMANN
OCTOBER 2012, 49PP., $7.95

Free download at heartland.org
For more information about the Parent Trigger, visit theparenttrigger.com

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“School issues are huge, ambiguous problems to solve, with many layers. It’s not a linear process. I think it’s very difficult to say SIG did or did not work.”

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“We have to get to a point in urban areas where we portfolio-manage without regard to sector,” Smarick said. “That means ignoring who runs schools and instead focusing on their quality. Failing district schools should be closed just as failing charters should be closed. “No one I know, other than USDOE, is willing to speak highly of SIG,” Smarick concluded. “The results are just too disheartening.”

Ashley Bateman (bateman.ac@googlemail.com) writes from Williamsburg, Virginia.
U.S. Students’ Performance Declines vs. International Peers, Tests Show

By Joy Pullmann

The latest international test scores, released in December for tests administered in 2012, show U.S. students sliding further behind their global counterparts in math, reading, and science.

On the Programme for International Student Assessment (PISA), a test administered every three years, U.S. students came in 20th in reading in 2012. In 2009, they were tenth. On math, U.S. students ranked 30th in 2012. In 2009, they ranked 24th. And in science, U.S. students were 23rd of the more than 65 countries tested, four below their 2009 ranking.

The results generated a raft of concerned statements.

“This embarrassing performance, unchanged even as politicians and citizens profess a keen interest in improving our schools, bodes poorly for the future economic security of the United States,” said Paul Peterson, who directs the Program on Education Policy and Governance at Harvard University.

Overall, U.S. students were at or below the international average in reading and science and below-average in math. Connecticut, Florida, and Massachusetts chose to separate their results. Massachusetts and Connecticut ranked above average internationally, and Florida was at the U.S. average.

High Spending, Mediocre Results

The Organization for Economic Cooperation and Development administers PISA to 15-year-olds across the world. OECD also found the United States spends more on K–12 education than every country except four. Nearly all the countries whose students perform better than U.S. students spend less to get better results.

OECD’s report notes the Slovak Republic performs at the same level as the United States but spends an average of $62,000 less per student from age 6 to 15. The U.S. spends nearly $13,000 per K–12 student per year. “Korea, the highest-performing OECD country in mathematics, spends well below the average per-student expenditure,” the report notes.

Choice and Information

Kerwin recommends policymakers move quickly to give families more information and choices in education, reforms proven to improve student outcomes.

The PISA results show “the dire need to entertain more radical changes in our stagnant schools: more choice, more performance pay, and more local decision-making,” said Eric Hanushek, a Hoover Institution senior fellow.

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

Common Core Lawsuit in Kentucky Tossed Out

By Anna Giaritelli

A Kentucky judge has thrown out the nation’s first lawsuit against Common Core, saying the plaintiff had no standing to bring the suit and did not demonstrate a “unique, personal injury.”

David Adams, father of two public school students in Kentucky’s Jessamine County, filed the first national lawsuit against Common Core in November, alleging its development was ill-planned and its implementation has not allowed for public input.

“The mismanagement and political influence brought to bear by the Common Core implementation is just outrageous. It’s technically a violation of our constitution, and our general assembly has the duty to fight against this,” said Adams, president of Kentucky Citizens Judicial, an organization that promotes individual liberty.

Pass First, Read Later

The lawsuit named defendants Gov. Steven Beshear, Sen. President Robert Stivers, Kentucky Board of Education President Roger L. Marcum, Council on Postsecondary Education President Robert L. King, and Cassandra Webb, chief academic officer of the Lawrence County Board of Education, for having accepted the standards before they were finalized.

The suit says by “failing to intervene when Defendants obligated Kentuckians to unspecified mandates, duties, responsibilities and costs related to Common Core, the General Assembly violated Section 183” of the state constitution.

“This initiative is one that came from the National Governors Association and the Chief State School Officers,” Marcum said. “[Adams’] argument is a legal one, that we didn’t follow the proper process for that. I don’t believe that to be the facts.”

The Kentucky Council on Postsecondary Education and Kentucky Education Professional Standards Board adopted the national standards on February 10, 2010, making the Bluegrass State the first in the nation to adopt Common Core. On June 2, 2010, Common Core’s testing and curriculum mandates for mathematics and English language arts were released in their final form.

Angling for Federal Money

Kentucky lawmakers hoped to win money from the federal government’s three-part Race to the Top grants, and one of four major criteria for the grants was adopting common standards and tests. Of RTT’s $4.35 billion, Kentucky received no federal money in the first two phases and a minimal $17 million in phase three.

“[Common Core] was all about money in Kentucky. We’re a poor state to begin with, and the recession that began in 2008 hit us as hard as everywhere else, and federal money became less available,” said Dick Innes, an education analyst at the Bluegrass Institute.

As in other states, Kentucky must overhaul its education system because of Common Core, Innes said, with no new federal funds to cover those costs. Adams hopes citizens in other states will consider whether their legal framework allows complaints against Common Core.

“I’m a taxpayer. I’m a parent. In Kentucky there is a very long track record of granting taxpayers standing where a taxpayer has a complaint with regard to expenditure of public funds,” said Adams.

Anna Giaritelli resides in Washington, DC and specializes in congressional reporting. She has written for Roll Call, The Oregonian, and The Daily Caller.

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David Adams, President Kentucky Citizens Judicial
Facing Subsidized Competition, Private Schools Struggle

Continued from page 1

Salle Middle School in St. Louis.

Private schools have felt increasing financial pressure in recent years as tax-supported charter schools increase their market share. That pressure has weighed particularly on Catholic and other faith-based schools in urban areas. In the past year, 148 Catholic schools across the country have closed.

Shifting Mission
De La Salle, founded by the Christian Brothers, was part of the NativityMiguel network of 65 faith-based private schools, mostly Catholic, serving poor, urban communities. A year-and-a-half ago the network folded because of its increasing number of financially struggling schools, and De La Salle directors began considering how to sustain their system, financed primarily through fundraising rather than asking poor families to pay much tuition.

Quinn said the organization found a potential solution after visiting Christian Brothers schools in Chicago called Catalyst Schools, which are charter schools that serve thousands of students.

“We were pretty blown away by the feel of the charter school,” he said. “It felt very familiar to what we knew and experienced in our way of doing things. The scale was very foreign, though, because there were so many kids being served by this mission.”

Losing Education Diversity
Struggling private schools have few options. Converting to charter schools is becoming more prevalent, although it is not easy. Quinn said the directors of De La Salle have tried to think creatively about their tough situation. Converting a faith-based school into a charter school is neither easy nor popular, he said.

