

Council for American Private Education

CAPE outlook

Voice of America's private schools



Board and State Reps Meet with Administration Officials and Lawmakers

CAPE's board of directors and state representatives swept through Washington on March 11 for a series of meetings in a variety of venues with lawmakers and officials from the Bush administration. The CAPE group encountered a range of perspectives on public policy issues of importance to the private school community. Highlights of the meetings follow.

Secretary Paige

Secretary of Education Rod Paige started the day on an upbeat note with a breakfast address at the Wyndham Hotel. He praised the work of private schools and proclaimed his commitment to choice in education.

"I congratulate you and your great organization," the Secretary said. "You do a great job in educating private school students, and that's a great contribution to America."

Paige sought to underline the role of private education in improving public education. He said that President Bush and he know it is good that almost 12 percent of the K-12 children in the nation are in private schools or home schools. "We know the value of choice for parents," he declared, adding, "Nothing is more powerful to improve performance than an informed parent with options."

Noting that research shows that private schools typically have more demanding graduation requirements than public schools and that their students score higher on standardized tests and are more likely to attend college, the Secretary said, "We listen to you, and we watch you, and we learn from you. Your hard-working commitment shows through the achievement of your students."

But while the Secretary praised private schools for their academic accomplishments, he said the accomplishment he admires most is that private schools teach values. "Your schools are free to teach the

all children came through loud and clear. He said the president's pledge to leave no child behind was not a "statement of pious sentimentality," but a "statement of expectations." For Paige, the goal of educating all children is something "that can be realized," something "within our grasp." The president's vision, said Paige, "is a simple vision," namely, "to create schools in America that are worthy of this great country."

Rep. Boehner

Later in the morning, at the U.S. Capitol, the CAPE delegation heard from Rep. John Boehner (R-OH), Chairman of the House Committee on Education and the Workforce. The congressman assured the group he has been "a strong believer for decades in the power of school

choice." But he also projected himself as a political realist, who believes a full-blown choice initiative is simply not doable in the current Congress. Faced with that reality, he said his approach has been incremental—setting "bricks in the foundation" of school choice, one by one.

One such brick for Boehner is supplemental services in the No Child Left Behind Act. The program enables children in thousands of poor-performing public schools to use federal funds to get tutoring during non-school hours from a host of providers, including private schools. Other potential bricks, said Boehner, are the president's school choice demonstration proposal, which he thought could move out of committee sometime this year, and a proposal by Rep. Jim DeMint (R-SC) to allow willing states to use IDEA funds to provide choice for children with



By Dick Osborn, President, Pacific Union College

Secretary Paige speaks at the CAPE meeting in Washington last month.

mind, but also to teach morals and what is important to students. It is not enough just to teach Johnny to count; it is important to teach Johnny *what* counts."

Paige also cheered the fact that private schools are characterized by choice. "Parents send their children to your schools because they choose to, and this is the way it should be all across our system." He said he would dedicate a lot of effort to expand school choice. "In the 21st century, choice should not be an exception; it should be the rule." As evidence of the administration's support for school choice, Paige pointed to the \$75 million choice incentive plan in President Bush's FY 04 budget and the \$226 million proposal for refundable tax credits for low-income parents who want to transfer their children out of poor-performing schools.

The Secretary's unswerving commitment to ensuring a quality education for

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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
Executive director: Joe McTighe

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special needs. Boehner said he was working with DeMint to see “how far we can push the envelope in relation to more choice for those children.”

The congressman closed his remarks by saying that in his entire career he has never dealt with an issue “that has etched a spot on my soul like this issue of education.” Expressing frustration about the “achievement gap in American education between advantaged students and their disadvantaged peers,” he said the nation must “make the commitment that we’re going to educate all of our kids.” A step in that direction for Boehner is the No Child Left Behind Act, which he said is intended to “ensure that all children have a chance at a decent education.” As for children who come from disadvantaged background and are stuck “in a rotten neighborhood and a rotten school,” Boehner said, “I’m going to do something the rest of my life to help make sure that these kids are not forgotten.”

Rep. Franks

For Rep. Trent Franks (R-AZ), “the heart of education is the education of the heart.” He told the CAPE delegation that a fundamental question facing the nation is whether the social, academic, and spiritual education of children will be decided by parents or bureaucrats. His answer is clear: Parents are best suited, and have the greatest right, to decide the direction and nature of their children’s education. For Franks, the only way to really reform education is to empower parents “to choose the education that’s best for their children.”

Franks has a precise prescription for empowering parents: the scholarship tax credit. It’s a topic he knows well; he wrote the legislation enacted in Arizona allowing tax credits for contributions to organizations that provide scholarships to children attending K-12 private schools. He said the program bypasses policy arguments associated with some other forms of school choice and is one of the least reported success stories in the school choice movement. Its benefits include a savings to the state, an empowerment of parents, a protection of private schools from excessive regulation, and potential growth in the number of private schools. “We’re building schools in Arizona,” Franks said. “Right now we don’t have enough places to put the kids.”

