

Council for American Private Education

CAPE outlook

Voice of America's private schools

House Approves D.C. Voucher Plan; Senate Vote Expected Soon

The U.S. House of Representatives voted September 5 to approve what could become the first school voucher program funded by the federal government. The Senate Appropriations Committee passed a similar measure the day before, clearing the way for full Senate consideration later this month. President Bush has promoted the measure and, if given the opportunity, would no doubt sign it into law.

Part of the appropriations package for the District of Columbia, the voucher plan would provide as many as 2,000 low-income students in the District with up to \$7,500 to cover tuition and fees at private schools.

Narrow Vote

The House voted 205-203 to support the voucher measure sponsored by Government Reform Committee Chairman Tom Davis (R-VA), Education and the Workforce Committee Chairman John Boehner (R-OH), and D.C. Appropriations Subcommittee Chairman Rodney Frelinghuysen (R-NJ). House members then defeated—by the slimmest of margins (203-203)—an amendment to eliminate funding for the program. After all was said and done, the voucher initiative somehow managed to survive, though by the skin of its teeth.

During the heated floor debate, Davis called the measure “a moral imperative,” and in impassioned comments, Boehner said the plan would “bring some hope to children who today do not have hope.” He asked his colleagues, “How can we continue to turn our heads and look the other way when we know that children’s lives are being ruined because they are consistently put in schools that are not performing.”

Senate committee approval came after Senator Dianne Feinstein (D-CA) broke ranks with her party to endorse the mea-

sure. Before doing so, she was able to secure certain changes to the original proposal—changes incorporated in a bipartisan amendment she offered with Senator Mike DeWine (R-OH). Senator Robert



California Senator Dianne Feinstein (D)

C. Byrd (D-WV) was the only other Democrat on the committee to join Feinstein in voting for vouchers. Senator Arlen Specter (R-PA) was the only Republican to vote against the plan. With Senator Mary Landrieu (D-LA) abstaining, the final vote was 16-12.

Signaling a change of heart on vouchers in an article published July 22 in *The Washington Post*, Feinstein wrote: “Ultimately this issue is not about ideology or political correctness. It is about providing a new opportunity for good education, which is the key to success.” And in a statement issued after the vote, she said, “I have begun to rethink public education, and I think we spend too much time supporting old structures and not enough time on what works for children.”

Democratic Support Growing

Feinstein and Byrd join D.C. Mayor Anthony A. Williams in reinforcing the ranks of a small but growing number of prominent Democrats who support the

pilot voucher initiative. Connecticut Senator Joe Lieberman, a Democratic presidential candidate, has been a long-time supporter of such programs. At an AFL-CIO forum of presidential hopefuls last month, Lieberman said, “Let’s even try the so-called voucher program on an experimental basis just to see if we learn anything from it.” Undeterred by a round of boos from the audience, he added, “I’m going to speak the truth. I’m going to say what I think is best for America regardless.”

House and Senate Versions

The Senate and House versions of the voucher plan differ somewhat and will have to be reconciled in conference, assuming the Senate bill is not derailed by a filibuster. Both versions would provide grants of up to \$7,500 to low-income families residing within the District. In awarding the vouchers, priority would be given to students attending public schools identified for improvement. Participating private schools would have to admit voucher students—up to the number of slots available—through a random selection process and would also have to meet certain reporting requirements. Besides varying in the funds they earmark for vouchers (\$13 million in the Senate and \$10 million in the House) the two versions also have different civil rights provisions and assessment requirements. On the latter point, the Senate version requires participating private schools to ensure that voucher students receive “comparable academic assessments” to students in D.C. public schools.

Whatever plan Congress may ultimately approve, leaders in the House and Senate have vowed it will be part of a three-pronged approach to education reform which, in addition to vouchers, will include new funds for the District’s public schools and charter schools.

