

# cape Council for American Private Education outlook

"Voice of the Nation's Private Schools"

December 1991 Number 176

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## "Choice" Still Key Education Issue

Educators and public policy makers continue to focus on "choice" as a lightening rod issue in the debate over reform and improvement of America's schools - charged not only with potential for widespread promise of reform, but with a negative political energy.

Since President Bush unveiled his "America 2000" education strategy, the debate over educational choice has travelled from the White House, to *The New York Times* "adver-torial" columns by American Federation of Teachers President Albert Shanker, to the halls of Congress. As the Presidential election year entered its twelve month countdown, choice has become a key issue in education policy.

### Off-the-Hill Debate

In a speech before the "National Congress of Catholic Schools for the 21st Century", sponsored by the National Catholic Educational Association, Brookings Institute scholar John Chubb addressed the issue of choice. Chubb, co-author of *Politics, Markets, and American Schools*, is known as a leading scholar and advocate for choice and education reform. His extensive writing and speeches have shown private schools as a model of why choice works.

The charge by AFT's Shanker that private schools test no better than public schools (according to NAEP data in mathematics), was attacked by Chubb. Despite

the closeness of test results for 17 year olds in public and private schools Chubb made two key points. First, the scores converge at that level "because the dropout rate in public schools is 25%" thus removing the low-performance students in the pool of testers. Secondly, a high percentage of K through 8th grade private school students transfer to public schools - helping raise the aggregate scores in that third testing period.

Chubb also pointed out that 2/3 of private school students take SAT's and score cumulative 940, while only 1/3 of public school students take the test with a result of 895. He

Chubb:

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further asserted from his research that "poor parents participate more in private schools than wealthy parents get involved in public schools." Therefore, it is a viable argument that choice is a means of encouraging parental involvement.

Chubb claimed that since 1970, after inflation, the nation has spent twice as much on education. Yet, local control and accountability as well as empowered and engaged teachers and principals have been more a measure of schools' success than has

the level of funding in public or private schools. His research indicates that is why many public schools and most private schools have overall better test results by students.

Chubb and other scholars have commented on the tremendous politicization of the choice issue on Capitol Hill. While the Administration has promoted "America 2000" and its choice provisions, only Congress can provide federal financial support.

### Congressional Action

Despite months of negotiations on education legislation with Senate leaders, the Secretary of Education Lamar Alexander had to turn his attention to the House where an impatient Education and Labor Committee was ready to act on its own. In October, a \$700 million reform bill was reported from that panel to authorize grants to states which set out broad education reform plans. Among the options and activities for states to utilize was the controversial idea of choice that could include private schools.

In a dramatic two-day mark-up committee session, the legislation offered by the education subcommittee chairman Representative Dale Kildee (D-Michigan) survived an amendment to restrict any choice activities to public schools only. The amendment failed on October 17 by a 17 to 23 vote.

A month later, as the



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days of the 1991 session of Congress were dwindling, word spread that the Senate leadership wanted to pass a similar education bill, prior to its recess. Although S. 2 had remained on the Senate calendar for some time, it was assumed that slowed negotiations with the Administration meant consideration of the legislation would not come until next year.

A quickly assembled re-write of the committee-reported legislation was produced and agreed to by of the committee, chaired by Senator Edward M. Kennedy (D-Massachusetts). (Even after a bill is reported from a Senate committee, it can be altered with concurrence of a majority of the committee.) Patterned after the House reported legislation, the new S.2 would authorize \$850 million for fiscal 1992 to fund state and local education reform efforts. The Senate bill also would create a 12-member federal panel appointed by the Secretary of Education to review reform plans and monitor progress.

The Administration had worked for some time over the late summer on a "fall back position" on choice in view of the increasingly dim chances of gaining Congressional support and approval of the "America 2000" choice provisions. That legislation, promoted by the President and Secretary Alexander since its introduction around Memorial Day, included a \$200 million block grant to states which sponsored choice programs that included private schools as well as a \$30 million grant program for "Parental Choice Programs of National Significance."

As a compromise position on the issue of choice, the Administration advocated a scaled-down and clearly focused demonstration project directed at low-income families. The \$30 million program was drafted as an amendment and circulated widely to test its acceptability. The narrower version of choice was seen as a truer test of the concept and a model of how various projects could benefit students from low-income families.

