**NCLB Waivers**
The Obama administration is demanding states redistribute teachers to get a No Child Left Behind waiver extension. [Page 5]

**Collective Mind**
North Carolina’s state superintendent of schools says kids shouldn’t have vouchers because society is more important than individual needs. [Page 16]

**Lights Out**
A principal in Chicago’s suburbs keeps kids in the dark a fifth of the school year to “raise awareness” about the environment. [Page 10]

**Obamacare School PR**
The U.S. Department of Education declines to answer U.S. senators’ questions about its Obamacare PR efforts. [Page 15]

**Locked Out**
The Milwaukee school district refuses to sell or lease unused buildings to choice schools despite high costs to taxpayers. [Page 13]

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Thousands more kids are taking Advanced Placement tests at taxpayer expense—and failure rates are increasing. [Page 18]

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**Indiana Voucher Program Doubles Again**

**By Mary C. Tillotson**

In its third year, Indiana’s school voucher program has grown to be the third largest in the country, doubling participation to 20,000 students.

And it’s making a difference for Indiana children like Nicholas Ford, a seventh-grader who attends St. Joan of Arc Catholic School in Indianapolis with a voucher.

“Since he’s been there, he’s been doing wonderfully. He’s been challenged. There are more opportunities for him to participate in extracurricular activities. He’s in the school play. He’s in the band. Aca-

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**Court to Hear Federal Lawsuit Against Louisiana Vouchers**

**By Evelyn B. Stacey**

The U.S. Department of Justice has not withdrawn its legal challenge to Louisiana vouchers, despite claiming it merely wants more information.

U.S. Education Secretary Arne Duncan recently said he did not know the Department of Justice (DOJ) had sued, on racial grounds, to block the Louisiana Scholarship Program. If the lawsuit prevails, students who attend failing public schools that are under federal racial desegregation orders won’t be able to use vouchers to

“If the [Department of Justice] prevails, the effect will be to keep low-income black kids in failing schools. That’s hardly a victory for civil rights.”

JASON BEDRICK, POLICY ANALYST, CATO INSTITUTE

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Indiana School Voucher Program Doubles Again

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demically, he’s doing fantastic,” his mother, Karinya Chrisler, said.

Through the program, eligible families can use public money to attend private schools. The amount varies based on grade level and family income; for the 2012–13 school year, the average voucher was $4,091.

The program is open to families earning up to 150 percent of the federal free and reduced price lunch threshold ($63,964 for family of four), or 200 percent ($85,286 for a family of four) for students with disabilities, according to the Friedman Foundation.

Parents Plus Schools

In 2013, lawmakers expanded the program to include siblings of voucher students and families living in failing school districts. Students who previously received a tax-credit scholarship from a scholarship-granting organization also are eligible for vouchers, and families whose incomes rise above the 150 percent cap can keep their vouchers until they reach 200 percent.

Parents and teachers have different roles in educating children, Chrisler noted, and the voucher has helped her play hers.

“Every parent needs to consider … what’s best for their child. I like the fact that I’m able to decide what’s best for him. I’m the one that knows him. I’m the one that knows his needs, and I’m fully capable of working with the teachers,” she said. “There are things I don’t know from a teacher’s perspective, but … I’m the one in the best position to make decisions for what school I think will be best for him.”

Finding a School

Chrisler learned about the school through a summer camp her son attended there.

“The tuition I could not afford, so I talked to some of the people at St. Joan of Arc, some of the parents, and they talked about how much they liked it and how well their children were doing,” she said. “A friend of mine told me about the voucher program.”

Chrisler looked into the program, not thinking she would qualify, but she did.

St. Joan of Arc provides a better learning environment, she said, with fewer distractions, more respectful students, and teachers able to teach without constant interruption.

Racial diversity was another important factor in her decision. Ford’s public school population was entirely black, she said. St. Joan of Arc is more diverse.

“Our world isn’t 100 percent African-American. Our family isn’t 100 percent African-American. It just wasn’t indicative of the society we live in,” she said.

Ford has attended St. Joan of Arc since fifth grade.

Rapid Growth

When the voucher program was enacted in 2011, just short of 4,000 children participated. In the second year, more than 9,000 did. This year’s program ballooned to 20,047 participants.

A March state supreme court ruling in favor of the program, effectively ending legal complaints against it, and some advertising by the Friedman Foundation for Educational Choice contributed to the jump in numbers, said Robert Enlow, the foundation’s president.

The Indiana State Teachers Association opposes the voucher program because vouchers are often used to fund religious schools and “drain much-needed resources from public schools,” said Mark Shoup, an ISTA spokesperson.

Shoup noted many voucher-eligible children still attend public schools.

“The vast majority of parents feel that traditional public schools do a good job educating children,” he said. “Parents should make the best decision for their children, but they should pay for that decision,” he said. “I, as a taxpayer, should not pay for children to attend private religious schools.”

The Friedman Foundation has sent mailings to eligible parents informing them of the program and directing them to a Web site.

Word of Mouth

“It works,” Enlow said. “People are responding, and now it’s feeding on itself. The reality is, for parents, typically word of mouth is the best thing anyway.”

The program has been “fantastic,” Chrisler said. Her biggest complaint is that too many parents don’t know about it. Even the paperwork was a simple matter of providing her tax return and signing a few forms, she said.

“The fact that the voucher allows me to send him to a school that I otherwise wouldn’t be able to send him to—I’m all for that, and I think other parents should have that choice,” she said.

Chrisler is looking at a few different high schools for her son and hopes to put him on a solid path for the future, she said.

“In the society that we live in, if you don’t get a good education, you get left behind,” she said. “He wants to go to college. I want him to go to college, and he needs to have that foundation, and get as much as he can in primary school and high school, so that his road into college is a smoother transition.”

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Court to Hear Federal Lawsuit Against Louisiana Vouchers

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attend better private schools. “We simply want to ensure [the voucher program] is implemented in a legal way, consistent with court-ordered desegregation,” explained a DOJ spokesperson. “[DOJ officials] are arguing here that the voucher program harms their efforts to desegregate Louisiana schools,” said Jason Bedrick, a policy analyst for the Cato Institute.

“The department’s filing did not initiate a new lawsuit against Louisiana or seek to take vouchers away from students currently receiving them,” said the DOJ spokesperson, who spoke on condition of remaining nameless. “We are not opposing the voucher program.”

‘Denying Children an Opportunity’

Nearly 8,000 students are currently enrolled in the scholarship program. To qualify, students must attend a school graded C, D, or F based on student performance on state tests and have a family income no higher than 250 percent of the federal poverty line. This year, 90 percent of Louisiana voucher students are minorities.

“Maybe [DOJ lawyers] are genuinely concerned that vouchers are making it harder for them to achieve their desired racial balance in these districts. Or maybe they just oppose school choice and will do what it takes to limit such programs,” said Kevin Kane, president of the Pelican Institute for Public Policy. “Either way, their actions have the practical result of denying children an opportunity to attend a better school, and this is unconscionable.”

DOJ complained about and found, for example, that Independence Elementary School lost five white students to voucher schools. The DOJ argued this “reinforce(ed) the racial identity of the school as a black school.” The enrollment change was from 28.9 percent white to 29.6 percent white. At Cecilia Primary School, about which the DOJ also complained, vouchers meant a loss of six black students, shifting the school from 30.1 percent black to 29.2 percent black.

“If the DOJ prevails, the effect will be to keep low-income black kids in failing schools,” said Bedrick. “That’s hardly a victory for civil rights.”

Evelyn B. Stacey (ebstacey@yahoo.com) is a research assistant at the Hoover Institution. She writes from Palo Alto, California.
Virginia Gubernatorial Candidate Proposes Raft of School Choice Options

By Ashley Bateman

As the race for governor in Virginia heats up, education has become a focal point for gubernatorial candidate Ken Cuccinelli.

