

Council for American Private Education

CAPE outlook

Voice of America's private schools

Charles Glenn's Message to Private Schools: Remain Distinctive

Private schools ought to be vigilant about maintaining their distinctiveness in the face of national public policy trends toward school standardization. That was just one of the weighty messages delivered recently to CAPE's board and state CAPE representatives by Charles L. Glenn, Jr., professor and chairman of Administration, Training, and Policy Studies at Boston University.

In an amazing display of mastery of relations between government and private schools in nations around the world, Glenn told the CAPE group it is possible to win the battle for public funding for faith-based schools and still "lose the war" if schools wind up losing their distinctive character. He called such loss "a constant danger" and said in some of the counties he's studied he can point to publicly funded non-state schools that have very strong autonomy and others that have very little.

Most instances of the latter, Dr. Glenn said, stem from a "loss of nerve." He called it "self-betrayal" or, quoting Luis Lugo, "preemptive capitulation," which is surrendering before anyone asks you to.

Strings Without Money

The dangers of overregulation of private schools exist, according to Glenn, with or without government funding. He referred to a chapter in his book *The Ambiguous Embrace* entitled "Strings Without Money," in which he presents the scope of government oversight of private schools apart from public funding. Indeed, for Glenn the direct accountability of private schools to parents, though necessary and good, is not enough. He told the group that private schools "are providing public

education" in that they educate the public, much like a public restaurant serves the public. With that public service comes "public accountability." But it's the design of the accountability system that's critical



Boston University Professor Charles Glenn talks with Pat Bassett (left), president of the National Association of Independent Schools, and Dan Vander Ark (right), president of CAPE and executive director of Christian Schools International.

in determining whether private schools remain independent, effective, and true to their missions, or indistinguishable clones of public schools.

Regulatory Duck-Nibbles

Dr. Glenn recalled his years (1970-91) as director of urban education and equity efforts for the Massachusetts Department of Education. He said he, like a lot of bureaucrats, routinely wrote new regulations and reporting requirements to address a particular problem and then applied them to every school in the district or state. The net result of those regulations, no matter how well-intentioned, "was to kill a lot of local initiative and flavor." It's the cumulative effect of regulatory "pinpricks" and "duck-nibbles" that private schools

should guard against to protect their integrity, he argued.

Non-Negotiables

Glenn offered a list of regulatory "non-negotiables" that private schools must resist in order to maintain their identity. First, they must exert autonomy over the employment of staff. While schools cannot discriminate on the basis of race and must not employ persons who might endanger the well-being of children, they should be free to hire teachers who reflect the school's vision. In *The Ambiguous Embrace*, Glenn argues that a faith-based school should be able to employ teachers committed to the sponsoring community's beliefs and values.

Second on the list of rights that private schools should steadfastly protect is control over the makeup of the student body. This means, Dr. Glenn said, that religious schools should be able to maintain their religious identity by limiting enrollment to members of the faith community; single-sex schools should be able to protect their status; and performing-arts schools should be allowed to draw students only from those who demonstrate talent. Of course, schools have to abide by applicable laws governing nondiscrimination.

Autonomy over organization, instruction, pedagogy—in other words, the *how* of education, the "way that schools do things"—must also be safeguarded. Glenn said that in doing the research for his most recent book, *Finding the Right Balance: Freedom, Autonomy and Accountability in Education*, he was stuck by how the

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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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House Approves Special Education Bill

The House of Representatives approved last month a major overhaul of the law that governs the education of students with special needs. The legislation to reform and reauthorize the Individuals with Disabilities Education Act (IDEA), adopted on a 251 to 171 vote, includes some new provisions relating to services for children with disabilities placed by their parents in private schools.

Under current law, individual students in private schools are not entitled to services under IDEA, but as a group, private school children with disabilities have a right to services amounting to a proportionate share of IDEA funds a school district receives—funds that private school students help generate. Although the House bill does not change those core provisions, it includes measures designed to make sure they are actually carried out (see sidebar, p. 3).

One reform would require school districts to record and report to the state education department the number of private school children with disabilities. That number determines the funds a district must set aside for services to private school children. For example, if 100 of 1,000 disabled students in a district are in private schools, the district is supposed to earmark 10 percent of its IDEA funds for those children.

Another provision would allow school districts to deliver special education and related services to private school children “directly or through contacts with public and private agencies, organizations, and institutions.”

Tools to Accomplish Goals

Commenting on the House-passed legislation, officially named the Improving Education Results for Children with Disabilities Act, Rep. Mike Castle (R-DE), chairman of the Education and the Workforce Subcommittee on Education Reform, and the bill’s main author, said the measure “demonstrates a commitment to ensuring that students with disabilities receive a quality education and the tools they need to successfully accomplish their goals.”