He urged the group to support his efforts to secure passage of a scholarship tax credit bill in Congress. “Let’s get it done,” he said.

White House Briefing

Following lunch, the CAPE delegation traveled up Pennsylvania Avenue for a briefing at

the White House arranged by Tim Goeglein, Deputy Director of the Office of Public Liaison.

Jim Towey

Jim Towey, Director of Faith-Based and Community Initiatives, spoke at the briefing about the president’s commitment to “level the playing field” so that religious groups can compete fairly with other groups in providing federally funded social services. He said that while religious groups cannot use federal funds to proselytize or to discriminate in delivering services to clients, they should not be required to sacrifice their identity to participate in federal programs. And if they want to advance their missions and beliefs, they are free to use private funds to do so. President Bush, said Towey, wants the focus to be on outcomes and quality. If a religious organization can deliver effective programs, it shouldn’t much matter whether there’s a Star of David on the wall or a “Saint” in the organization’s name.

Towey talked of the value of faith-based organizations in addressing the core problems of many people in need—people who are alienated and deeply wounded, people who don’t feel love and have no opportunity to love. “If you don’t address the spiritual poverty,” said Towey, such people are “never going to be whole and back on the road to mainstream life” no matter how many programs are provided for them.

Nina Rees

Nina Shokraii Rees, Deputy Undersecretary for Innovation and Improvement at the U.S. Department of Education, outlined the responsibilities and goals of her newly created office. The far-reaching agenda of the office includes oversight of some 25 competitive grant programs, support for innovative approaches to education, advocacy for school choice, and responsibility for the Office of Nonpublic Education, which is headed by Jack Klenk.

Rees highlighted the choice provisions in President Bush’s FY 04 budget, which include \$75 million in grants to states, school districts, and nonprofit organizations to expand school choice, and \$226 million in refundable tax credits to help parents transfer children from low-performing public schools.

A point of particular emphasis in Rees’s remarks was the lack of private schools and faith-based organizations on state lists of approved providers of supplemental services under the No Child Left Behind Act. She said the spirit and intent of the law was to expand options for parents and ensure a wide selection of providers. Absent an array of choices, the supplemental services program will fall short of its potential, Rees predicted.

IDEA Reauthorization on Fast Track

After months of immobility on the road to enactment, the reauthorization of the Individuals with Disabilities Education Act (IDEA) kicked into high gear in the House with a sharply escalated schedule of bill introductions, committee action, and floor votes.

In mid-March, the Education and the Workforce Committee unveiled HR 1350, the Republican proposal for IDEA, and announced a fast-track schedule for handling the bill: subcommittee consideration on April 2, full committee consideration before April 11, and a floor vote soon after Congress returns from spring recess on April 28.

HR 1350 contains some improvements in IDEA's provisions relating to children with special needs placed by their parents in private schools. It requires, for example, school districts to keep count of the number of children identified as having special needs under IDEA, a number that determines the share of IDEA funds that must be directed to serving those children. It also requires districts to engage in "timely and meaningful consultation" with private school officials before identifying the number of children with special needs in private schools. But the CAPE community has concluded that private school children, who in fact help generate a school district's allocation under IDEA, need and deserve much more than what HR 1350 has to offer (see sidebar).

Currently, no individual child in a private school is entitled to any services from a school district under IDEA. A recent study of Catholic schools by the U.S. Conference of Catholic Bishops found that less than one percent of students diagnosed with disabilities in those schools receive services funded through IDEA. The study also found that IDEA's Child Find requirement, through which school districts are supposed to locate, identify, and evaluate all resident children with special needs regardless of the type of school they attend, is simply "not working for private school children."

School Choice Proposals

Absent from the Republican bill were any provisions relating to school choice. The strat-

egy was to put that egg in a separate basket, a bill by Rep. Jim DeMint (R-SC). HR 1373 would allow states to use IDEA funds to help design and carry out programs that would enable parents of a public school child with special needs to "make a genuine independent choice of the appropriate public or private school for their child." In

Florida, the only state that has this type of program, about 8,000 students with disabilities receive what are called McKay scholarships to attend private schools. A drawback of DeMint's bill is that it would not apply to states that might want to

establish programs extending to children already enrolled in private schools. Presumably, those children would have to leave their present private school and enroll for a year in public school in order to re-enroll in the private school with public funds.

Although the Senate has not yet introduced IDEA legislation (at least not as of press time), indications are that the Senate bill, like its House counterpart, will not include school choice. Senator Larry Craig (R-ID) announced recently at a conference sponsored by the Cato Institute that "the stars are not completely aligned" on the issue of choice. He said that while his colleague Judd Gregg (R-NH), Chairman of the Health, Education, Labor, and Pensions Committee, would support a voucher provision in IDEA, the chairman is determined to craft a bipartisan bill. Craig had this to say about the pending bill: "If it's going to be bipartisan, choice will not be a part of it." He said that while he would try to get a choice amendment introduced in committee, he was not optimistic. He added, however, that he was prepared to tackle the choice issue with an amendment on the Senate floor.