A constitutional amendment to allow vouchers, tax-credit scholarships, teacher licensing changes, a Parent Trigger law, and financial rewards for improving schools are all part of Cuccinelli’s 12-point education plan released in August. Such ideas have gained conservative support in other states but remain untested in Virginia.

“[Our] proposal is it is a bottom-up kind of accountability, so you have got to get to the parents who are going to be part of that accountability model and encourage that change.”

CHRISTIAN BRAUNLICH
VICE PRESIDENT
THOMAS JEFFERSON INSTITUTE

Cuccinelli’s opponent, Terry McAuliffe, has underlined the importance of broadening Virginia’s Preschool Initiative by real-locating money and partnering with small businesses to increase funding.

McAuliffe’s campaign did not respond to requests for comment.

Parents and Failing Districts

Speaking in one of the state’s lowest-performing school districts in October, Cuccinelli talked of the importance of creating opportunities for families whose children attend persistently failing schools.

“One of the mistakes education choice people make is we talk about how good it is for parents in underperforming school systems and then we don’t talk to those parents,” said Christian Braunlich, vice president of the Thomas Jefferson Institute.

The word “parent” is far more prevalent in Cuccinelli’s education platform than in McAuliffe’s, Braunlich noted.

Marion Handley, a Northern Virginia mother of three children under five who teaches preschool and has a master’s degree in social work, supports school choice.

“I could not afford to send my own children to preschool without the generosity of donations to our scholarship fund,” Handley said. “Our family chose the program because it was important to us that we keep our children safe within the confines of a small school community that is also a part of our faith tradition.”

She says young children learn best when their parents are involved with education, which includes choosing where their children attend school.

Parent Choice

A Parent Trigger law would let parents whose children attend a failing school petition to have the school closed or converted to a charter, its leaders replaced, or its students provided with opportunity scholarships or tax credits.

The state’s constitution, which currently gives local school boards supervision of public schools, would require an amendment for this to become law.

“I don’t know if the [legislature] would pass a parent trigger law,” Braunlich said. “It would have to be a pretty devastating school situation and be crafted extraordinarily carefully.”

Expanding school choice would remove the state as a dominant force in the current system, which would evoke positive change, Braunlich said.

“This is a bottom-up effort, whereas most other reforms in Virginia have been top-down,” Braunlich said. “The key thing to [Cuccinelli’s] proposal is it is a bottom-up kind of accountability, so you have got to get to the parents who are going to be part of that accountability model and encourage that change.”

Charters, Preschool

“Virginia has one of the most detrimental charter school laws in the country,” Cuccinelli’s plan states.

He supports a constitutional amendment that would allow the state Board of Education to establish charters rather than allowing only local districts to approve charters. Limiting charters to district approval essentially asks districts to approve their competitors.

The attorney general’s plan would increase opportunity scholarships for low-income preschoolers, removing obstacles to faith-based choice and accessibility. That proposal also would require amending the state’s constitution.

“A teacher or mentor can have a powerful impact in the preschool years; however, in most cases it is the parent who determines the child’s overall experience and establishes the child’s earliest sense of morality and values,” Handley said. “It makes sense that the parent ought to have input in the child’s placement and not be barred from pursuing their child’s interests by financial concerns.”

Improving Teacher Quality

Cuccinelli’s and McAuliffe’s education plans include new ways to attract and retain high-quality teachers. McAuliffe’s plan calls for increasing teacher benefits and pay, improving teacher training, and decreasing administrative duties.

Merit pay, reforming teaching requirements, and allowing for broader licensing avenues drive Cuccinelli’s plan for improving teacher quality.

Ashley Bateman (bateman.ae@gmail.com) writes from Williamsburg, Virginia.
Administration Demands Teacher Redistribution for NCLB Waivers

By Jenni White

Two years after the Obama administration offered states a Monopoly-style “get out of jail free” card excusing them from some demands of the 2001 No Child Left Behind law, it will offer another round of waivers in exchange for further policy changes.

Of 41 states approved for NCLB waivers, 35 are currently eligible to request extensions.

Perhaps the most far-reaching federal demand in the ESEA Flexibility Renewal Form is that states “ensure that poor and minority students are not taught at higher rates than other children by ineffective teachers.” The application requires states to identify and redistribute teachers to satisfy this condition using student and teacher data states collect.

“The department is wading into treacherous waters. Making waiver-renewal decisions based on fidelity of implementation is risky business. How do you decide what’s good enough? [And] reassigning teachers can frustrate both teachers and the schools and families that lose them,” said Andy Smarick, a partner at Bellwether Education Partners.

The department has given four broad criteria for NCLB waivers: common education standards and tests, targeting low-performing students, teacher and principal evaluations, and reducing duplicative efforts.

“We also view ESEA flexibility as a continuous improvement process,” said U.S. Department of Education (USDOE) spokesman Stephen Spector.

The waiver guidance directs states to hold districts, not just schools, accountable for student performance.

“District accountability and plans for teacher equity are not new—district accountability was part of the original requirements, and the original requirements also envisioned the use of the new evaluation and support systems to ensure all students have access to effective teachers,” Spector said.

Dubious Legality

The Center on Education Policy noted U.S. Education Secretary Arne Duncan has legal authority to waive “any statutory or regulatory requirement” of NCLB, but it’s not clear he has legal authority to require states to do what he wants in exchange.

“The waivers are part of a long line of executive overreach that is not limited to education, compounding a pattern of disregard for the normal legislative process,” said Lindsey Burke, a Heritage Foundation education fellow.

States have tried to resist NCLB but quickly learned the federal government would withhold tax money if they tried.

In March 2005, state Sen. Margaret Dayton (R-Orem) authored a bill that let Utah throw out NCLB’s “unfunded mandates.”

“We knew NCLB was arbitrary, capricious, and heavy-handed, that it totally marginalized parents’ rights, was anti-constitutional and would reduce our local school board responsibilities to clerical duties,” said Dayton. “NCLB violates the constitution of each state. To be admitted to the Union, each state had to have a plan for educating their own children, as it was not the job of the federal government.”

Soon after, 48 states had passed some form of resistance to the law, Dayton said. Connecticut sued the federal government.

“Not long after, five, six men from the U.S. Department of Education showed up in Utah wanting meetings with legislators and governors,” Dayton said. “We were told we would lose over $70 million in federal funds if we continued. They even alluded to us losing money from areas other than education.”

So states backed down.

What’s Next

It’s not likely Congress will redo NCLB in the near future, leaving the Obama administration free to interpret the law as it will, said American Enterprise Institute scholar Rick Hess.

He said legislation currently floating about the House and Senate “is all mostly kabuki theater.”

“Ultimately, conservatives should push to dramatically limit federal intervention in education—not by ‘fixing’ NCLB but by allowing states to completely opt out and spend dollars on their most pressing education needs,” Burke said.

When Congress gets around to reauthorizing the law, Spector said, “We hope that Congress learns from the good work that is happening in states under ESEA flexibility, and incorporates that work into a new law so that states can continue with these reforms.”

The waiver requirements generally align with USDOE requirements for successful Race to the Top (RTTT) grant applications.

A recent study of RTTT found states are largely behind schedule in meeting promised goals for educational outcomes and many are experiencing substantial setbacks because of unrealistic promises and unexpected challenges.

Jenni White is cofounder of Restore Oklahoma Public Education and a former public school science teacher.

Common Core Answers Consume 40,000 Pages

By Kellie Slappey

North Carolina’s Department of Public Instruction sent Lt. Gov Dan Forest 40,000 sheets of paper in response to 67 questions he asked about Common Core national education standards.

That’s not all. DPI also sent “links to hundreds of websites and thousands of individual pages, a cover letter with no answers, 320 separate reports, hundreds of original documents, one blog post, and a thumb drive. But no answers,” said Kani Mueller, Forest’s spokeswoman.