CAPE member organizations:

- American Montessori Society
- Association Montessori International—USA
- Association of Christian Schools International
- Association of Waldorf Schools of N.A.
- Christian Schools International
- Evangelical Lutheran Church in America
- Friends Council on Education
- Lutheran Church—Missouri Synod
- National Association of Episcopal Schools
- National Association of Independent Schools
- National Catholic Educational Association
- National Christian School Association
- Seventh-day Adventist Board of Education
- Solomon Schechter Day School Association
- Southern Baptist Association of Christian Schools
- Toussaint Institute for Historically Black Independent Schools
- United States Conference of Catholic Bishops
- 28 Affiliated State Organizations

a coalition of national associations serving private schools K-12
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Study Tracks Trends in State Regulation of Private Schools

When the Illinois State Board of Education announced last month the elimination of the program that had conferred state recognition status on private schools, it probably didn't realize it was extending a trend. But a study by Eric A. DeGroff, associate professor of law at Regent University, concludes that "a growing minority of states have substantially deregulated nonpublic schools" during the past 15 years.

Writing in the most recent issue of the *Brigham Young University Education and Law Journal*, DeGroff presents an exhaustive examination of state regulation of private schools. Using his own survey of state officials and comparing responses to a similar survey conducted 15 years ago, he identifies patterns in state requirements relating to school accreditation, teacher certification, curriculum, testing, and other areas of school life.

DeGroff argues that a parent's right to choose a child's school rests on the degree of variety allowed among schools. "Although few question the right of civil authorities to exercise some control over private schools, to the extent that state and local governments actually exert such control, parental choice is constrained."

The debate about the extent states should regulate private schools is "often highly charged," says DeGroff. Opinions range from those who believe the state should ensure every child receives an essentially identical education to those who think any form of state control threatens school autonomy, parental rights, or religious liberty. Each state is left to strike a balance between autonomy and accountability, and the result is that rules regarding accreditation, assessment, and teacher certification vary widely.

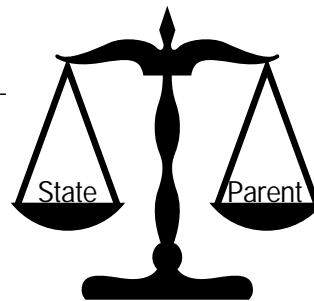
State Approval

DeGroff reports that state courts have consistently upheld "that mandatory accreditation is constitutional, provided the underlying state standards are not overly burdensome." Not surprisingly, 26 states reported that they require private schools to be registered, approved, or accredited (although apparently only two states actually require formal accreditation, and even those provide for some exceptions). Beyond the 26, another 13 states "provide for some form of voluntary state accreditation, approval, or registration if a school qualifies and chooses to seek it." Of the 26 states that require state approval, 22 have "specific curriculum and/or teacher certification requirements that schools must meet in order to obtain approved or accredited sta-

tus." Moreover, despite the fact that a majority of states require some form of state recognition of private schools, no state "could offer any evidence that its accreditation or approval requirement actually affects the quality of education."

Teacher Certification

Among the various standards that states sometimes set for private schools, DeGroff says that teacher certification "may be the most controversial." He notes "the difficulty of demonstrating any statistical correlation between teacher certification and the quality of classroom teaching," and he also points out the difficulties faced by some religious schools in recruiting teachers who satisfy the twin criteria of sharing the faith



and meeting state requirements. Although state courts have generally upheld teacher certification requirements, "it is noteworthy that so few states actually impose such a requirement." Of the 47 states that responded to the survey, 28 "do not require teachers in any private school to be certified;" 10 require certification only for "schools seeking voluntary accreditation or approval," and only nine require it of private schools in general. But even among the nine states that require teacher certification, "at least six allow exceptions for religiously affiliated schools or institutions that can demonstrate a sincerely held religious objection."

Curricular Requirements

According to DeGroff, "The legal authority of states to impose reasonable curricular requirements upon private schools, including denominational and parochial schools, is well established." Given such well-founded authority, 38 states have established curriculum mandates for private schools, although seven of those states only impose those mandates on schools seeking some form of voluntary state recognition. The degree of curriculum requirements varies considerably from state to state. "A number of states mandate only a minimal list of subjects such as citizenship or federal and state history and government, while others provide an extensive list of required subjects, or mandate that private schools teach the same subjects as do their public counterparts."