More private schools are shutting down than converting into charter schools, partly because of the difficulty of the conversion process, said Peter Hanley, executive director of the American Center for School Choice.

“In some states, like California, it is actually against the law for a private school to become a charter school. And for practical reasons it is not that easy, either. It is not easy to convert your curriculum into a state-standard curriculum,” Hanley said.

Opposition from Faith Community
Hanley also said converting a faith-based school faces firm opposition from constituents.

“There are a lot of people in the faith community that say, ‘You know that’s not what we do. It is no longer a faith-based school. We are not going to pretend that it still is and put a different label on it,’” Hanley said.

Quinn said he has felt that pushback. Since De La Salle announced its intentions to convert to a charter school, he has received emails criticizing the school’s willingness to “get in bed with the government” and “tear down the crosses.”

A 2012 meta-analysis of 90 studies comparing religious schools to public and charter schools found students in religious schools learn several months more than their counterparts, even when controlling for factors like race and income.

Quinn said it is important to remember his school’s mission.

“When … we see what is out there for the kids that we are here to serve, we say to ourselves, ‘De La Salle struggling and perhaps someday dying due to a strict allegiance to our creed does not serve children well,’” Quinn said.

Looking to Policy
To preserve a future for private schools, lawmakers must “level the playing field” between private schools and government-subsidized options, said both Hanley and Jeff Reed, a spokesperson for the Friedman Foundation for Educational Choice.

“Private schools have to compete with a ‘free product’—that is, public schools, but of course [public schools] are not free at all,” Reed said. “We all pay for them through taxes. We must put the customers of education back in charge.”

Reed says a fair education marketplace requires both a high-quality charter school law and also a private school choice program. In addition to creating private school choice laws in each state, clarifying charter school laws also would help, Hanley said.

“The Supreme Court has said that under the U.S. Constitution, if you are providing the aid and if the parents are making the choice, [using public funds for faith-based education] is allowed,” he said. “It seems as if you could have a charter school as a faith-based school if it is the parents that make the choice. But that is not where we are right now,” Hanley said.

Losing Valuable Schools
Hanley said he hopes something can change before valuable schools are lost.

“No sector of education is perfect, but for the most part faith-based schools have been fairly strong,” Hanley said. “Let’s not watch this sector that has a lot of good schools die when most agree that one of the problems in American education is that we do not have enough good schools.”

Struggling private schools are left to make the decisions based on what current legislation allows.

“We are not big enough to do policy advocacy work. We don’t have vouchers; we don’t have tax credits,” Quinn said. “Perhaps our going this direction will facilitate something. … If it gets legislators thinking a little more creatively, that wouldn’t be such a bad thing.”

Emily Shelton writes from Portland, Oregon.

“We have precious few options, and in terms of school reform and school choice this is it, and that is why we are opting for becoming a charter school.”

COREY QUINN
EXECUTIVE DIRECTOR
DE LA SALLE MIDDLE SCHOOL
DC Voucher Program Poorly Run, New GAO Report Concludes

By Loren Heal

A federal report says Washington, DC’s voucher program is poorly managed. The Government Accountability Office was especially troubled by long delays in issuing the directory of schools available within the program, a poor student database, and lack of internal oversight, said George Scott, GAO’s director of education, workforce, and income security.

GAO did not examine the impact of the Opportunity Scholarship Program, only its administration by the D.C. Children and Youth Investment Trust Corporation (Trust).

“The Trust isn’t getting the required help from the Department of Education in setting up the appropriate procedures, and DC regulators don’t seem to be doing their part either,” said Patrick Gibbons, a research fellow at the Friedman Foundation for Educational Choice. GAO also found the Trust granted many scholarships after private school application deadlines ended and ran its scholarship lottery in July, just before the school year begins.

Late Directory

In 2012–13, “the directory was issued twelve months after the start of the school year, which ... is really too late to assist families in selecting a school for that year,” Scott said.

GAO may misunderstand the directory’s purpose, said the Trust’s director, Ed Davies.

“The directory is actually used by families who are looking for a school for the next school year,” Davies said.

Database Upgrades Needed

The report said the voucher program’s database, which tracks families who receive scholarships, is old and provides inaccurate information.

“The database was created when the program began, around 2004, and for “a much smaller program,” Davies said. The database structure needs to be upgraded, he acknowledged, “but the information about the kids in the database is correct.”

He said the Trust can’t upgrade until Congress sends extra money.

Good External Results

“We will continue to monitor the program,” Scott said.

Davies said he found the GAO report helpful, pointing out where the Trust could improve.

“The voucher program itself is doing well,” said Lindsey Burke, The Heritage Foundation’s education policy fellow.

“A congressionally mandated evaluation of the [program] found that 91 percent of voucher recipients who used their scholarship to attend a private school of choice graduated high school,” noted Burke.

National graduation rates hover around 75 percent, Burke said: “Parents have also consistently reported high levels of satisfaction with the [Opportunity Scholarship Program].”

LEARN MORE


Okla. Considers Another Common Core Repeal Bill

By Isabel Lyman

A bill filed a few weeks after statewide hearings on national academic standards would require the Oklahoma State Board of Education “to remove alignment with the K–12 Common Core State Standards Initiative.”

If Senate Bill 1146 passes, it will forbid the board from implementing “any curriculum standards or related assessments aligned with” Common Core.

SB 1146, sponsored by state Sen. Eddie Fields (R-Wynona), also requires the board to request the federal government to remove any requirement “which conditions the receipt of federal funding” on adopting Common Core. The bill will be read when the legislature’s second session meets in early February.

Oklahoma House Speaker T.W. Shannon (R-Lawton) “intends to introduce legislation of his own on the issue of Common Core,” said his spokesman, Joe Griffin. Griffin didn’t give a definitive answer when asked whether the speaker will move Fields’ bill once session starts.

“I sat down with the Speaker, and we will review this bill,” wrote Griffin in an email.

Common Core lists what children will be tested on in K–12 math and English and was quickly adopted by 45 states in 2010.

Prompted by Personal Experience

Fields served on the Wynona school board for 14 years before being elected to the state Senate, and his wife, Christina, is a public school teacher. He says he is concerned Common Core, which emphasizes college- and career-readiness, will “mold every student the same.” He dislikes the lack of exemptions from the program for special-needs students or for those who want to pursue a vocational track, such as becoming a chef or welder.

Fields says he supports high academic standards, but not developmentally inappropriate ones. One of his children struggled with the curriculum: “My fourth-grade daughter, who is very bright, brought home a Common Core math book that was aimed at the junior or senior high school level.”