Common Core is a series of grade-by-grade learning goals 45 states have adopted. North Carolina adopted it in 2010. Upon hearing constituents’ concerns, in July Forest asked DPI to detail the costs, teacher preparation, technology requirements, and other implementation procedures for Common Core. He received an average of 597 pages of information per question.

“Lt. Governor Forest sent me 20 pages of questions to answer, and among them were questions about the Common Core,” said state Superintendent June Atkinson. “I answered them in a thorough manner and shared with him supporting documents.”

Opposition to Common Core has flared across the country since this spring when it began to roll out in schools. The education standards will change testing, teacher training, curriculum, and technology requirements.

Reasonable, or Make-Work?

Forest said DPI’s response exemplifies “government bureaucracy at its best.”

“Most of the questions required very short, very straightforward answers,” observed Dr. Terry Stoops, director of education studies at the John Locke Foundation. “Forest never declared his opposition to Common Core. He simply wanted a number of relevant questions answered before he made a decision. It was a reasonable request.”

Civitas Institute policy analyst Bob Luebke says the DPI’s response was “disrespectful and dismissive. Legislators and school board members should be made aware of how DPI responded, or didn’t respond, to legitimate questions from the lieutenant governor and a sitting member of the state Board of Education.”

Forest mailed a copy of DPI’s reply to every General Assembly member, all 115 school superintendents, all elected county commissioners, and school board members statewide.

In response, the New Hanover school board unanimously passed a resolution asking the state Board of Education and the General Assembly to clarify Common Core. Luebke said other counties are likely to follow their example.

Kellie Slappey is a government relations intern for The Heartland Institute.

LEARN MORE


“NCLB violates the constitution of each state. To be admitted to the Union, each state had to have a plan for educating their own children, as it was not the job of the federal government.”

MARGARET DAYTON, STATE SENATOR, OREM, UTAH
Private Schools Better Off with Accreditation than with Regulation

By Ashley Bateman

Federal government regulation of private schools is increasing, especially due to the Patient Protection and Affordable Care Act, also known as Obamacare.

“We’re not afraid of accountability—our schools should have higher-level learning than Common Core [national K-12] standards,” said Tom Cathey, legal director for the Association of Christian Schools International (ACSI), the largest private schools accreditation agency. “We’re just opposed to regulations that infringe upon who you can hire and what you can teach.”

More than five million K-12 students in the U.S. attend private schools. They attain higher test scores than their public-school peers in all subjects, according to the most recent National Assessment of Educational Progress.

“Private schools are the most accountable schools in the country,” said Joe McTighe, executive director of the Council for American Private Education. “There are free-market forces at play in our schools that ensure a level of quality control [that is] immediate, effective, decisive, and unforgiving. If a private school doesn’t deliver what parents want, they take their business somewhere else. That’s accountability.”

Growing Federal Infringement

State and national regulations affect curriculum, testing, teacher certification, employment, finances, and more. Recent federal infringements have been especially onerous, Cathey said.

“One of the biggest issues we have now is with health care requirements,” Cathey said. “We are very much opposed to [life-ending drugs]. ... To force our employees to pay for that is an infringement upon religion.

“Right now, we can hire people who we want at Christian schools,” Cathey added. “[The federal government] would like to remove that exemption, and we’d lose our whole mission.”

Accreditation vs. Accountability

State or private accreditation gives private schools the ability to grant a recognized high school diploma, meet compulsory attendance mandates, and provide class credits that transfer. Nearly all states require private schools to register or be state-licensed.

Although the state is still considered the ultimate accrediting body, private agencies believe their peer accountability, comprehensive review, and knowledge of local communities improve on state standards, McTighe said.

“Most accredited private schools are accredited by agencies other than the state,” he said. “The process takes a comprehensive look at the school: vision, governance, curriculum, instructional resources, teacher quality, leadership, parent involvement, student performance.”

ACSI works with all regional accreditors. The Association of Classical Christian Schools accredits schools in Oklahoma, South Dakota, Texas, and Virginia and works with regional associations that protect private school rights, said Patch Blakney, ACCS executive director.

“It’s great to have a peer council review you rather than the government,” Blakney said. “We’re part of a peer organization that holds us mutually accountable. ... If one organization has low standards it reflects poorly on the whole mission.”

Although higher education accreditation teems with complaints, there are fewer from K-12 schools, said Cato Institute scholar Neal McCluskey. “I suspect most schools find it to have some positive benefit. The main complaint in higher education is accreditation tends to ask for a lot of brick and mortar-type things that don’t make a lot of sense anymore.”

Teacher Certification

Though most states recognize ACSI teacher certification, many schools also want regional accreditation so their teachers can become state-certified, Cathey said.

State certification processes ask teachers to do the opposite of what most classical schools want, Blakey said: “If a state would require us to follow state standards that wouldn’t serve us at all, that are inconsistent with the way we train our teachers and the way we want our teachers to teach, it is an unnecessary expenditure.”

That means low state standards can effectively ban a passionate and educated potential teacher from the classroom, he said.

“There’s pretty broad recognition that the [state] certification process is a barrier to entry to a lot of people who could very well be good teachers,” McCluskey said.

Curriculum, Testing

State standards pushing progressive education over an “older, reliable, historically proven” curriculum concern ACCS, Blakey said. “A local, private school ought to be able to identify a curriculum that’s best for their students,” he said.

Standardized testing is not commonly required of private schools, but most administer them to gauge student progress and performance.

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

LET’S PUT PARENTS BACK IN CHARGE!

by Joseph L. Bast & Herbert J. Walberg, Ph.D.

Let’s Put Parents Back in Charge! — a groundbreaking bilingual (English/Spanish) tool for the school choice movement — is available free of charge (in quantities of 50 to 500) to grassroots school choice efforts, charter schools, parent groups, elected officials, and others.

State legislatures across the country are considering vouchers, tuition tax credits, and other measures that would give parents more control over their children’s educational futures. But before they’ll act, they need to hear from informed, motivated constituents.

To energize your school choice effort with Let’s Put Parents Back in Charge! contact us at 312/377-4000, email think@heartland.org.

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Individual copies can be ordered for $5.95 in The Heartland Institute’s online store at http://www.heartland.org.
Wis. Officials Want More Data from Private Schools

By Loren Heal

Top Wisconsin officials have introduced a plan to require more data collection from private voucher schools.

The scheme is unlikely to become law, however, said Jim Bender, president of School Choice Wisconsin. Matthew Kussow, executive director of the Wisconsin Council of Religious and Independent Schools, agreed. “I don’t know if it could ever be put in a form where we could support it,” he said.

“It’s about the Department of Public Instruction and what their role in our children’s lives is,” he said. “I think the underlying goal is to improve our school system. But what a private school parent or the administrator of a private school might believe improves the school is going to be vastly different than those in a public school, down to the tests that they would use to measure success.”

State Sen. Luther Olsen (R-Ripon) and state Rep. Steve Kestell (R-Elkhart Lake), the education chairmen in their respective chambers, proposed August 14 to require private schools to collect information about voucher students, such as test scores, race, family income, disabilities, and “pupil engagement in school,” for the state’s student information system. The state could charge schools for providing data to the system and would use it to determine schools’ continued voucher eligibility.

Olsen’s office did not respond to requests for comment. Senate Bill 286 had its first public hearing September 12 and has been assigned to the education committee.

The proposal also would redistribute public school teachers to achieve “equitable” numbers of better teachers in poor-performing public schools.

Gov. Scott Walker’s press secretary Tom Evenson said Walker would review the legislation if it reaches his desk.

More Regulations, Worse Quality

“This legislation is probably motivated by a combination of political expediency and an earnest desire to improve the quality of education,” said Andrew Coulson, director of the Center for Educational Freedom at the Cato Institute. “Unfortunately, that recipe doesn’t always produce good policy. I’ve studied different kinds of school systems operating side-by-side in countries all over the world and across history, and the pattern that emerges is very clear: It is the most market-like, least-regulated systems that do the best job of serving families.”