The bill’s supporters praised it for reducing paperwork for teachers, curbing the misidentification of children with special needs, curtailing litigation, and increasing the authorization levels for funding IDEA by a total of \$4.7 billion in

grants to states over the next two years. Any funding increase would directly affect services to children in private schools, since those services are based on a proportionate share of a district’s IDEA allocation.

The bill would also allow IDEA funds to be used to help children with special needs in poor-performing public schools obtain supplemental services from a variety of providers, including private schools. The measure was added by Rep. Jim DeMint (R-SC) in committee. But the House defeated (240-182) another choice-related proposal by DeMint: a floor amendment that would have allowed willing states to use IDEA funds to enable parents of a public school child with special needs to choose a public or private school for the child.



Certificates Fail

Also defeated (247-176) was an amendment by Rep. Marilyn Musgrave (R-CO) to provide school districts the option to offer the parents of a child with a disability in a private school a certificate to be used for the child’s special education needs. The certificate would have been in the amount of the child’s proportionate share of federal funds under IDEA (currently about \$1,400 annually). The proportionate share of federal funds for children with disabilities in private schools is supposed to be used for services to those children. Perhaps not understanding this, opponents argued during the floor debate that Musgrave’s amendment would “take away federal dollars from public schools.”

Rep. Musgrave noted that although private school children generate IDEA funds for public school districts, the dollars very often do not reach the children or provide “the special services that they need.” She said her amendment would rectify that “by giving the local school districts an option of issuing a certificate,” allowing parents to purchase special education services directly. “This makes great sense since we want to educate all children well,” she added.

Senate Set to Act

Following House passage of the IDEA bill, Senator Judd Gregg (R-NH), Chairman of the Senate Committee on Health, Education, Labor,

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and Pensions, said he and others were “actively involved in negotiations on the Senate bill.” He said there is bipartisan agreement on many of the provisions contained in the House bill, including promoting accountability, reducing paperwork, and increasing parental involvement. “We intend to complete our bipartisan negotiations on the Senate version of the IDEA reauthorization and introduce our bill by the Memorial Day recess. We will mark-up the bill shortly thereafter,” he said.

The Senate bill may provide an opportunity to secure a few additional refinements in provisions relating to services for children in private schools. A coalition of private school organizations has put together a modest list of improvements for Senate consideration, including:

- a requirement that when services are provided to a child with disabilities in private schools, they be direct services designed to meet the child’s unique needs;
- a requirement that funds designated for children in private schools actually be spent on special education services for those children;



Rep. Marilyn Musgrave (R-CO), author of the IDEA certificate amendment.

- a requirement that school districts secure signed documentation verifying consultation with private school officials;

- a requirement for on-site services to private school children if similar services are generally provided on school premises to public school children.

Paige Comments

Commenting on the legislation passed by the House, U.S. Secretary of Education Rod Paige said, “This bill significantly conforms the Individuals with Disabilities Education Act (IDEA) with the important principles of the No Child Left Behind Act, by promoting accountability for results, provid-

ing more flexibility and reducing paperwork burdens for states and school districts, enhancing the role of parents, and insisting on the use of approaches to improving student achievement that are based on sound research.” He said the reforms and the added funding “will help make sure our students with disabilities receive the education they need.”

Updates on the IDEA reauthorization are available at <http://www.capenet.org/new.html>.

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countries he studied all want their schools to be autonomous. “It is widely recognized that school autonomy is crucial for school improvement.”

Accountability for Results

But it is in the realm of results, rather than the methods used to achieve the results, that Glenn believes private schools must remain accountable not only to parents, but to the civic community at large. Exactly how private schools might demonstrate success in student achievement was a subject of considerable discussion during the CAPE meeting. Dr. Glenn noted that in several countries schools are held accountable directly by parents for the performance of students on a national college entrance exam that tests mastery of subject matter taught at the high school level (somewhat similar to SAT II tests in the United States). Another approach, he said, is for schools to offer alternative sets of student performance standards and assessments that a government agency then deems equivalent to, and accepts in lieu of, state standards and assessments. CAPE

delegates had their own ideas on accountability. Some suggested that private schools track and report on the success of their students at the next level of education; others proposed that private schools be accountable to a nongovernment accrediting body that incorporates standards of student assessment; and still others argued that direct accountability to parents is the only accountability with any real clout.