The House Education and the Workforce Committee has set a fast-track schedule for handling HR 1350, the Republican bill to reauthorize the Individuals With Disabilities Education Act (IDEA). You can find out more about the bill and how to urge members of Congress to strengthen the bill's private school provisions by visiting CAPE's Legislative Action Center at www.capenet.org/new.html. Sending an e-mail to Congress using CAPE's LAC is about as easy as you can imagine.



by Elise B. Rivera

Sen. Larry E. Craig (R-ID) speaks at a Cato Institute conference on school choice and special education.

Improving IDEA

Given the effect the reauthorization of IDEA will have on the lives of children with special needs in public and private schools, it is essential that Congress get it right. Here are some key changes to IDEA that the CAPE community is urging Congress to enact:

★ Incorporate provisions from No Child Left Behind relating to (a) consultation with private school officials on services and funding, (b) signed documentation of consultation, and (c) complaint and bypass procedures.

★ Require school districts to offer private school children identified with disabilities (a) direct services, (b) services through a third-party contractor, or (c) a certificate through which parents may purchase services on their own (in each case the cost would not have to exceed the per-pupil share of federal IDEA funds the district receives).

★ Require that any state and local funds expended on behalf of children with special needs in private schools be in addition to, not in place of, federal funds that must be expended on such children.

★ Specify that the cost of child find not be considered in determining whether the school district has met the annual expenditure requirement for services to private school children.

The reauthorization of IDEA provides Congress a unique opportunity to design an act that will truly offer enhanced opportunities for special education students. The above proposals would go a long way toward realizing the equity that IDEA has always sought.

To learn more about IDEA, visit www.capenet.org/new.html.

Return service requested

CAPE notes

★ There aren't many matters these days on which members of the House of Representatives agree without dissent, but a resolution last month honoring Lutheran schools was one of them. By a vote of 407-0, the House agreed to support "the goals of National Lutheran Schools Week" and to congratulate "Lutheran schools, students, parents, teachers, administrators, and congregations across the nation for their ongoing contributions to education." The resolution recognized not only that Lutheran schools "deliver high-quality education and challenge students to reach their potential" but also that they "produce students strongly dedicated to their faith, values, and morals by providing an environment that encourages honesty, trust, respect, and responsibility." Lutheran Schools Week was celebrated beginning March 2, 2003.

★ Colorado has established a school voucher program, the first state to do so since the U.S. Supreme Court upheld such programs last June.

Starting with the 2004-05 school year, the Colorado Opportunity Pilot Program will award vouchers to eligible students in an amount equal to the lesser of the actual education cost per pupil at participating private schools or 75 percent of the school district's per pupil operating revenues (85 percent for students in grades 9-12, and 37.5 percent for students in kindergarten). School districts with at least eight schools

rated "low" or "unsatisfactory" by the state must participate in the voucher program, while all other school districts may do so on a voluntary basis. The program will be phased in over time, with up to one percent of a school district's enrollment able to participate in 2004-05 and up to six percent in 2007-08 and each year thereafter. If the number of eligible and interested students exceeds the cap in a given year, the school district must give priority to students who had participated the previous year, their siblings, and then select any remaining students by lottery.

To qualify for the voucher, a student in grades 4 through 12 must be eligible for free or reduced-cost lunch under the National School Lunch Act, must have been enrolled in public school for the previous year, and must have performed at the "unsatisfactory" level on specified tests. Requirements for younger children are slightly different.

For private schools to be eligible to accept voucher students, they must not discriminate against eligible children in admissions, dismissals, or other rights or privileges on the basis of race, color, religion, national origin, or disability. Schools also must "not advocate or foster unlawful behavior or teach hatred of a person or a group" and must meet all health and safety laws that apply to public schools. Participating private schools must also permit school districts to administer statewide assessments to students

using vouchers.

Following passage of the bill, Colorado Governor Bill Owens called it, "a real victory for Colorado's students and their parents." Owens went on to say: "Parents should have control over their child's education. We are placing this choice in the hands of Colorado's families and giving students another chance to succeed."

★ Indiana's Superintendent of Public Instruction Suellen Reed announced this month that the Office of Catholic Education in the Archdiocese of Indianapolis has been awarded nearly \$770,000 through a 21st Century Community Learning Grant. According to the Archdiocese, funds will be used "for extended day and summer learning opportunities for center-city children." The focus will be on literacy and math during after-school and summer school programs.

Commenting on the grants to the Archdiocese and 26 other organizations throughout the state, Dr. Reed said community learning centers "can fulfill the intent of the Congress to expand education services beyond the regular school hours and to reach beyond the traditional school-age population."

Information about the 21st Century Community Learning Centers, including the U.S. Department of Education's newest guidance on the program, is available at <http://www.ed.gov/offices/OESE/21stcccl/>.