Coulson said he has long believed education tax credits do not erode educators’ freedom as strongly as vouchers, because they don’t use government money. A recent Thomas B. Fordham Institute study found Wisconsin’s voucher program, the oldest, is also the most regulated in the country.

‘Accountability’ By Any Other Name

Vouchers have been “a hot topic” in Wisconsin ever since the state first created them, said Christian D’Andrea, an education policy analyst at Wisconsin’s Mackin Institute for Public Policy, “and opponents have left no stone unturned in attacking them.”

Attempting to regulate voucher schools out of existence has long been a favorite anti-choice tactic under the label of “accountability,” D’Andrea said.

“The strongest accountability measure these schools will ever face,” Bender said, “regardless of state intervention, is the accountability they have to show towards parents in order to keep students in their classrooms. However, if the proposed program sticks to measuring student growth in categories like math and reading, schools can implement it without having to significantly change their curricula.”

The important question is whether extra information-gathering benefits students, Kussow said, and no one has demonstrated it does.

“This bill takes at least a dozen steps back by requiring schools to turn over a great deal more data, a lot of which has nothing to do with the report card, and it just empowers [the Department of Public Instruction] to come in in a way they currently aren’t and be able to remove schools from the program,” Bender said.

State Superintendent Tony Evers, who oversees the voucher program, has frequently said it should be eliminated.

“This bill has a long way to go before it sees the light of day,” Bender concluded.

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

Nationwide Education Spending Has Increased

By Patrick McGuigan

State public school funding has declined in 34 states, the Center on Budget and Policy Priorities concludes in its recent analysis of public school funding since the start of the Great Recession. The analysis, however, ignores local government spending on schools and spending for education secured through state authority.

The Kansas Policy Institute pointed out the national group ignored revenue for public education triggered by state authority, including property taxes. The report also ignored recovery or “stimulus” money states used to “backfill” tax revenue declines during the Great Recession.

“Their claims are deliberately misleading,” wrote KPI President Dave Trabert.

Nationwide, notes Andrew Coulson of the Cato Institute, the number of public school employees increased, doubling since 1970, while total enrollment declined between 1970 and 1990 before slowly climbing again. Meanwhile, student achievement has stayed flat or declined.

For 2005–06 through 2010–11, inflation-adjusted per-pupil spending has increased 3.6 percent nationwide, according to Mike Antonucci of the Education Intelligence Agency.

Patrick McGuigan (patrick@capitolbeatok.com) is Oklahoma City bureau chief for Watchdog.org. Reprinted from Watchdog.org with permission.

PODCAST INFO

THE ABCs OF SCHOOL CHOICE

The comprehensive guide to every private school choice program in America

“There isn’t a doubt in my mind that Jaevion is exactly where he needs to be in order to thrive academically and mature spiritually, and it’s all possible because of the voucher program.” - Jeronna, whose son, Jaevion, is participating in Indiana’s Choice Scholarship Program

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Southern Black Voters Heavily Favor School Choice

By Jenni White

Approximately nine in ten African-American voters across Alabama, Kentucky, Louisiana, and Mississippi favor school choice policies, according to a survey published by the Black Alliance for Educational Options.

The poll also found between 55 and 58 percent of the 1,700 respondents would not send their children to public schools if they had a choice. “Middle-class kids get served up mediocrity, and black and Latino communities get even worse,” said education analyst RiShawn Biddle, editor of Drop Out Nation.

Each of the surveyed states but Kentucky currently offers some form of school choice. Alabama offers an online public school and new tax-credit scholarships. Louisiana has one of the nation’s largest voucher programs, available to students attending D- or F-rated public schools or special-needs students, a broad array of charter schools, online schools, and tax-credit scholarships. Mississippi allows a limited number of charter schools and offers special-needs vouchers, as well as an online public school.

Selected Poll Results

- Eighty-five to 89 percent (depending on the state) of black voters say government should provide parents as many choices as possible to ensure their children receive a good education.
- Seventy-one to 80 percent of black voters supported charter schools after hearing they provide more opportunities to lower-income minority students trapped in failing schools.
- Fifty percent of all respondents supported charter schools and publicly funded vouchers.
- Support for school choice was strongest among younger voters (ages 18-34), people with lower incomes, and those with less formal education.

All of the states have large racial achievement gaps, significant minority populations, and lower-performing public schools in general, the survey notes. “This survey gave BAEO the opportunity to promote the expansion of publicly funded charter school options in states where these options are unavailable or very limited,” said Tiffany Forrester, BAEO’s director of policy and research. “Affluent families have always had access to choice in education, whereas low-income families and black families have not had access to those same options.”

Tax-credit scholarships, such as Alabama’s new program, are the only government-created school choice option that uses exclusively private money. The programs give individual and business taxpayers a tax credit for donating to nonprofit organizations that in turn grant children K-12 scholarships to private schools.

Alabama’s new program provides that option for students enrolled in or assigned to a failing K-12 Alabama public school, according to the Alabama Policy Institute. “No matter what poll you look at, black and Latino school communities are far more supportive of school choice than those that are white and have in theory more opportunities for choice,” Biddle says. “Black and Latino communities are those most subject to low-quality schools. For black and Latino families, there is a strong [desire] to have a wide array of opportunities to send their kids to schools that fit their needs.”

Jenni White is cofounder of Restore Oklahoma Public Education and a former public school science teacher.

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
By Mary C. Tillotson

The lights are off every Tuesday inside Grove Avenue Elementary School in Barrington, Illinois, thanks to the Green Tuesdays program, intended to raise awareness about the environment. The school also asks its K-5 students to wear an article of green clothing on Tuesdays.

The program has some parents concerned about their children’s safety.

“I could see a kid tripping and getting hurt in some of those dark hallways by the lockers,” said Kenneth Rusin, who has two children in the school and two younger children who will attend in the next few years. “I’m also concerned if there was some type of intruder, a pedophile or somebody who would want to harm my children. I don’t know how it would be witnessed well in those dark areas.”

The school’s security cameras may not get clear images of intruders, he said, and the darkness could contribute to poor mental well-being.

“It just doesn’t feel very welcoming and comfortable to walk in the dark hallway,” he said.

Kalogeropoulos said administrators checked school codes to ensure they could keep the lights off for one-fifth of the school year, “So everything is fine.”

“It’s just a day every week that we try to raise everybody’s awareness,” she said. “Kids are very basic when they’re in elementary school, so it’s kind of a wakeup call for us to be conscious of things.”

The school also encourages children to donate to the local food pantry, allowing them to wear hats on Wednesdays if they bring in a donation. Food grown in the school’s garden is served in the cafeteria and, in the summer, donated to the food pantry.

Nothing to See Here

The program was imposed without parents’ or school board members’ knowledge, Rusin said.

“It just came up,” he said. “The public didn’t know about it, and the board didn’t know about it till I brought it to their attention.”

Rusin wrote a letter complaining to the principal, who wrote back explaining and defending the program. Rusin has approached local public officials, including the police and fire departments, and an insurance company. The consensus was that everything’s up to code and their hands are tied until someone is hurt or files suit, he said.

“The superintendent told me that if I came to another school board meeting, that he and the principal would have 100 parents that agree with him,” Rusin said.

The fire department, insurance agency, and superintendent did not return calls for comment.

Kalogeropoulos says parents and staff have been “absolutely” supportive of the program and that she has not heard any complaints from parents. She did not return calls or an email for comment about her response to Rusin’s letter.

School Board Uninvolved

The school board and principal are “adamant” about keeping the program, refusing to hear criticism of it, Rusin said.

Board members were repeatedly emailed for comment, and Jeff Arnett, chief communications officer for the school, emailed back a week later to say media requests should go through his office.