He also expressed concern about the loss of localism in Common Core’s push for regionalism and nationalization.

“You can’t compare Oklahoma to Massachusetts,” he said. “The social and economic status of Oklahoma is far different from that of Massachusetts or any other state.”

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Grassroots Support

It remains to be seen how far Fields’ candor and conviction will take his bill. Oklahoma Republican Gov. Mary Fallin chairs the National Governors Association, an organization that co-created Common Core. In 2013, Shannon first stood against a Common Core repeal in March, then in May reversed and proposed a Common Core repeal too late in the legislative session to pass.

Repealing the national curriculum mandates has strong grassroots support. Many parents oppose Common Core, arguing its academics are weak and federal entanglements tight.

Jenni White, founder of Restore Oklahoma Public Education, says her organization is “very excited” about Fields’ bill.

“It is opening a door for legislators to further think about the possibility of stopping Common Core,” White says.

She remains “cautiously optimistic.”

By Isabel Lyman

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National Civics, History Tests Postponed Indefinitely

By Haley Stauss

The National Assessment of Educational Progress exams in civics, U.S. history, and geography have been indefinitely postponed for fourth- and 12th-grade students.

The Obama administration says the move is due to a $6.8 million sequester-budget cut. The three exams will be replaced by a single, new test: Technology and Engineering Literacy.

“Without these tests, advocates for a richer civic education will not have any kind of test to use as leverage to get more civic education in the classrooms,” said John Hale, associate director at the Center for Civic Education.

NAEP is a set of national tests of fourth-, eighth-, and 12th-graders that track achievement on various subjects over time. Researchers collect data for state-to-state comparisons in mathematics, reading, science, and writing. The other NAEP subject tests provide only national statistics and are administered to fewer students. The tests provide basic information about students but do not automatically trigger consequences for teachers, students, and schools.

Students historically have performed poorly on the civics, U.S. history, and geography tests. In 2010, the last time the history test was administered, students performed worse on it than on any other NAEP test. Less than half the eighth-graders knew the purpose of the Bill of Rights, and only 1 in 10 could pick a definition of the system of checks and balance.

Science vs. Humanities

Since most civic education is taught to first-semester high school seniors, Hale said, not testing in 12th grade creates a major information gap.

“Is it possible to have a responsible citizenry if we don’t teach them civics, history, and the humanities?” asked Gary Nash, a professor of history education at the University of California-Los Angeles. Postponing the exams, typically administered every four years, does not mean classroom education in the humanities will be cut. But the cuts indirectly say we can do without civics and U.S. history, Nash said.

Trading the humanities tests for technology tests is necessary to measure “the competitiveness of U.S. students in a science, technology, engineering, and mathematics (STEM)-focused world,” said David Driscoll, chair of the NAEP Governing Board, in a statement. “The [Technology and Engineering Literacy] assessment, along with the existing NAEP science and mathematics assessments, will help the nation know if we are making progress in the areas of STEM education.”

Nash agrees the nation needs more engineers and scientists, “but what are they without humanities under their belt?” he said.

Providing an ‘Intellectual Framework’

A summer 2013 report from the Commission on the Humanities and Social Sciences explained the need for these subjects this way: “The humanities and social sciences provide an intellectual framework and context for understanding and thriving in a changing world. When we study these subjects, we learn not only what but how and why.”

Nash pointed out Franklin High School in the Los Angeles Unified School district is 94 percent Latino, and many families are immigrants. Without changing anything in science and math, the school began to emphasize humanities. The scores in science and math improved, testing almost on par with students in Beverly Hills. “It’s about increasing their passion for learning,” he said. Giving students a context for learning helps them learn more, he said.

Masters of Our Government

Students must be prepared “to think for themselves as independent citizens,” said Hale. “Civics and government is as generative as math; we are not born as great democratic citizens. We aren’t born knowing why everyone should have the right to political speech even if it is intolerant speech.”

Consider the events of recent months, he said: the Supreme Court rulings on marriage and the Voting Rights Act, the National Security Administration’s data collection, and Congress debating immigration and student loan rates.

“Our leaders make decisions every day based on interpretations of the proper role of government. We have no way of knowing if these [decisions] are good or bad. We are supposed to be masters of our government, not servants of it.”

John Hale
Associate Director
Center for Civic Education

Twenty-five plaintiffs have sued North Carolina over its new law granting low-income students vouchers to attend private schools if their families choose.

“No one’s saying there aren’t problems with the public schools, but the solution to making public schools stronger certainly is not taking out millions of dollars to go to these private schools,” said attorney Christine Bischoff, who oversees the Education and Law Project at the N.C. Justice Center, a sponsor of the lawsuit, which was filed December 11.

Under first-term Republican Gov. Pat McCrory, the General Assembly passed “the Voucher Legislation” (Session Law 2013-360) on July 25, 2013. The program is capped at $10 million in vouchers.

The North Carolina Association of Educators and N.C. Justice Center also filed a complaint against the state legislators that passed the legislation, charging the law involves an unconstitutional use of public resources.

Money Matters
The funds allocated for the program make up a little more than 1 percent of North Carolina’s 2012–13 state-funded education budget of $7.7 billion. North Carolina public schools spend an average of $8,500 per student.

Starting February 1, 2014, students who are currently enrolled in a public school and have a family income under $43,568 can apply to receive a $4,200 voucher to attend the private school of their choice in the 2014–15 school year.

The State Education Assistance Authority will notify parents and guardians by March 1 whether they qualify for a voucher.

History of Private Funding
Critics complain vouchers send taxpayer money to private schools taxpayers can’t directly control, and that sending taxpayer money to private entities violates the state constitution.

But the state has administered similar programs for decades. Its preschool program, for example, allows funds to be used at a public or private facility, and state grants for higher education may be used at private or public universities.

“If it’s good enough for our pre-K program and higher education students, why isn’t it good enough for our K–12 students?” asked Terry Stoops, director of education studies at North Carolina’s John Locke Foundation.

Success Through Competition
The new model has received unprecedented support from minority groups. The vouchers have even won support from some teachers.

“It forces public schools to improve. The intent is to have more competition. If you don’t have an incentive, any entity is going to be less ‘customer friendly’ and less concerned about outcomes,” said Bob Luebke, a senior policy analyst at the Civitas Institute.

Private schools should see more enrollment, bringing entrepreneurs to open schools and grow smaller ones, he said.

“The vast majority of children are going to continue to choose public schools,” Stoops said. “Those schools will see an uptick in funding because [some] students are going to be leaving the public sector for the private.”