Senator Orrin Hatch (R-Utah), as ranking Republican on the Senate Labor and Human Resources Committee, was postured to offer the "Low-Income School Choice Demonstration Act" when S. 2 came to the floor. The legislation was designed to "determine the effects on students and

schools of providing financial assistance to low-income parents to select the public or private schools in which their children will be enrolled." The Secretary of Education would be allowed to make grants for "6 demonstration projects under which low-income parents receive certificates for the costs of enrolling their eligible children in the public or private schools of their choice."

### Private School Response

CAPE, and some of its member organizations, quickly assembled to strategize and coordinate support for the Hatch amendment. At the CAPE Board meeting in late October, Frank Monahan, director of government liaison for the U.S. Catholic Conference, met with the board to update and discuss the amendment. He stressed the importance of the legislation as a critical first step in the choice debate and the board's role in helping focus the Senate on the importance and sensibility of the amendment.

Further, CAPE sent each Senator a letter on November 22 to support the amendment which "will provide a viable test of how choice can contribute to improvement in education and involvement of parents of children with the least choice today - those of low income." That letter by Joyce G. McCray, CAPE executive director, also pointed out that "today, 12% of parents enroll their children in private schools because they have the means to pay tuition" or have the "ability to choose excellent public schools by moving to more affluent school districts." In asking for support of the Hatch amendment, she concluded that "innovation prompted by healthy competition can spur basic reform of our beleaguered educational system."

Due to the short time prior to adjournment, and a Republican objection to debate the bill, the leadership in the Senate decided to put the bill at the top of the legislative agenda next year (see **Legislative Update** for details). A cloture petition was filed on S. 2 (to limit debate) prior to the Congressional recess and is scheduled to be the first bill debated by the U. S. Senate in 1992.

The "choice" amendment by Senator Hatch will be a controversial start to the second session of this Congress and will continue debate on a key issue in education reform.

## 1992 CAPE Legislative Conference

CAPE will again sponsor a legislative conference in Washington next spring as a way to include the voice of the nation's private schools in the national debate on education reform. The event will be held March 17 and 18, 1992.

A letter was sent to private school educators and administrators inviting participation in the second annual meeting. Anyone with an association with CAPE member

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organizations are invited to attend. Joyce G. McCray wrote in the December 5 letter that the "increasing intensity surrounding the national debate on education reform and 'choice' [make it] imperative for private education to be a visible force on Capitol Hill."

The 1992 conference will begin March 17 with a luncheon and speaker, followed by briefings before participants are taken to the Old Executive Office Building for a briefing by White House and Department of Education officials. Appointments with Congressional offices will be scheduled the following day at which time CAPE position papers and statements can be discussed with Senate and House Members and staff.

The hotel for the conference will be the Sheraton City Centre Hotel and Towers, 1143 New Hampshire Avenue, N.W., in Washington.

Reservations can be made directly with the hotel at (202) 775-0800 by referring to the "CAPE conference". A special rate of \$119 (plus D.C. taxes) for single or double occupancy



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will honored two days prior and two days after the meeting. Reservations must be made prior to February 16 to insure the group rate and space availability. The luncheon, briefings and Wednesday morning Continental breakfast/briefing will be held at the Sheraton.

A registration fee of \$120 will be required of each participant in the conference to cover the costs of meals, speakers, transportation, and meeting space. Registration should be made prior to February 1, with the registration fee due by March 1.

For more information regarding the conference, please call the CAPE office at (202) 659-0016. A registration form appears on page 3 for your convenience.

## Legislative Update:

### Congress Adjourns for Year

The Congress adjourned for the year on Wednesday evening, November 27 in time for the Thanksgiving vacation. Despite the remote possibility of a December session to work on tax legislation, and a pro forma session January 3, 1992, the Senate and House will not resume a full legislative schedule until January 21 and 22nd, respectively.

### Education Funding Bill Passes

Having failed to override an earlier Presidential veto, the House and Senate passed **H.R. 3839** to fund education, health and labor programs for fiscal year 1992. The bill appropriates \$31.9 billion to the Department of Education.

An earlier appropriations bill, **H.R. 2707**, was vetoed by President Bush who opposed a provision which would overturn a Supreme Court decision to ban abortion counseling at federally funded health clinics. That section was deleted from the earlier bill.

Both the House and Senate hurriedly passed the new version of the spending bill, which was signed by the President November 26.

### Tax Benefit Extended

With an important benefit for charitable contributions set to expire from the tax code by year's end, the Congress cleared legislation to continue for six months the current tax treatment of gifts of appreciated property.

On the day of adjournment, the House passed **H.R. 3909** by a vote of 420 to 0 to renew 12 expiring provisions of the tax code including employer-provided education assistance, a low-income rental housing credit

and an exemption for charitable gifts of tangible property and artwork from the "alternative minimum tax".