The school board has not been involved in the program, Arnett told School Reform News.

“To my knowledge it’s never been raised during the public comments portion of a meeting, and it has not been an agenda topic at any of their meetings,” he said. “The school board makes decisions about things that have district-wide implications, and this is specific to Grove Elementary.”

‘Just Teach Our Kids Reading’

Rusin said he’s been the most outspoken, but many parents are similarly concerned. He knows one family that pulled their children out of the school “because they didn’t like the way the principal was agenda-driven.”

“Most people think it’s not something that should be done and they’re against it. However, to get anybody to come to a board meeting or to write a letter or to bring it up, people ... don’t want to upset the staff, because maybe they’ll take it out on our children,” he said.

Safety issues aside, Rusin said schools aren’t the place for this.

“The way we’re looking at it, please just teach our kids reading, writing, arithmetic. Keep that [agenda-driven] stuff somewhere else, because it doesn’t seem like the right place for this age group, and it’s a little awkward when you walk into the main doors of the school and it’s pitch black on Tuesday.”

He said he feels the school is pushing a political agenda on the students.

“If there’s any question of jeopardizing health and safety, why is it important for them to hear about global warming when other schools aren’t doing it, at the expense of the children?” he said.

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Philadelphia Schools Struggle to Avoid Detroit’s Fate

By Loren Heal

Philadelphia schools opened on time September 9 after city officials agreed to supply the district at least $50 million more than previously allocated.

Although the district laid off one in five employees, or 3,783 people, unions have declined all cuts in pay or benefits to save jobs and schools.

Philadelphia schools face a shortfall of $304 million this year, in a budget totaling approximately $2.3 billion, said schools spokesman Fernando Gallardo. The biggest hole-digger is their pension system.

“The pension is going to continue to be a problem,” Gallard said. “There isn’t enough money in the fund to meet future amounts. As to why there isn’t enough, I do not know.”

Robert Costrell says he does know: “The pension piece of Philadelphia’s problem was created by the Commonwealth of Pennsylvania, by the state’s irresponsible pension policies over the last decade or so, for teachers and other public employees.”

The education reform and economics professor at the University of Arkansas recently coauthored a study examining the schools’ fiscal woes.

Across the nation, government pensions are drastically short of money. Pennsylvania’s pension shortfall is $29.5 billion—one-third of its obligations—and among the worst in the country. School districts such as Philadelphia’s shoulder part of pension costs, which are set to increase rapidly.

Philadelphia is one of many major cities, including Detroit and Chicago, facing massive school budget deficits. The district’s credit rating is at junk status.

Pension Woes

In May, the district asked Philadelphia to cough up $60 million and requested another $120 million from the state, also asking unions to commit $130 million to backfill this year’s budget.

“Superintendent Hite’s and Mayor Nutter’s plan was for everyone at the table to bring something, including the [Philadelphia Federation of Teachers]. All complied except the PFT and Philly House Democrat delegation,” said Stephen Miskin, spokesman for Pennsylvania House Republicans. “So what did the Philly House Democrats and the PFT bring to the table? Nothing, nada, zilch.”

When Pennsylvania enacted pension reforms in 2010, it lowered costs for future employees, but its problem is current employees. Reforms in Ohio and Wisconsin, by contrast, brought more immediate relief by raising employee contributions, among other measures.

In Pennsylvania, “the legislature has failed to adequately address the problem,” Costrell said.

The pension mess was “exacerbated by former Governor Rendell’s deferments of payments to the state pension funds and, ‘as a cost-saver’ to school districts, allowing the districts to defer pension payments,” Miskin said.

Education Spending Controversy

Local leaders are hoping for a state bailout, but state lawmakers aren’t keen on the idea.

“Education funding over the last couple of years in the Corbett administration has taken about a billion from public education statewide, so in a big city like Philadelphia with high poverty rates, aging infrastructure as far as school buildings, these kind of cuts have a real negative impact on our ability to provide our kids with an adequate public education,” said George-Jackson, a spokesman for the Philadelphia Federation of Teachers.

Pennsylvania spends about $22 billion each year on K-12 education, or $13,000 per student. Philadelphia spends $17,000 per student, according to the National Center for Education Statistics.

By 2020, required tax contributions to past retirees will eat up $2,361 per student, according to Costrell’s analysis. This will crowd out the money every school district, including Philadelphia, has to pay for existing employees.

“While they will clamor the state’s share is ‘not enough,’ that is always their answer,” said Miskin, “no matter what, including when the governor’s office was occupied by spendaholic Rendell.”

To raise the $50 million, Philadelphia’s mayor proposed the city take on more debt. In the meantime, the union is negotiating on its contract, which expired August 31.

“While the district is proposing is anywhere from a 5 to 13 percent pay cut,” Jackson said, claiming teachers use their own money for most classroom supplies. “That’s why our members have been very clear that they are not taking a pay cut.”

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How Philadelphia Created Its Own Fiscal Crisis

By Mike Antonucci

Philadelphia School District finances are a nightmare, and there’s no shortage of horror stories about the layoffs. What isn’t included in those stories is how the hiring practices of recent years exacerbated today’s cuts.

Philadelphia, like many other large districts in Pennsylvania, spent 2006 to 2011 hiring teachers and other public employees at a remarkable clip, despite falling enrollment. Philadelphia had almost 10 percent fewer students in 2011 than in 2006, but almost 4 percent more teachers. This was typical of the state: A 5 percent drop in enrollment accompanied a 6.2 percent increase in teachers. Pittsburgh was the only school district of the state’s 20 largest that responded to enrollment losses with a corresponding reduction of staff.

And although Philadelphia’s per-pupil spending of $11,637 significantly trailed the state average, it grew almost 30 percent during this five-year period, exceeding the average state growth by almost 8 percentage points.

Few school districts learned before and during the recession that small cuts early can prevent huge cuts later. The Philadelphia School District is not a victim of circumstances, but of its own policies.

Mike Antonucci is director of the Education Intelligence Agency. Reprinted from the Education Intelligence Agency with permission.
New Teacher Evaluations Include Student Performance

By Bailey Pritchett

This school year, school districts nationwide have begun implementing new teacher evaluation systems that include student test scores.

Since 2009, the number of states requiring student scores to influence a teacher’s evaluation has doubled to 30, according to the National Council on Teacher Quality. The Obama administration has required this policy through No Child Left Behind waivers for 40 states and Race to the Top grant competitions.

Wisconsin teacher Tracie Happel said evaluations do not micromanage teachers. In fact, she said, it should be an expected part of the job.

“T"eacher is a public servant,” Happel said. “We are paid by taxpayers. We should be responding to the community and what [parents] want for their kid.”

Most Go with Danielson

More than 20 states have adopted Charlotte Danielson’s Framework for Teaching for evaluating teachers. Danielson advises several state and foreign education departments.

Danielson developed an evaluation that includes teacher “reflection and self-assessment,” administrator observations, and student test scores.

Happel thinks strong teacher evaluations are long overdue.

“Districts [now] get to decide how to retain employees,” Happel said. “There is so much more freedom in teacher effectiveness.”

In Happel’s school district, a poor teacher evaluation results in one year of probation, after which a teacher loses her job if she hasn’t improved.

“It protects our children and makes them the most academically ready,” she said.

Validity Questions

Using test scores to evaluate teachers is complicated, said Terry Stoops, an education policy analyst for the John Locke Foundation in North Carolina.

“Teachers in North Carolina have the right to complain,” he said. “The state has a history of creating inferior tests that measure student learning. It isn’t a trustworthy evaluating instrument.”

Nonetheless, an objective component is necessary for evaluations, Stoops said.

“Evaluations conducted by principals are extremely unreliable and not indicative of quality teaching,” Stoops said. “They don’t want to make it look like they don’t know how to hire teachers.”