Anna Giaritelli resides in Washington, DC and specializes in congressional reporting. She has written for Roll Call, The Oregonian, and The Daily Caller.
Arizona to Consider 4 Bills Expanding School Choice

Continued from page 1

Critics say the program is virtually indistinguishable from vouchers, which the state’s highest court struck down in 2009.

Military Families
A previous expansion of the ESA program allowed students of active-duty military families to participate but excluded children whose parents were killed in action and required students to attend public school for a year before becoming ESA-eligible.

“Military families are the last-thought-of people when transferring around,” said state Rep. Sonny Borrelli (R-Lake Havasu City), who is sponsoring a bill addressing those issues. “Sometimes you’ve got orders to transfer and you’ve got only two, three months to do it, to relocate your family and put them on a waiting list. It’s really hard on those families to adjust.”

Borrelli is a retired Marine, and three of his family members are current or former Marines.

“I saw it happen numerous times—families moving from East Coast to West Coast,” he said. “I’d see those families struggle, ... then go ahead and compound it with a child of a parent killed in action. They move to another state; the grandparents have to watch the kid. So it gets rough.”

Borrelli’s bill would make students of active-duty military families eligible for ESAs without spending a year in public school first, making the transition easier. The bill also would expand ESA eligibility to families of soldiers killed in action.

Special-Needs Students
Students with special needs were the benefactors of the original ESA law, and state Rep. David Livingston (R-Peoria) is working on a bill to refine the program to better suit their needs.

Many children entering preschool or kindergarten only recently have been identified as having a disability. Students with disabilities are eligible for ESAs after spending a year in public schools, but that can put them an additional year behind, said Sydney Hay, a government affairs representative for American Federation for Children who has lobbied and worked with Arizona lawmakers on school-choice bills since 1997.

Livingston’s bill would make siblings of students with disabilities also eligible for ESAs. Some families may drive 25 miles to drop a child off at a school specializing in autism, so it can be a challenge for parents to make sure their other children get to their neighborhood public school on time, Hay said.

The Foundation for Blind Children approached him to suggest the legislation, Livingston said.

Low-Income Students
The details of state Rep. Debbie Lesko’s (R-Glendale) bill haven’t been ironed out, but its focus is on expanding ESA eligibility to students who qualify for free or reduced-price lunches.

“My goal is to improve education, and I really don’t think it matters where that education takes place, because every child is different,” Lesko said.

Her own children are thriving in their local public schools, but not every child does, she said.

“Students learn in different environments and in different ways,” she said. “The more alternatives we give parents and their children, the better.”

Her bill may also include eligibility for families of first responders and others.

Lesko has been involved in ESAs since they began. She didn’t sponsor the original 2011 legislation only because she lost a coin toss with another representative who wanted to sponsor it, she said.

District Expansion
State Rep. Warren Petersen (R-Gilbert) is working on a bill that would allow school districts to grant every student an ESA, if the school board votes for it.

“I am always interested in ways to expand school choice and empower students and parents with educational options,” he said. “This will allow districts to decide if they want to implement an ESA program.”

He sponsored the bill after a local school district chairwoman approached him about it, he said.

“It’s a complicated bill to craft,” Hay said. “It won’t just involve a percentage of state funding but also of the district funding, so the financial funding mechanism is more complicated.”

Making It Official
The deadline for “dropping” bills—making them official so they can be assigned a bill number and begin the lawmaking process—was January 16.

The state’s ESA program is limited. Only half a percent of the total public school population can join the program each year, which is about 5,600 new ESA students, Hay said. None of the bills lifts the cap, though future legislation could. The district expansion bill does not have a cap, Peterson said. Arizona is the first, and still the only, state to offer ESAs.

Hay said she’s excited to see so much expansion proposed this year.

“There’s just tremendous enthusiasm for this program. Folks are realizing that in just its first few years, parents are terrifically satisfied that students are doing well,” Hay said. “Lawmakers are hearing from their families, and it’s just becoming an extremely popular and successful program for being so new.”

Mary C. Tillotson (mtillotson@watchdog.org) is a reporter for Watchdog.org, from which this article is reprinted with permission.
Republicans Hope to Slim Chunky School Lunch Rules

By Loren Heal

In response to public outcry and several “brown bag-ins” in schools across the country, the U.S. Department of Agriculture loosened new meat and grain restrictions on school lunches in December. Two Republicans have introduced separate bills that would give the meal changes some teeth.

Rep. Kristi Noem (R-SD) introduced a school nutrition bill in December that would reduce federal school lunch mandates. Rep. Rodney Davis (R-IL) put forth legislation to require the White House and U.S. Department of Agriculture (USDA) to abide by the same nutritional standards they impose on U.S. students.

“As with most issues that involve our kids, decisions about school lunches should be made as close to home as possible.”

KrisTI NOEM
U.S. REPRESENTATIVE - SD

“Public school children … dislike the food and refuse to eat it,” said Stoops. “This would appear to defeat the purpose of a program designed to feed children.”

Progressivism Run Amok

Davis’s bill is a response to constituents who “felt like the administration wasn’t listening to them,” Flach said. “This is about overly prescriptive regulations coming down from Washington that were leading to wasted food, lost revenue, higher costs, reduced participation, and in some cases, hungry kids,” he said.

“It is the same old story of progressivism run amok,” Stoop explained. “These ‘fooderats’ do not believe that families and local communities have the capacity to make rational decisions about nutrition and exercise. So they use billions in taxpayer money to bribe schools to adhere to their mandates and declare it to be successful before the first school lunch is served.”

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New Mexico Lawmakers May End Repercussions for Families Who Refuse Tests

By Bailey Pritchett

Parents and legislators in New Mexico hope to pass a law that lets families choose to opt their children out of state tests without negative repercussions.

State Rep. Tim Keller (D-Albuquerque) suggested to a New Mexico legislative committee a proposal that would enable children who do not take standardized tests to participate in school sports and other extracurricular activities. Although it is legal for parents to remove students from certain tests, that is not the case for every state in the country.

Keller explained the inspiration behind his proposal in a column he wrote for the Las Cruces Sun News: “[N]ow a test is the ultimate factor in determining how intelligent a student is and how well a teacher can teach. School rankings, teacher evaluations and retention reform efforts stack on top of many national and existing testing requirements, making our schools mere testing machines. This takes away focus from the curriculum, designed to prepare students for higher learning and life in general.”

The desire to opt children out of state tests is growing across the country as states implement federally funded national tests to measure adherence to Common Core education standards, said Jane Robbins, a senior fellow at the American Principles Project. But parents across the country do not enjoy the freedom to do this. That is why legislators must start fighting to let parents opt their children out, she said.