Constitutional Background

Besides looking at how states actually exercise their authority to regulate, DeGroff explores the

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Study Shows Long-Term Impact of Montessori Education

Maria Montessori may have been a marvel of innovative pedagogy, but she didn't have at her disposal today's tools of educational research and statistical analysis. Those tools could have helped her determine, with some scientific certainty, the long-term effects of her instructional approach.

Enter AMI-USA (the American branch of the Association Montessori Internationale), which recently teamed up with officials of the Milwaukee Public Schools (MPS) to sponsor a study documenting some of the effects of Montessori education. The sponsoring agencies engaged the services of the National Center on Educational Restructuring and Inclusion at The Graduate Center of The City University of New York to conduct the research.



dent performance: high school grade point averages, ACT scores (composite and subscale), and results from the Wisconsin Knowledge and Concepts Examination (WKCE), a state variant of the national Terra Nova tests. Scores from the latter two measures were sorted into two categories: math/science and English/social studies.

Compared to that of the control group, the performance of Montessori students was not significantly different in the English/social studies category. But in the math/science category, the Montessori students "significantly outperformed the peer control group." As the report put it, "In essence, attending a Montessori program from the approximate ages of three to eleven predicts significantly higher mathematics and science standardized test scores in high school."

One reason the math/science finding is educationally important is that it endured "five to seven years after the students had exited the Montessori programs and enrolled in traditional public schools." Usually, the effects of intervention programs "disappear a year or two after students return to regular schooling."

The authors concluded that the study "supports the hypothesis that Montessori education has a positive long-term impact" and "provides an affirmative answer to questions about whether Montessori students will be successful in traditional schools."

To obtain a copy of the study, contact AMI-USA at montessori@amiusa.org.

The study examined the performance of two groups of graduates from Milwaukee's public high schools: those who had attended Montessori programs through 5th grade and those who had not. To control for outside variables that might affect student performance, the two groups were "carefully matched by gender, race/ethnicity, and socio-economic status." Students were also controlled for the high school they had attended—an important variable since "records revealed that more than half of the Montessori sample had attended the four most highly rated and selective high schools in the MPS system."

Researchers employed three measures of stu-

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constitutional issues and court decisions that undergird state action. After thoroughly reviewing cases dealing with the Fourteenth Amendment and the Establishment and Free Exercise Clauses of the First Amendment, DeGroff concludes, "Although private schools clearly have a right to exist, and parents are guaranteed the liberty to choose nonpublic schooling for their children, the courts have consistently affirmed the right of states to regulate nonpublic schools." The regulations, however, must be reasonable and cannot be so burdensome as to effectively eliminate parental choice in education.

Developments in State Regulations

Because his recent survey of state officials closely mirrored a national survey conducted by the State of Florida in 1986, DeGroff was able to compare responses and identify trends

among the 44 states that had completed both surveys. He reports "a substantial amount of change over the fifteen-year period," but says the "direction of change is somewhat mixed." Twenty-two states reported "some type of change" in private school regulations since 1986, but only seven states "substantially altered their approach to regulation." Most of those seven states seemed to be "getting out of the business of overseeing nonpublic schools." In 1986, four states had no or minimal regulations placed on private schools. Since then, four or five more states have joined their ranks. "Thus, the number of states that either 'do not regulate or minimally regulate' private schools has at least doubled since 1986."

"State Regulation of Nonpublic Schools: Does the Tie Still Bind?" is available in the *Brigham Young University Education and Law Journal*, Volume 2003, Number 2, at http://www.law2.byu.edu/jel/v2003_2/DeGroff2.pdf.

SAT Scores Up

Every August, educators and policy makers await the announcement by The College Board of average SAT scores for college-bound seniors. This year's release gave them reason to cheer. Significant gains were posted in both math and verbal scores, with each increasing three points since last year. Average math scores (519) were the highest they've been in 35 years, while verbal scores (507) were the highest in 16 years.