In summarizing his position, Dr. Glenn repeated his plea that private schools do everything they can to protect their distinctiveness and avoid standardization. They need to show “how alternative models are working to provide high outcomes without being standardized,” he said. Doing so “will have a very positive effect upon education policy in general by saying, ‘There are different ways of being excellent.’” Glenn urged the group to identify models of accountability that demonstrate quality and that would avoid a government requirement that private schools “conform to public schools.” He added that the only way to preserve the educational pluralism that Americans value is by having institutions with “distinctive viewpoints.”

New Provisions in House IDEA Bill

★ Requires school districts to record and report to the state education agency the number of private school children evaluated, the number determined to be children with disabilities, and the number served.

★ Incorporates within the statute the current regulatory requirement that school districts locate, identify, and evaluate all private school children with disabilities.

★ Changes the target child find population from children *residing* in the district to children *attending* private schools within the district.

★ Incorporates within the statute the current regulatory requirement that expenditures for child find activities not be considered in determining whether a school district has met its “proportionate share” obligation to private school children.

★ Upgrades the regulatory requirement for consultation on child find to “timely and meaningful” consultation.

★ Incorporates within the statute current regulatory requirements that school districts consult with representatives of private school children in carrying out various activities relating to identifying and serving children in private schools. Strengthens the consultation language.

★ Clarifies that school districts may provide services to private school children directly or through contacts with public and private agencies, organizations, and institutions.

★ Specifies that state and local funds for special education services to children in private schools may supplement but not supplant the federal funds required to be spent under IDEA.

★ Incorporates, clarifies, and strengthens regulatory procedures relating to filing complaints.

Return service requested

CAPE notes

★ The Progress in International Reading Literacy Study (PIRLS) of 2001 measured the reading comprehension of fourth-graders in 35 countries. The study, published last month, reported results “on a scale of 0 to 1000, with an international average of 500 and a standard deviation of 100.” On the combined reading literacy scale, fourth-graders in the United States score 542, while those in top-ranked Sweden score 561. But a look at U.S. scores by type of school is revealing. As the report puts it: “On average, fourth-grade students in private schools in the United States score significantly higher than fourth-grade students in public schools on the combined reading literacy scale, and also on the literary and informational subscales. For example, on the combined reading literacy scale and the informational subscale, on average, fourth-grade students in private schools score 42 points higher than students in public schools. On the literary subscale, private school fourth-graders score an average 45 points higher than public school fourth-graders.”

A summary of the study is available on the Web site of the National Center for Education Statistics (NCES) at <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2003073>.

★ In the Internet tidbit department, if people interested in “private education” or “teaching positions in private schools” enter those terms in Google (an enormously popular Internet search engine), the first

result they’ll get is CAPE’s Web site. In April, CAPE’s site logged more than 225,000 hits.

★ Periodically CAPE is asked how much money private schools save taxpayers. A new report from the U.S. Census Bureau puts the per-pupil amount of spending for public K-12 education in 2000-01 at \$7,284. If you multiply that figure by the number of K-12 students in private schools (5,953,000), you come up with an annual savings of \$43.4 billion.

Public school per-pupil spending amounts vary by state, ranging from \$5,100 in Arizona to \$10,922 in New York. National and state-by-state spending figures, along with various other interesting statistics, are available on the Census Bureau’s Web site at: <http://www.census.gov/govs/school/01fullreport.pdf>.

★ How satisfied with their schools are parents of Hispanic students? A publication released last month by the National Center for Education Statistics titled *Status and Trends in the Education of Hispanics* reports that in 1999, 78.4 percent of parents of Hispanic children in private schools were “very satisfied” with their schools, compared to 65.8 percent of parents whose children were in “public-chosen” schools and 54.6 percent with children in “public-assigned” schools. The report is available on the NCES Web site at: <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2003008>.

★ “That’s the day the pools open.” That’s the way some students touring Washington, D.C., a few years back responded when asked what Memorial Day means. Secretary of Education Rod Paige is encouraging schools to promote a deeper meaning of the day through the observance of what he calls a “new American tradition,” the National Moment of Remembrance. Americans are being asked to pause for one minute at 3 p.m. on Memorial Day, May 26, to honor those who have died for the country.

The White House Commission on Remembrance cites three reasons for the National Moment:

- To remind all Americans of the importance of remembering those who sacrificed for their freedom and what it means to be an American.
- To provide Americans throughout the world an opportunity to join this expression of gratitude in an act of unity.
- To make Memorial Day relevant, especially to younger Americans.

In a letter to educators on the topic, Secretary Paige said this: “I hope that all educators and students will join with the President and me in encouraging all Americans to honor the men and women who have died in service to our nation and left us a legacy of service, a heritage of sacrifice, and the gift of freedom. Let us never forget.”

More information about the National Moment of Remembrance is available at: <http://www.remember.gov>.