The most progress in addressing this concern can be made in charter schools, said Jonathan Butcher, education policy analyst at the Goldwater Institute in Arizona.

“Charter schools and certain private schools should be allowed to opt out of Common Core [national tests],” Butcher said. “Charter schools are already exempt from some state regulations. It doesn’t have to be on a case-by-case basis. All charter schools should be exempt. This is a palatable way to allow schools to either choose to opt in or choose to opt out.”

Charter schools are a good venue to experiment with schools rejecting Common Core, Butcher said. The charter school design allows parents to see how a publicly funded education program can thrive without implementing nationalized curriculum. The state or district can quickly re-adopt Common Core if testing scores do not reflect good academic achievement.

Charter School Group Revitalizes Michigan District

By Manny Lopez

No parents choose to send their child to a school where mice scamper through classrooms, garbage fills the hallways, access to the school pool is rationed, and bathroom tissue is handed out only from the main office.

Yet for years that’s what students in the former Highland Park, Michigan, School District were forced to endure every day. Parents and teachers complained, but nothing happened. It wasn’t for lack of money. The public school district spent nearly $20,000 per student, more than any other district in the state.

Things got so bad the state appointed an emergency manager, and eventually the school district was turned over to The Leona Group, a charter management company. Teachers unions complained. So did some parents and community activists, protesting because the status quo was being disrupted.

Gloria Liveoak was one of those who complained. She actively lobbied against The Leona Group, and like many former Detroit Public Schools employees, she thought charter schools were bad for students and the community at large.

Not anymore. Now she’s not only working in a charter, she’s promoting it as a good choice for parents. She’s now a full-time parent liaison at Highland Park Renaissance Academy. Based on the cheers she got when a video of her played at a press conference in November, she’s a favorite among teachers and parents.

From Troubled to Hopeful

You don’t have to spend much time in the hallways or classrooms of the Renaissance Academy to see its dedication and commitment to education is real and unencumbered by bureaucracy, administrative obstacles, or obstructionists.

Whether it’s Ruffin Green, the school’s security guard, greeting you with a handshake as you walk into the building, Superintendent Pamela Williams talking to students in the halls, or Principal Carmen Willingham talking about renovations to the third floor of the building, it’s clear the school has a plan, a mission, and a spirit to get things done.

“This school shows you what can become of some of our most troubled schools,” said Audrey Spalding, director of education policy at the Mackinac Center for Public Policy, who has chronicled the district’s transformation for the past year.

To get a better sense of how bad it was and what $1 million in cleanup looks like, listen to the teachers, some of whom took significant pay cuts to stay, and to the parents who appreciate the efforts of those educators.

“Even after my kids graduate, I’ll still come back and help this school,” said Davonda Huff, a parent-volunteer whose second-grade daughter and fifth-grade son both now have 4.0 GPAs. “I love this place and The Leona Group.”

Things aren’t perfect, and there still is a long way to go. But students and parents have hope for the future thanks to the choice they were given by a company willing to step in and improve a situation that had deteriorated for far too long.

Manny Lopez (lopez@mackinac.org) is managing editor of Michigan Capitol Confidential. Reprinted from MCC with permission.
Charter Schools Take Case to Court

By Mary C. Tillotson

The first-ever charter school law in Washington state has come under fire from a coalition arguing the voter-approved measure is unconstitutional.

The law allows for 40 charter schools to open over a period of five years. Applications to start charter schools would be approved by a state-level commission or the local district if the district receives authorization from the state board of education. After a bill failed in the legislature, the initiative landed on the ballot last fall, where it inched past the opposition. Charter opponents have fought it every step of the way.

“One of the biggest problems with this new act is it will take money away from existing public schools in Washington at a time when the state supreme court has already ruled that the state legislature is failing to fulfill its paramount duty to amply fund education. Charter schools are just another program within public schooling,” said Rich Wood, spokesperson for the Washington Education Association (WEA), part of a coalition suing the state.

A judge heard arguments in November and hasn’t yet issued a ruling.

By Benjamin Yount

Illinois taxpayers, through local property taxes, pay $12 billion of the $20 billion it costs to educate kids in the state each year. State government chips in about $6 billion, and the federal government kicks in another $2 billion.

But each year, public schools complain they do not have enough money.

Instead of rehashing the annual fight over how much to spend on public schools, some lawmakers want to change how the state pays schools.

“If we don’t get a distribution method that addresses the diversity in terms of rich and poor districts, ... we’ll never get the ‘how much we spend’ right,” state Sen. Andy Manar (D-Bunker Hill) said.

Massachusetts uses an “alternative wealth” formula, which blends property taxes with a community’s income level, to distribute K-12 funds.

North Carolina attaches a net worth to students. For every 30 students, for example, the school gets a set amount to hire a teacher.

High Reliance on Property Tax

Manar said Illinois relies too much on local property taxes to pay for schools. Perhaps the biggest change has been the explosion of state grants for local schools.

“The state’s school funding formula is complicated, but essentially schools are promised $6,119 per pupil. Wealthy schools get more—sometimes far less—and poor schools get less—sometimes far less—and poor schools get more.

State grants are in addition to those per-pupil dollars and are worth hundreds of millions of dollars to some school districts.

“There is more money going to Chicago Public Schools than downstate [schools] because of the change,” state Sen. Sue Rezin (R-Peru) said.

Poverty grants are supposed to boost school funding where there is a high percentage of low-income families. But Illinois also sends millions of dollars in early childhood education grants and grants designed to offset tax caps.

Big Change: Teacher Pensions

But the biggest change in how Illinois pays for K-12 could come from a change in how the state pays for teacher retirements.

Illinois House Speaker Mike Madigan (D-Chicago) has been talking for more than a year about “shifting” the nearly $4 billion annual cost of teacher pensions from the state to local districts.

Some of that $4 billion could then be sent back to local schools.

Rezin, Manar, and many other lawmakers worry a “cost shift” will only force local schools to rely on property taxes even more.

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Charters Are Public Schools

Charter schools are public schools and can’t take money out of the public school system, notes Liv Finne, director of education studies at the Washington Policy Institute, which is not involved in the lawsuit.

“Charter schools will be educating public school students,” she said. “Charter schools are just another program within public schooling.”

Finne mentioned other public school programming outside the traditional system, such as magnet schools, STEM schools, and arts schools.

“All those schools would then have to be closed down, because they are taking money from the traditional schools to run these innovative school programs,” she said.