Of the record-breaking 1.4 million SAT takers in the class of 2003, 17 percent attended religious and independent schools. The private school share is significant since such schools only enroll 9 percent of the nation's 12th graders. What's more, the performance of private school students helped boost the national average (see chart). Combined scores (verbal and math) for public school students were 1020, while combined scores for religiously affiliated and independent schools were, respectively, 1065 and 1123.

Thirty-six percent of this year's SAT takers are minority students, an all-time high, and 38 percent are first-generation college-bound students.

Commenting on the scores and trends, College Board President Gaston Caperton offered this optimistic assessment: "Higher SAT scores, a record number of test-takers, and more diversity add up to a brighter picture for American education. While we certainly need to make more progress, the fact remains that we are clearly headed in the right direction."

SAT Test Scores Class of 2003

	Verbal	Math
National	507	519
Public	504	516
Religious	535	530
Independent	550	573

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CAPE notes

★ “The nation’s children are writing better.” That’s how U.S. Secretary of Education Rod Paige characterized the recent release of results from the 2002 National Assessment of Educational Progress (NAEP) in Writing. Scores for fourth-graders were up by four points since 1998, and scores for eighth-graders were up by three points.

Students in private schools scored significantly above the national average in grades four, eight, and twelve. As the report put it, “Performance results in 2002 show that, at all three grades, students who attended nonpublic schools had higher average writing scores than students who attended public schools.”

The average writing score for fourth-grade students in public schools in 2002 was 153 on a scale that ranges from 0 to 300 for each grade tested. (In 1998, the base year, the average score for each grade was defined at 150.) For fourth-graders in private schools, the average score in 2002 was 166, an advantage of 13 points over public schools. The private school advantage in eighth grade was 18 points, and in twelfth grade, 22 points.

★ What services can private school children with special needs expect to receive from school districts? Who must arrange for those services? How does one do that?

Whatever questions you have about how the Individuals with Disabilities Education Act (IDEA) relates to students with

special needs in private schools, chances are you’ll find the answer in CAPE’s IDEA Practices Toolkit.

Available free of charge and just in time for the new school year, the user-friendly toolkit can help parents, private school educators, and school district officials understand the provisions of IDEA that relate to students in private schools. Reviewed and funded by the U.S. Department of Education, the toolkit offers examples of effective practices, ideas for improving cooperation between the public and private sectors, and practical resources for delivering IDEA services.

CAPE’s newest publication is available for download in PDF format at <http://www.capenet.org/pubs3.html>.

★ “Faithful friends are a sturdy shelter.” Besides being a true and comforting observation on life, this quote from scripture is also the theme of this year’s Episcopal Schools Celebration (ESC). Many of the more than 1,100 Episcopal schools and early childhood programs, serving over 160,000 children, will observe ESC during the week of October 5.

The National Association of Episcopal Schools (NAES), which sponsors the celebration, has developed and distributed resources to help schools participate. Ac-

ording to NAES, Episcopal school enrollment has increased 29 percent since 1990.

Commenting on this year’s ESC theme, The Most Rev. Frank T. Griswold, Presiding Bishop and Primate of the Episcopal Church, said, “The dynamic that sustains trust in the future—and our students’ futures—is seen in the friendships, the sustaining relationships that spring up and are nurtured in our schools, to the benefit of the entire community of faith and to the betterment of our society.”

★ If students used vouchers to move from public schools to private schools would their academic achievement improve, get worse, or remain the same? That’s one of the questions people were asked in the latest Phi Delta Kappa/Gallup Poll of the Public’s Attitudes Toward the Public Schools.

It turns out the public has a fairly high regard for the ability of private schools to improve student performance. Fifty-four percent of respondents thought the achievement of transfer students would improve, while only 4 percent thought it would get worse. Another 37 percent said performance would remain the same, and the remaining 4 percent confessed they didn’t know how things would turn out.