The Obama administration put Kansas, Oregon, and Washington on notice they may lose federal grant money because they have not moved fast enough to implement administration-approved teacher evaluation systems. The states have one more year to pass legislation.

In Tennessee, teachers are evaluated once every five years on a scale from one to five—one means “significantly below expectations,” and five means “significantly above expectations.” If a teacher does not have consecutive evaluations of 4 or 5, he or she cannot receive tenure.

In such systems, teachers are evaluated by a combination of classroom observation and student test score growth, with different states using different ratios.


Objective Data

Although quantitative elements have been part of many teacher evaluations in the past, they have typically not been required, said Susan Burns, program director of the National Center on Performance Incentives.

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Milwaukee Resists Selling Buildings to Choice Schools, Law Firm Says

By M.D. Kittle

MADISON – The Wisconsin Institute for Law & Liberty rates the City of Milwaukee a failure for its policy of giving Milwaukee Public Schools the authority to sell or lease the district’s unused school buildings.

WILL, a conservative public interest law firm based in Milwaukee, asserts in a report the school district is playing “shell games” and the city is violating the spirit of a 2011 state law that gave Milwaukee the power to move idle buildings.

“MPS is preventing numerous charter schools and private schools in the choice program from purchasing empty, unused school buildings, ... directly blocking thousands of children from attending a nearby, high-performing school,” said C. J. Szafir, WILL’s education policy director, in a statement.

An MPS official said the law does not require MPS to sell buildings for which it has legitimate plans.

In February 2011, MPS listed 28 buildings as vacant and for sale. In April 2013, it told WILL it had only four vacant buildings for sale. An internal chart circulated in March 2013 showed the reduction wasn’t due to sales or use, marking at least 23 buildings still vacant and not on the market, WILL says.

Holding Schools Hostage

The city and school district have been unapologetic about their approach.

“We’d be glad to make them available if [the state government] fix[es] the way the [education funding] formula is funded,” said Jennifer Gonda, director of intergovernmental relations for the city of Milwaukee.

Gonda said Milwaukee has effectively frozen school building sales to choice schools because the state’s general school aid formula reduces taxable property by the proportion of voucher students—there are more than 24,000 in Milwaukee. Gonda said the formula artificially inflates property values, making it seem Milwaukee’s property base is wealthier than it is, which costs the city about $50 million per year.

“It creates a double deduction in school aid. We believe that is an inequitable way to fund schools,” she said in April. “We have the average property taxpayer paying nearly $200 a year more to support that. In an age where the economy and the financial needs of residents is pretty tight, we believe that additional $200 is asking too much.”

In 2011, Milwaukee Mayor Tom Barrett urged the legislature to give the city the ability to sell school buildings, assuring it could market idle or underutilized properties to “high quality, nontraditional schools who are interested in the properties.”

He declared such schools, presumably including rapidly growing parental choice vouchers and for-profit charter schools, were “shut out” of purchasing or leasing public school properties.

Depends Who Asks

In April, MPS spokesman Tony Tagliavia sent an updated list of building sales, leases, and reuse projects. The district sold four properties between July 2011 and April 2013, while 13 other properties were being leased.

But WILL says when it comes to choice and non-MPS charter schools, MPS “can be difficult.”

“In June 2012, for example, a private school asked for a chart of all the unused schools that might be available to purchase. MPS replied that there are none on the market,” the law firm states in its release. The firm believes “practically every vacant school building” could be occupied if MPS were inclined to sell or lease.

In a follow-up email, Tagliavia asserted the WILL report “ignores and omits critical facts and contains false claims.” The MPS spokesman contends the report:

- Ignores that MPS has legitimate reuse purposes for a number of buildings, including expansion of successful MPS and charter schools. In 2013–14, five previously unused MPS buildings are back in service as schools.
- Fails to recognize MPS has sold buildings to high-performing charter schools including two to Milwaukee College Prep and one to Hmong American Peace Academy.
- Ignores MPS currently leases space to 11 charter/partnership schools.
- Falsely claims MPS does not keep track of what is happening in its buildings. Tagliavia stated Milwaukee Public Schools has a Facilities Master Plan that contains, in great detail, information about all of its buildings.
- “MPS’ building decisions are made by choice schools in Milwaukee, and it would result in thousands of children in the city of Milwaukee having access to high-performing schools.”
- Ignores the interest of any particular school or families in the community, not in the best interest of all taxpayers would have relief from $1.2 million in maintenance costs, and the [proceeds] of the sale of those schools would go to MPS.”

Szafir said WILL asked the district whether it had a central database of information on the status of MPS buildings, but the organization was told real-time data would cost WILL more than $7,000 to obtain. The information provided was two years old, he said.

‘Government Malpractice’

More than 20 buildings could serve “high-performing” non-charter and choice schools, but the city and MPS are playing politics with the lives of school children, Szafir said. He calls the situation “government malpractice.”

“They are sitting on 23 buildings that have no purpose,” Szafir said. “These buildings clearly are in demand for choice schools in Milwaukee, and the [proceeds] of the sale of those schools would go to MPS.”

WILL, a conservative public interest organization was told real-time data was not available. The information provided was two years old, he said.

M.D. Kittle is a reporter for Wisconsin Watchdog. Reprinted with permission from Watchdog.org.
Parents Unbundle Education in Arizona

By Joy Pullmann

One-third of parents allowed to “unbundle” their children’s education using a novel form of vouchers split the money into a variety of education opportunities, while the other two-thirds use their education savings accounts more like a voucher, a study reports.

“The public school system has no ability to handle Sean’s sensory needs,” said Jennifer Doucet, mother of a seventh grader with autism who receives an ESA.

“If there are too many kids in a classroom, he gets fidgety and becomes a distraction,” she said. “His ability is not at the same grade level as the other students, so he was either forced to a level that is way above his ability or way below. ... [His new school offered] smaller class sizes, and people understand autism. They know the difference between when he is acting out and he really does not understand something. ... Without a savings account, we would not be able to afford the care that Sean needs.”

In 2011, Arizona was the first state to create education savings accounts (ESAs), a form of school choice in which 90 percent of state per-pupil funds go into a bank account parents can use to purchase a variety of education services, such as textbooks, online classes, tuition, and tutoring.

In 2012, the state expanded the program to include children zoned to attend D- or F-rated schools, children in military families, and foster children in addition to special-needs students. In 2013, lawmakers expanded the program to incoming kindergarten students. Currently, 220,000 children are eligible for ESAs.

An August report from the Friedman Foundation chronicles how the 316 Arizona ESA families are using their accounts. Thirty-four percent divided the money into a variety of education opportunities such as therapy and curriculum, and 66 percent used the accounts to pay tuition directly to a private school.

The annual state per-pupil cost for the program is $5,300 for non-disabled students and $13,600 for disabled students. Parents can roll over funds from the account each year and even spend remaining funds on college tuition once students graduate high school. In 2011–12, parents reserved 43 percent of that year’s ESA funds. The accounts may not pay for computers, transportation, or school supplies such as pens and paper.

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

New York Parents, Teachers Protest Common Core

By J.R. Baldwin

LONG ISLAND, NY – More than 2,000 people gathered for a rally at New York’s Comsewogue High School on August 17 to protest national Common Core standards and tests.

Superintendent Joseph Rella robo-called parents to the rally upon learning the 2013 Common Core test results for his school district’s third through eighth graders.

“Implementation and the testing associated with the Common Core is hurting our children,” Rella explained. “I don’t know how I could possibly tell our kids 70 percent of you are failures. ... 70 percent of you are not college material.”

“If it can be fixed, fix it,” he said. “If it can’t, throw it out, scrap it. Stop it, fix it or scrap it.”

Yvonne Gasperino, president of Stop the Common Core in New York State (SCCNYS), attended the rally. The mother of two says Common Core “attacks the public schools, attacks the homeschoolers, attacks the private schools, and attacks the Catholic schools.” She is concerned about the lack of provisions being made for special-needs students, who she says are “being thrown under the bus.”