Accountability Fight

The plaintiffs, including the League of Women Voters, El Centro de la Raza, Washington Association of School Administrators, WEA, and some individuals, argue charter schools won’t be accountable to local taxpayers, who can influence traditional public schools by attending local school board meetings, Wood said.

“A new, unelected charter school commission, an unelected body that will be authorizing these charter schools—there’s no way for a voter to have any real influence and say in these decisions, as opposed to when a local school board is making these decisions,” he said.

Members of the state charter school commission, the state-level authorizing authority, are appointed by elected officials, providing some level of voter accountability, Finne said.

In addition, local school districts can become charter school authorizers, and voters unhappy with the education provided at charter schools can send their children to traditional public schools, Finne said.

“It’s my job to defend the will of the voters,” said Attorney General Bob Ferguson, in a statement. “We made a strong case supporting the constitutionality of the charter school initiative. Now we will wait for the judge’s decision.”

Intervening on behalf of the defendants were the League of Education Voters, the Washington State Charter Schools Association, and sponsors of the ballot initiative.

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Nontraditional Schools Chart the Waters of Common Core Standards

By Jenni White

Since the inception of national Common Core curriculum and testing standards, how they would affect charter schools has been unclear.

Some charter schools are finding a growing rift between their unique missions and government-imposed accountability measures such as state tests that will soon be replaced by those from one of two national testing consortia, Smarter Balanced (SBAC) or Partnership for Assessment of Readiness for College and Careers (PARCC).

“Charter schools are independent schools by definition,” said Jonathan Butcher, education director for the Goldwater Institute in Arizona. “The Common Core is driving the idea of uniformity.”

Forty-five states traded their state standards and tests for Common Core in 2010. The national standards govern math and English language arts, the two subjects the federal government requires states to test in order to receive federal funds.

Losing Autonomy?

Several classical charter schools in Colorado signed a resolution against Common Core in October 2013.

“Our most significant issue with the Common Core and PARCC exams is that we feel we will lose the autonomy and other protections granted to us when Colorado adopted its Charter Schools Act in 1994,” Ridgeview Classical School Principal Derek Anderson recently told columnist Michelle Malkin. Ridgeview signed the resolution. It consistently ranks among the top schools in Colorado and the country.

“The Common Core State Standards run contrary to the idea of education being either a private or a local matter, and are contrary to the idea of the states as ‘laboratories of democracy,’” the resolution says.

Anderson says what the national standards intend schools to do would destroy Ridgeview’s successful classical curriculum.

Lisa Frank agrees. She’s the cofounder and board president of another classical school, Adams Traditional Academy in Phoenix.

“We think Common Core is a violation of federalism and a violation of localism,” she said. “Education should happen locally. Anything beyond that is a set up for failure because it does not follow correct principles.”

Diluted Curriculum

This school year an Adams parent committee evaluated Common Core-aligned textbooks teachers collected. They concluded many did not promote the school’s values. Also, the second- and third-grade reading books were a grade or two below the reading levels of Adams students, and the math was typically a full year behind—especially in middle school, where Adams students take Algebra 1 in eighth grade.

Though the Arizona legislature has provided no funding for PARCC’s technology requirements, the state designated Adams as a test site for Common Core tests, leaving Frank to wonder how the new tests will force changes at her school.

For now, Adams will continue its traditional approach to education, employing the same curriculum but modifying parts—particularly in math—to meet the Common Core standards more closely.

“We will abide by the law in accordance with our charter, mission, and philosophies, but we are making our voices heard with legislators and others of influence, hoping there will be changes,” Frank said. “Educational choice should reside with the parent, not bureaucrats.”

Are Tests a Side Issue?

Standardized tests are often a specter, says Phillip Kilgore, director of the Barney Charter School Initiative at Hillsdale College in Michigan. The initiative helps develop classical charter schools.

“Well-educated students should be able to do well on tests,” he said. “For weeks, schools will abort their curricula to prep students to take tests due to fear of repercussions from the state level. A good school, with sound traditional teaching methods, doesn’t view state tests as a specter. They don’t abort their curricula, but instead continue to instruct their students as they’re obliged.”

A testing track record, however, is important, he said. If high-performing schools suddenly become low-performing on a new test, “a reasonable person would believe the explanation is the test.”

“The whole idea of a charter school is that it has freedom; it can demonstrate a better way to educate students,” Kilgore said. “When Common Core overreaches as it is, it undermines and nullifies the charter schools legislation legislators worked so hard to pass.”

Jenni White is cofounder of Restore Oklahoma Public Education and a former public school science teacher.
Illinois Teachers Don’t Have to Pay for Politics

By Lennie Jarratt

In Illinois a teacher will pay $1,000, on average, in union dues each year. Most unions convince teachers they have no choice and must pay these dues to be allowed to work.

Of this money, up to 80 percent, as found in Communication Workers of America v. Beck, is used for purposes other than collective bargaining, and more than 50 percent is used for politics.

But teachers do in fact have a choice as to whether their money is used for politics and other non-bargaining purposes. That choice is to resign from the union. When they do this they get a refund of dues they paid that went to purposes other than collective bargaining. They still pay for any monies used for collective bargaining, otherwise known as agency fees or “fair share.”

The Family Taxpayers Foundation coordinated with the National Right to Work Legal Defense Foundation in fall 2013 to run a pilot program in select areas across Illinois. The program consisted of radio advertisements, emails, and direct mail. The campaign results started slowly, as expected. Once the direct mail and email got underway, the requests for information and outright resignations rapidly increased from just a few per week to dozens.

Here is what one teacher, named Jerry, said:

“No one should have to accept union abuse or see their hard-earned dollars go to causes they find offensive or that violate their religious beliefs.”

Jerry
Illinois Teacher

The Early Results
Despite IEA’s protests, the results of our campaign have been very good and have exceeded our initial target of 1 percent resignations. As the campaign progressed, we found out what messaging and methods worked best. Those data helped us adjust our campaign, enabling us to extend it slightly and target it better. At the current pace of resignations and information requests, our final test campaign results will be closer to double the initial targeted goals.

The test campaign will end soon. As we perform a final analysis of the data, we expect to be able to replicate and increase our results as we run a full statewide campaign this fall.

As Jack Roeser, chairman of the Family Taxpayers Foundation, said, “The teachers are the victims of their own union. We must expose the union bosses. They are liars.”

This information campaign was simple, a matter of giving teachers the facts about their rights. Teachers have proven to be very interested in knowing the truth about their rights.