The Senate passed the measure by unanimous consent later in the day. The President is expected to sign the bill.

The legislation will cost \$3.2 billion over five years and is to be paid for by requiring corporations with taxable income in excess of \$1 million to prepay their taxes. Currently, the law requires them to prepay 90 percent of their estimated tax liability on a quarterly basis. That level will rise to 93 and 95 percent in 1992 and 1995 respectively before returning to the current level in 1997.

CAPE has continued to work with a coalition of education, charitable, environmental, and cultural organizations to extend and expand the tax treatment to include all such gifts of appreciated property.

### Senate Education Bill Vote In January

The first legislation the Senate will consider in 1992 will be **S. 2**, an education bill to authorize \$850 million for state and local reform efforts, including public school choice. The bill was originally reported from the Senate Labor and Human Resources Committee in April. However, the

## cape Legislative Conference 1992 Registration Form

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_ FAX: \_\_\_\_\_  
 Birthdate\*: \_\_\_\_\_ Soc. Sec. #\*: \_\_\_\_\_ (\* Required for White House security)  
 Affiliation School: \_\_\_\_\_

CAPE Member Organization (e.g. NCEA, NAIS): \_\_\_\_\_

Who is your Member of Congress?: \_\_\_\_\_

Do you have a personal contact with any of your Congressional delegation?: \_\_\_\_\_

- Yes, I will attend the CAPE Conference March 17-18, 1992
- I will contact the Sheraton City Centre Hotel for Reservations by Feb. 16, 1992.
- I will not require accommodations during my stay.
- I have enclosed my registration fee of \$120.

For more information on the Conference, please call the CAPE office at (202) 659-0016 during the hours of 9 a.m. to 5 p.m.

Please return this form to CAPE as soon as possible **but NO LATER than February 1, 1992**

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legislation was amended by a party-line vote while pending on the Senate calendar to reflect changes more resembling a bill pending in the House.

The legislation was to be debated and voted upon prior to the Thanksgiving recess. However, time constraints and the potential uncertainty about the outcome of a "choice" amendment put the measure off until next year. (See "Choice" story on page 1 for details.)

## Capenotes:

Each year *The Washington Post* presents education awards and grants to support improvement of education in the Capital area and recognize the contributions made by educators. The "Distinguished Educational Leadership Awards" were established in 1986 to acknowledge the school principal as a vital member of the educational system.

The program honors one principal from each of the 16 local public school systems who go beyond the day-to-day demands of the position to create an exceptional educational environment. This year, the *Post* added area private schools to the list of those recognized. CAPE was instrumental in



calling on the newspaper company to include private schools in the program. CAPE was asked to administer the private school competition and assemble a screening process for applicants.

At a December 2 reception and program in the Washington headquarters of the *Post*, the 17 winners were honored, including the private school recipient, Shari Gelman, director of the Ivymount School in Rockville, Maryland.

Gelman founded the school in 1961 as the Christ Church Child Center with one student. She has served as its director since then and now oversees a multi-disciplinary staff of 113 for 200 students with learning disabilities, emotional problems, severe communications disorders, and multiple handicaps.

Last year, Ivymount was recognized as a school of excellence by the U.S. Department of Education. Ivymount is a member of the National Association of Private Schools for Exceptional Children.

The National Diffusion Network continues to provide support for the dissemination and implementation of exemplary education programs through CAPE's Private School Facilitator Project.

For a copy of a book on NDN's 440

programs, *Education Programs That Work*, send \$11.95 plus \$2.00 shipping to Sopris West Inc., 1140 Boston Ave., Longmont, Colorado 80501.

For more information on the National Diffusion Network, contact the director of the Private School Facilitator Project, Dr. Charles Nunley, at the CAPE Office, (202) 659-0177.

The National Council of Teachers of English has released the "English Classroom in the Computer Age: Thirty Lesson Plans". This publication is a compendium of ideas and support for teachers making the transition to electronic writing, research and publishing for students.

A copy of the book (stock no. 13761-0015) can be obtained for \$16.50 (\$12.95 for members) from the National Council of Teachers of English, 1111 Kenyon Rd., Urbana, Illinois 61801.

Speaking in Columbus, Ohio on November 25, President Bush said, "Whether a school is organized by privately financed educators or town councils or religious orders or denominations, any school that serves the public and is held accountable by the public authority provides public education."

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a coalition of 14 national associations serving private schools K-12

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