Common Core is a set of national goals and tests for K-12 in math and English created by several nonprofit organizations. In 2010, 45 states joined the initiative. As Common Core standards are rolled out to the schools, parents and teachers across the country are reacting with concern.

Assemblyman Al Graf (R-Holbrook) has sponsored Assembly Bill 7944 petitioning Gov. Andrew Cuomo (D) to withdraw New York from Common Core and Race to the Top, a federal grant program that pushed Common Core. Twenty-five Republicans currently cosponsor the bill.

Graf wants “to return to what has worked in previous years,” he said. “Government should not be
tinkering with the education experience of our children, while ignoring the voices of the professionals in the classroom.”

Leonie Haimson, executive director of Class Size Matters, asked to testify at state Sen. John Flanagan’s education hearings on Common Core, which ran from September 17 to October 29. Class Size Matters targets data mining and privacy issues.

“We are most focused on organizing parent resistance in New York—which is now the only inBloom client to be sharing the personal student data for all students in the state—and we are actively working to ensure that the legislation passes this year,” she said. InBloom aggregates student information such as hobbies, Social Security Numbers, classes, and test scores.

“Set Up to Fail”

“Our schools and students are being set up to fail” when “teachers are being deemed ineffective using the results of Common Core tests, and schools are at risk of being closed or taken over by corporate-run charter schools,” said Kris Nielsen, a former teacher and author of *Children of the Core*. Nielsen is optimistic opponents from both sides of the political aisle can end Common Core.

“Now that we’re becoming more successful at untangling the web of power and wealth and seeing the connections, it’s becoming more apparent that we’re fighting government and corporations from taking our children down paths we think are dangerous for them and our country,” Nielsen said. “It’s becoming more important for us to fight together.”

*J.R. Baldwin writes from New Orleans, Louisiana.*

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**Education Department to Promote Obamacare**

*By Evelyn B. Stacey*

It took U.S. Education Secretary Arne Duncan three months to respond to several letters from Republican U.S. senators asking for details of his department’s involvement in promoting Obamacare.

The U.S. Department of Education (DOE) will share “basic materials developed by [the U.S. Department of Health and Human Services] for our stakeholders to use at their discretion,” Duncan wrote in September. DOE “has devoted a very minimal amount of staff time and resources for these efforts.”

Duncan did not respond to senators’ request that he cite what law authorizes DOE to help promote Obamacare, explain what DOE is asking of individual schools, what the promotional activities cost, and how many hours DOE staff are using each day to promote Obamacare, said AshLee Strong, spokeswoman for Sen. John Thune (R-SD). “We will continue to seek answers to these outstanding questions,” she said.

“We are concerned the outreach is beyond Department of Education and other agencies’ authority,” said Liz Wolgemuth, press secretary for Sen. Lamar Alexander (R-TN).

The first letter, dated July 16 and spearheaded by Thune, was prompted by a *Politico* interview with Duncan in July. Interviewer Lois Romano asked Duncan if “schools [are] going to be disseminating information to help families.”

“Schools are going to be doing everything they can,” replied Duncan. “We actually have a team here helping—obviously, more on the margins but helping the [Affordable Care Act].”

**Education or Health Care?**

Duncan’s response brought questions from 19 senators about the goals and authority of such a team. Their letter asks “how the Department of Education’s involvement in implementation will further the mission of educating our nation’s students.” It also asks how much the DOE is going to spend in its efforts to disseminate information, where the funds came from, and what guidelines were created for them.

The letter requested answers by July 30. DOE spokesman Stephen Spector said he was not aware of any response sent to the senators. The department has issued a general statement instead.

DOE spokesman Cameron French wrote, “Among the most important provisions for families and students is access to preventative care that will result in students spending more time in the classroom learning, and less time outside of class recovering from preventable illnesses. The Department is providing this information through written materials, online tools and in-person meetings and trainings. The Department is not providing technical assistance on implementation. This effort will continue to be led by the U.S. Department of Health and Human Services.”

The letter also asked how DOE actions differ from those taken by the Department of Health and Human Services and whether the two are coordinating to reduce double-duty.

“It is an administration-wide effort to implement the law of the land—using existing resources,” Spector said. He said no specific team exists for the project, and employees across all departments are helping out.

**A Second Letter**

The senators will not let the issue subside. In response to Duncan’s failure to respond to the first letter, 39 Republican senators sent the White House a second letter on August 1 asking “for more information on ObamaCare implementation at 21 federal agencies, including Department of Education,” said Strong.

The second letter, addressed to White House Counsel Kathryn Ruemmler, followed a *Washington Post* article noting new White House hires and extra hours its chief of staff has been spending on the health care law’s rollout.

The letter requests the “specific statutory authority [of] each agency and program helping to disseminate information; a description of how their activities further the statutory missions of each agency and program involved; and any written legal opinions clearing each and every agency activity—whether by agency counsel or your office—to explain the justification for using unrelated agencies to promote the health care law.”

The second letter had set a deadline of August 14 for the White House counsel to respond. Duncan issued his statement September 12.

*Evelyn B. Stacey* (ebstacey@yahoo.com) is a research assistant at the Hoover Institution. She writes from Palo Alto, California.
Schools More Important than Kids, N.C. Supt. Says

By Barry Smith

RALEIGH – North Carolina State Superintendent June Atkinson supports charter schools because the independent public schools will “not be a big competitor for our public schools,” she said in October. She doesn’t feel the same about private schools.

In August, Atkinson said her concerns about vouchers were more a principled support of public schools’ role in society than concern for how vouchers could meet individual children’s needs.

“It’s not the individual, it’s the society as a whole, where it worries me about the privatization of public education,” Atkinson said. “It’s a philosophical belief that public schools—public education—is at the core of our democracy, and is at the core of ensuring that we can prepare people to live with and work with people who are different than what one they have [sic] in a segregated environment.”

Atkinson said she worried the availability of vouchers would erode support for public schools.

“What concerns me is not that individual child, but what concerns me is as a society that we will slowly starve public education,” Atkinson said.

Atkinson made the comments during a roundtable discussion with reporters in downtown Raleigh.

New Voucher Programs

The budget Gov. Pat McCrory (R) signed this year authorized $10 million for the 2014–15 school year to cover “opportunity scholarships,” or vouchers, of no more than $4,200 each that would offset the tuition costs of low-income students who want to attend private schools.

The funding would cover a portion of the expenses of private schooling for roughly 2,000 students the first year. Approximately 1.5 million students attend K-12 public schools in North Carolina.

Terry Stoops, director of research and education studies at the John Locke Foundation, said Atkinson’s comments are typical of the education establishment.

“That’s par for the course for someone in her position,” Stoops said. “The Department of Public Instruction is not mindful of the needs of individual students.”

Massaging the Facts

During the discussion, Atkinson handed out a chart showing recent state per-pupil expenditures in public schools dropped from $5,779 during the 2008–09 school year to $5,497 in the 2012–13 school year. She projected the state’s per-pupil spending would be $5,452 for 2013–14.

Stoops noted Atkinson’s base year—2008–09—“makes believe that there wasn’t a major recession that started in the fall of 2008.” The state accepted millions of dollars in stimulus funding from the federal government and directed much of it to the state’s public schools.

Lawmakers in recent years “did a nice job making up for the stimulus loss,” Stoops said, noting federal stimulus dollars helped pay for schools’ operating expenses for some of those years.

The state’s public school budget increased from $7.5 billion for 2012–13 to nearly $7.9 billion for the 2013–14 fiscal year, an increase of 4.8 percent.

Barry Smith is an associate editor of Carolina Journal, where this article first appeared. Reprinted with permission.
N.C. Centralizes, Expands Student Data Collection

By Jenni White

This year, all North Carolina public schools will feed a vast amount of student information such as grades, classes, discipline problems, and test scores into one online system.