Lennie Jarratt is editor of ChampionNews.net and an education research consultant for the Family Taxpayers Foundation. @LennieJarratt
Proficient Reading Still Elusive for U.S. Students

By Loren Heal

Although U.S. students have made progress in decoding words, leading to a slight uptick in elementary-grade reading scores over the past two decades, they’re still shaky at the second part of reading: understanding what they sound out.

That’s crucial to upper-level reading, where scores have remained stagnant since national tests began. Improving that element of reading may be an even bigger challenge than revitalizing phonics, because understanding requires background knowledge gained in a variety of life experiences that families, rather than educators, probably have to provide.

“Decoding, vocabulary, and background knowledge are key requirements for reading comprehension,” said Sheila Whitehurst, a literacy and writing statistician at the National Center for Education Statistics.

NCES’s National Assessment of Educational Progress (NAEP) provides long-term measurement of U.S. students, and the Program for International Student Assessment (PISA) measures the achievement of 15-year-olds every three years.

“Over the past decade,” said Lisa Hansel, spokeswoman for the Core Knowledge Foundation, “particularly since the National Reading Panel Report, our elementary schools have gotten much better at doing research-based decoding instruction, and they’re to be congratulated for that. But if we look at the long-term NAEP results for 17-year-olds and if we look at the recent PISA results for 15-year-olds, we see that there is a problem—that [scores for] our students who are getting close to graduating from high school have been stagnant, that their reading has not improved.”

‘A Two-Lock Box’

“We have figured out how to teach kids how to decode print on the page,” said Russ Whitehurst, director of education policy at the Brookings Institution, “that is, to see a group of letters and to sound them out into words.”

“Even so, he said, children who can decode can still be functionally illiterate because they don’t understand the words they decode: “That understanding … requires a lot of background knowledge, not just the ability to define words.”

“We sum up the reading research by describing reading as a two-lock box: a box that takes two keys to open,” Hansel said. “Explicit decoding instruction is essential for translating those symbols on the page into words in your mind. So that’s the first key. The second key is vocabulary and background knowledge. Once you’ve decoded the text, you need to know what it means.”

Why Kids Can’t Understand

Although E.D. Hirsch, a researcher who founded the Core Knowledge Foundation, pointed out this deficiency in the 1980s, schools still do not provide children the background knowledge necessary for literacy, Whitehurst said.

Many children don’t have that knowledge “because in their homes, before they were reading, they weren’t … engaged in conversations in ways that you have to get the difference between what’s formally stated and what’s implied,” he said. Reading, with parents and alone, also generates this background knowledge, he said.

“So you have this negative loop in which children struggle to read,” Whitehurst explained. “They don’t understand what they’re reading on the page, because they have a reading disability or they don’t have background knowledge, so they don’t read a lot. It’s effortless for them, so they don’t learn a lot. And because they don’t learn a lot, as they get older it becomes even more of this negative feedback. They can’t understand, so they don’t do it.”

Wider Curriculum Needed

The obvious solution, Hansel said, is for schools to focus on building kids’ core knowledge and vocabulary, particularly when children are very young.

“I’m heartened to see that there are many initiatives along these lines now,” she said.

Whitehurst said many efforts are a waste of time because researchers don’t definitively know how to provide background knowledge. As with decoding research, it will likely take decades to learn how to effectively teach vocabulary and background knowledge, he said.

“We also have to figure out how to get kids to read more, since that’s the self-healing way of growing that knowledge,” he said.

“Let’s resist the narrowing of the curriculum that’s happened since the No Child Left Behind Act was passed,” offered Hansel. “Let’s bring more science, and social studies, and art and music instruction back into the elementary grades, and let’s enjoy with our kids the great wonder of the world.”

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NCLB Waivers Spawn Confusion About Worst Schools

By Joy Pullmann

The Obama administration’s waivers of the largest federal education law have lifted pressure to improve from thousands of failing schools and introduced confusion to school accountability, says a new report.

“The untold story of waivers is that with little warning, hundreds of so-called ‘failing’ schools suddenly weren’t ‘failing’ anymore,” said Anne Hyslop, the report’s author and a policy analyst for the New America Foundation.

The report analyzes data from more than 20,000 schools as their 16 states shifted from following the 2002 No Child Left Behind Act Congress passed to following the Obama administration’s reinterpretation of it, which differs for every state.

NCLB required schools to undergo corrective measures if they failed to make Adequate Yearly Progress on annual tests. Federal waivers, by contrast, typically require a state to improve its worst 15 percent of schools and allow the states to decide what constitutes poor performance.

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Kan. School Finance Case Attacks Legislative Process

By Max Eden

In his state of the state address this January, Kansas Gov. Sam Brownback cautioned the state supreme court against forcing the legislature to cough up more money for K–12 education.

In October, the Kansas State Supreme Court heard Gannon v. Kansas, in which the plaintiffs sued the state of Kansas charging the legislature’s school-funding plan violated the state constitution. Kansans still await the court’s ruling.

The case received national attention, with the New York Times billing it as a showdown between cold-hearted Kansas legislators who refused to fund their schools adequately and judges who should be looking out for the kids. That’s certainly one spin, but it’s not the whole story. What’s really at stake is whether the courts and the feds will succeed in wrestling control over schools from duly elected state legislators.

Monkeying with Words

The plaintiffs filed suit under the precedent of the 2005 Montoy v. Kansas decision. In Montoy, the judges found the legislature’s school-funding plan violated article six of Kansas’s constitution, which reads, “The legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools ... which may be organized and changed in such manner as may be provided by law.”

The court, ignoring the “provided by law” part, fastened on the word “improvement.” Using a 1999 dictionary to define “improve,” the judges ruled the constitution essentially requires Kansas to ensure its schools show increasing standardized test scores. Never mind that the judges looked up a different word than what appears in the constitution, and that “improvement” clearly means something more cultural and holistic than just the result of a bubble-test. The court seized final say in school funding from the legislature.

Leveraging that case, the Gannon plaintiffs declare, “the legislature has continuously evaded its duties by adopting new legislation,” which they do not believe satisfied the court’s standard. It’s a curious turn of phrase to accuse a legislature of evading its duties by adopting the school legislation it’s required by their constitution to provide.

Little Case on the Merits

The plaintiffs did not, however, base their case on decreasing school performance. It would have been a hard case to make—Kansas’s statewide SAT average puts it among the top 10 states in the country, and Kansas spends almost 14 percent more per pupil than the national average.

Instead, the bulk of their case is made by saying Kansas must fund its schools sufficiently to meet the burdens of the federal No Child Left Behind (NCLB) law. The thing is, at this point NCLB is a bad joke. NCLB mandated the fantasy goal that all schools must reach 100 percent proficiency by 2014. Congress never expected the law would survive long enough to see every school in America face harsh federal sanctions for not being perfect. Literally no amount of money spent is likely to meet this goal, and by extension the plaintiffs’ standard.