International education giant Pearson, Inc. bought North Carolina’s previous student data system, NCWISE, in 2010 and phased it out. North Carolina chose to switch to Pearson’s PowerSchool in one year to save money. PowerSchool has never been used by an entire state before—only in several school districts.

Although he did not respond to an interview request, Philip Price, chief of technology for the North Carolina Department of Public Instruction (NCDPI), told the News-Observer the transition was “huge.” Price’s 30-page technology plan “outlines a ‘mammoth’ ‘remodeling of public education’ required by federal Race to the Top (RTTT) mandates, merging the state’s previous systems into one online data-collection and -sharing system.

“What I am encouraged with how DPI enhanced what NCWISE once provided our state, we have yet to see what PowerSchool actually brings to our students,” said Lt. Gov. Dan Forest. “PowerSchool, which has been developed for the last three years, is just being rolled out now. I will keep careful watch over the implementation of PowerSchool and ensure that no inappropriate student data is shared in a public domain.”

Data Collection Concerns

“We’re on our third iteration of data collection systems in North Carolina since the late ‘90s, and it has never been clear what information the state is collecting,” said Terry Stoops, education director at the John Locke Foundation.

While navigating North Carolina’s PowerSchool portal, Stoops found fields for collecting health data including “medications” and “immunizations” as well as student vehicle descriptions.

“It’s clear they’re collecting more than demographic and student performance data and this is a problem for me,” he said. “Parents won’t know what data is being collected on their children.”

The NCDPI Web page dedicated to PowerSchool contains report templates that include models for “Extract Oral Health Data” and students who have and have not opted out of releasing information to military recruiters.

The Reporting Hub Report Master List contains 22 pages of data fields including “Career Development Option(a)” and 11 fields relating to “Incident.”

One Database for Everyone

The state’s RTTT-driven data unification project aggregates eight school information programs into one called “Home Base,” a subset of PowerSchool. Home Base combines North Carolina’s Student Information Systems, or state databases, and the Instructional Improvement System, a “standards-aligned” tool that includes lesson plans, assessment, and data analysis.

“PowerSchool replaces the state’s outdated student information system with a robust information system to meet the contemporary needs of teachers, principals, parents, and students,” said Pearson spokeswoman Susan Aspey. “It will offer immediate benefits to teachers, principals, parents, and students by using better technology tools to support their work and to improve student learning, all in support of North Carolina’s READY initiative.”

According to a PowerPoint presentation from NCDPI, Home Base will improve teacher efficiency by connecting grade books, lessons, instructional resources, and tests; provide parents access to student grades and assignments; and give “ongoing” data, results, and recommendations to students and teachers.

Calculating Costs

North Carolina received a $400 million federal RTTT grant in 2010. Of that, $140 million was allocated for “a multitude of technology projects, initiatives, and work efforts.” It’s not clear from the grant, or from state budgets, whether the PowerSchool switch received federal funding.

“Pearson seems to be taking over education in North Carolina,” Stoops said. “Usually, for contracts of this size, there would be a Request for Proposal (RFP), but I don’t remember seeing one in any of the reports I’ve read.”

RFPs allow companies to bid for a government project. Stoops does recall looking at contracts with Pearson for $11.9 million and for $13.5 million, without attached RFPs.

NCDPI’s current RTTT budget summary shows, “Technology Infrastructure” funded at $34.6 million and the “Instructional Improvement System” (IIS) at $25 million. Zero funds are allocated for local districts under these programs.

Home Base is currently free to users. By March 2014, however, districts will have to pay $4 per student for components such as Schoolnet (instructional tools and assessment), Truenorthlogic (teacher training), and Open Class (teacher material-sharing).

What Data They’re Collecting

Lindalyn Kakadelis, director of the North Carolina Education Alliance, sees the RTTT-required data collection as connected with Common Core education standards. Both were required for North Carolina to receive an RTTT grant.

She is especially concerned about CEDARS (Common Education Data Analysis and Reporting System). According to the NCDPI, CEDARS is North Carolina’s PreK-13 State Longitudinal Data System that incorporates financial systems, teacher licensure, federally required data reporting, student information from PowerSchool, testing data, and student transcripts.

One PowerPoint presentation on the NCDPI Web site contains screen shots of several modules available for teacher use through Home Base that include disciplinary incidents and detailed academic records to indicate each students’ “strengths & weaknesses” against each Common Core standard.

“Although PowerSchool collects student data as part of the normal operation of a student information system, North Carolina’s local school districts own their student data,” Aspey said. “NCDPI and local school districts use this data for many purposes, including budget development, allocation of resources to local schools, and state and federal reporting requirements.”

Jenni White is cofounder of Restore Oklahoma Public Education and a former public school science teacher.
Are AP Tests a Waste of Tax Money?

By Kavon W. Nikrad

Politicorecently published a story on the increasing numbers of students who are failing Advanced Placement (AP) tests in U.S. high schools. The story’s findings provide a valuable illustration of the waste that can result from combining a monopoly with government-funded “investment.”

From the article comes an explanation of how “students don’t reap any measurable benefit from AP classes unless they do well enough to pass the $89 end-of-course exam.” This hasn’t stopped the federal government from spending $275 million in recent years “to promote the classes and subsidize exam fees for low-income students; states have spent many millions more.”

Even a senior vice president at the College Board—which has a monopoly on giving the test and increased its assets from $491 million in 2010 to $609 million in 2012—admits pushing AP classes is failing many students.

Politicoreported, “In the past, the College Board has pointed to studies that found a correlation between taking an AP class, whatever the outcome, and succeeding in college. Yet that research was flawed because it didn’t control for other predictors of college success, such as family income or high-school grades,” Packer said. More rigorous studies find benefits only for students who earn at least a 3 on the AP test.

“That means, Packer said, that hundreds of thousands of students enrolled in AP may be better served by lower-level classes that focus on building foundational skills. ‘We have no interest in collecting exam fees,’ he said, ‘if the kids are not going to benefit.’”

High Earnings, Fail Rates

The numbers tell the story. AP exam students who pass can claim thousands of dollars in saved college tuition costs, but the failure rate has jumped to 41 percent since 1999. As Packer noted, savings for those who pass the test—who tend towards upper-income brackets—are little comfort to parents and taxpayers, especially those who see the test as often being done for the benefit of the College Board and schools trying to make quotas.

In an interview, three teachers with differing AP exam experiences all said the test’s value is limited. The first, an AP science teacher in a wealthy school district, said the AP exam’s benefits are obvious for her students, but she doubts the value for society at large:

“Rather than compare students to an objective standard, they are compared to each other, which does not set society up for wholesale advancement in science. Essentially, pushing more students to take the test who are not prepared for it seems to have inflated the scores. My students have an easier time succeeding simply because they are well-educated, have strong math skills, and their parents are highly educated and are closely involved in their education. Meanwhile, low-income students are being pushed to take a test they are not prepared for. In conversations with colleagues who teach AP science in low-income areas they have admitted to having to lower the rigor in class to meet students at their level. While we all agree it is good to expose all students to rigorous classes, paying for a test that teachers know their students aren’t prepared for does not seem like the best investment.”

AP SCIENCE TEACHER

“While we all agree it is good to expose all students to rigorous classes, paying for a test that teachers know their students aren’t prepared for does not seem like the best investment.”

AP SCIENCE TEACHER

Experimental programs that fail to measure up to expectations, money for those programs going to a large monopoly, and people on the ground unhappy with the results—yup. Sounds like the U.S. Department of Education’s modus operandi.

Kavon W. Nikrad (kavon_w_nikrad@yahoo.com) is founder and editor-in-chief of the campaign and elections Web site Race42016.com and a 2011–12 policy fellow at the Humphrey School of Public Affairs at the University of Minnesota.
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KEY ISSUE SPEAKERS

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

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

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

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