Since the brief was filed, Kansas received a waiver from the Department of Education releasing it from NCLB-imposed mandates. On one hand, this makes a considerable part of the plaintiffs’ case moot. On the other hand, the strings attached to the waiver make it only another example of federal intrusion into local schools. The waiver was granted only on the condition Kansas adopt the Obama administration’s particular policy preferences, such as the Common Core.

The feds now have the leverage to micromanage Kansas school policy, and earlier this year they threatened to revoke the waiver because Kansas convened a task force rather than conduct a pilot study on the teacher evaluation regime they were mandated to adopt.

If the court sides with the plaintiffs in Gannon, Kansans will find the courts control their schools’ purse strings, the feds control their policies, and their legislators, and by extension the citizens, have less and less say left in their schools.

Max Eden (max.eden@aei.org) is a research assistant in education policy at the American Enterprise Institute. Article reprinted from AEI’s blog with permission. This article was updated in January with information about Brownback’s state of the state address.

Teaching Program Requires Classroom Effectiveness

By Joy Pullmann

A new kind of teacher training program requires candidates to prove they are effective in the classroom before they can earn their master’s degree.

Match Education operates charter schools and a graduate program that trains teachers for high-poverty schools. The latter graduated its first class of 21 students in December 2013.

“What’s unique about Match’s program is that our teachers have to do more than just pass their classes to earn their degree,” said Scott McCue, COO of Match’s two-year teacher residency. Candidates who enroll in the residency also can pursue their master’s. Approximately 150 public school teachers have completed the residency.

To receive their master’s degree as well, residents must prove they are effective as a first-year teacher through several tests: classroom observations, student test scores, student survey results, and principal evaluations.

In their first year of the residency, prospective teachers tutor, student-teach, and receive coaching in Boston, along with taking classes. In the second year, residents teach full-time in schools across the country.

One of the new master’s graduates is Veronica Gentile, who says Match’s hands-on approach and high standards helped prepare her to teach math at Boston Preparatory Charter Public School, where she is now a second-year teacher.

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How the Milwaukee Voucher Program Was ‘Designed to Fail’

By John Merrifield

Milwaukee has a 23-year-old “priceless” tuition voucher program restricted to low-income students, district-run charter public schools, and some privately funded vouchers. It is the nation’s oldest and largest publicly funded tuition voucher program, and a lot has been said about its results, including several incredible prominent claims that its outcomes should be decisive because it will tell us whether “school choice works.”

That’s why the dueling studies, and the competing interpretations of them, deserve our attention. Those prominent claims were incredible because a program “designed to fail” was tiny for its first eight (1991–98) heavily studied years, limited to just 1 to 1.5 percent of Milwaukee Public School (MPS) students. The lucky applicants who received a voucher could use the vouchers, worth much less than the MPS per-pupil expenditure, only at non-sectarian schools, which at the time was mostly just three of six shaky schools. The program rules said eligible private schools could cash the vouchers only if they accepted them as full payment, which amounts to price control, a devastating “pricelessness” restriction that persists to this day with just one negligible exception.

A 1998 Wisconsin Supreme Court decision allowed more vouchers and sectarian schools to enroll voucher students. But with the continued ban on copayment (price control), voucher users must outperform unsuccessful voucher applicants with voucher funding of slightly more than half the amount supporting the MPS students.

The voucher users have outperformed the MPS students who were denied vouchers by small margins in some subject areas, but in other subject areas they have been no better. And other studies have found small so-called “competitive effects.” A better label would have been a broader “systemic effects” category, which can include additional effects besides rivalry for students.

Little Real Competition

The program rules give MPS schools little tangible reason to behave competitively. MPS schools suffer little funding loss when students leave with a voucher. Lacking a tangible basis for competitive behavior, sorting effects are more likely the basis for the small MPS improvements attributed to the voucher program.

Sorting occurs when parents transfer their children to schools they think will work better for them. That leaves more instructionally homogenous, more teachable classrooms behind. The children that leave are the ones for whom the futile, assigned public schools’ attempt at a one-size-fits-all instructional approach is least effective. Their departure helps them and the children that stay behind in the assigned school.

Surveys of parents of voucher users have repeatedly shown them to be very pleased, which means the program has at least worked as an escape hatch. Nearly all studies have shown voucher students reap small gains in the tested academic areas, plus, probably, customization benefits in the choice-making criteria that standardized tests cannot capture.

The escape hatch nature of the small, restriction-laden Milwaukee program is further confirmed by the assumptions and findings of several studies, including the purported “last word” on the program’s effects. Earlier findings showed the “systemic effects” (impacts on MPS effectiveness) have been small, which led the authors of the “last word” to assume unsuccessful voucher applicants were not affected by the voucher program—an implicit “no systemic effects” assumption. And at least in terms of the standardized test scores, the voucher users were not greatly impacted: “the achievement growth of students in the voucher program was [slightly] higher in reading but similar in math.”

Opening for Critics

With school choice advocates having repeatedly “bet the farm” on the Milwaukee outcomes—a truly lousy market experiment—the pro-establishment spin doctors are swooping in for the kill. For example, from Diane Ravitch:

“Anyone who looks at the NAEP reports on urban districts will see that after 22 years of vouchers, charters, and competition, Milwaukee is a poster child for the failure of vouchers, charters, and competition. The students in those schools all perform at about the same level. No sector is better.”

We have no examples of genuinely competitive school markets, but the concept is widely deemed to have been tested in Milwaukee and found ineffective. Since a small program produced small effects, choice advocates bear hug for the Milwaukee program may ensure we never will see genuine competition at work in K–12 schooling markets—a scary thought.

By the way, part of Ravitch’s critique rests on the wrong basis. Success or failure of school choice is not a matter of which “sector is better,” or whether current private schools, with much less money per child, perform better for similar children than current public schools. Our current school system ensures most members of both sectors are unacceptably low-performing.

Ravitch notes Milwaukee’s restriction-laden small programs have not put Milwaukee students’ outcomes ahead of the urban areas that participate in the National Assessment of Educational Progress metro area test comparisons. That comparison needs to be done more rigorously, but she may turn out to be right about the Milwaukee effects, though her overly broad interpretation of the effects is probably wrong.

The Milwaukee program was designed to fail, and though it helped the program participants, it yielded only the small effects we could legitimately hope from a small, restriction-laden program.

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