

cape Council for American Private Education outlook

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Congress Approves Historic School Choice Legislation

House OKs D.C. Scholarship Bill

Congress made history last month by approving the nation's first elementary and secondary school choice plan that includes private schools. The legislation would provide scholarships of up to \$3,200 to allow about 2,000 low-income students in the District of Columbia to attend the public or private school of their parents' choice.

By a vote of 214 to 206, the House of Representatives approved the *District of Columbia Student Opportunity Scholarship Act* on the 30th of April. The bill, which passed the Senate last November, now goes to the President, who has vowed to veto it.

The D.C. scholarship bill is the first K-12 voucher proposal — for that matter, the first K-12 school choice proposal — to win passage in both chambers of Congress. One must go back to 1978 to find school choice legislation (defined as scholarships, vouchers, tax credits, or tax deductions designed to promote choice in education) that even came close to being approved by both houses. In that year the House and Senate passed different versions of a tuition tax credit bill but failed to pass the compromise version that came out of the conference committee.

Heated Debate

Predictably, the floor debate on the scholarship bill was heated, with opponents arguing the plan was unconstitutional and would siphon money from public schools. Delegate Eleanor Holmes Norton, who represents the District in Congress and who led the Democratic charge against the bill, argued that public money should be used only for public schools. But she also called on both parties to work together



Senate Passes A+ Accounts Bill

After four days of often fierce wrangling over the fundamentals of education reform, the Senate voted 56-43 on April 23 to adopt the Coverdell-Torricelli K-12 education savings accounts proposal. The bill would expand existing college IRAs by increasing the maximum allowable annual contribution from \$500

to \$2,000 and by allowing the accounts to be used for K-12 expenses associated with public, private, religious, or home schooling. The interest that would accumulate in the accounts would be tax free.

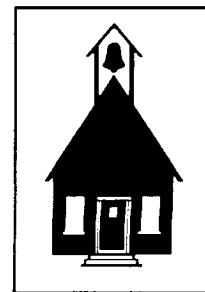
A Great Victory

Georgia Republican Paul Coverdell, the bill's main sponsor, called the vote "a great victory for our nation's schools and a giant step forward in the journey toward genuine education reform."

The bill now goes to a House-Senate conference committee, which will attempt to reconcile the version passed by the Senate with the one passed last year by the House. Both chambers will likely clear the reconciled rendering of the bill, making it the second historic piece of school choice legislation to be approved by the 105th Congress (see related story).

Five Democrats — Breaux (LA), Byrd (WV), Graham (FL), Lieberman (CT), and Torricelli (NJ) — joined 51 Republicans in voting for the bill, while three Republicans — Chafee (RI), Jeffords (VT), and Specter (PA) — joined 40 Democrats in voting against it.

The cornerstone of the Republican's



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to "raise private money for private schools," adding: "We love our private schools; we love our religious schools. Because of them, many residents who would otherwise move out stay here."

Just before the vote, House Speaker Newt Gingrich reminded his colleagues about the thousands of D.C. parents who had recently applied for, but had not received, scholarships from the privately-funded Washington Scholarship Fund. He said those parents were "crying out" to Congress to save their children from drugs, violence, illiteracy, and ignorance, and he wondered how anyone could say no to those parents. Gingrich concluded, "Let the burden of conscience be on those who take care of the teachers union but cheat the children."

Vote on Party Lines

The vote to support the scholarship plan was pretty much on party lines. Six Democrats joined 208 Republicans in voting for the bill; thirteen Republicans joined 192 Democrats and one Independent in voting against the bill.

Majority Leader Dick Arme (R-TX), the helmsman for the scholarship bill in the House, called the vote "a great victory for the children of D.C." He said the President now faced the following choice: "Does he allow these precious children the opportunity for a better future, or does he veto the bill to please his big union supporters?" He added, "I can only hope he will do what is right and give these children the chance for a real future."

Editorial Endorsement

The Washington Post last fall offered editorial endorsement for the D.C. scholarship bill, saying it would "give 2,000 children a year an alternative they currently lack" and "might help energize the public schools." The Friday before the vote, Post columnist E.J. Dionne, Jr., wrote: "In the worst school

systems, you should try everything. My dream, perhaps a pipe dream, is that teachers' unions will someday agree to voucher experiments in a handful of utterly broken urban school districts to see if alternatives to public schools can do better."



Majority Leader Dick Arme (R-TX)

Room in Private Schools

In March, Lawrence Callahan, Superintendent of Schools for the Catholic Archdiocese of Washington, testified at a House hearing on school choice that the average cost per elementary student in the Archdiocese is \$2,815 and the average elementary school tuition is \$2,131. At the end of the 1996-97 school year, 98 percent of Catholic high school graduates in the Archdiocese went on to college. Callahan said Catholic schools "are eager to serve more of the District's children." and he estimated that up to

2,000 additional students could be accommodated in area Catholic schools.

In a letter to Speaker Gingrich on the day of the vote, Secretary of Education Richard Riley

E.J. Dionne, Jr.

said D.C. vouchers would "divert critical resources that should be devoted to our public education priorities to private schools with little or no public accountability for how funds are used." At a news conference two days earlier, Riley called vouchers "the worst kind of public policy" and said they would "bleed taxpayer dollars from public schools."

Responding to a charge from House Democrats that D.C. scholarships drain tax dollars from public schools, Speaker Gingrich said during the House debate: "Every one of you knows that is not true. Every one of you knows that is just plain not accurate." Funding for the scholarship bill is in addition to the regular appropriation that Congress makes for D.C. schools.

"In the worst school systems, you should try everything."

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education reform package, the basic A+ Accounts bill served as a platform in the Senate for a host of amendments that both parties offered during the debate in order to showcase their respective education reform agendas. Some of the amendments that ultimately won approval were apparently controversial enough to cause would-be supporters to vote against the final bill. Sen. Joseph Biden (D-DE), for example, said he was intending to vote for the bill because it provided "a little bit of fairness for private and parochial schools," but said he couldn't because an amendment that would allow states to receive some federal funding as block grants "trumped everything for me." In all, it appears that 61 senators would have voted "yes" for a stand-alone A+ bill.

Abandon Hope

The extended debate on the bill was marked by an astounding degree of rhetorical overstatement — even by Senate standards. Senate Minority Leader Tom Daschle (D-SD) said the Coverdell bill would "privatize" public schools and result in "the death of public education." Sen. Ted Kennedy (D-MA) said if the bill were enacted, a sign should be hung outside every public school saying, "Abandon hope, all ye who enter here."

President Clinton sent a letter to Senate leaders urging them to oppose the bill and saying he would veto it if adopted. He called the measure, which merely modifies the college-level IRAs the President has praised in the past, "bad education policy and bad tax policy." At an event in the Rose Garden the day after the vote, the President said the bill would weaken public education.

Recognizing that the House and Senate versions of the bill must now be reconciled in conference, Sen. Coverdell said, "I urge the President to review the legislation in its final form before making any decisions about the substance of our proposal."



State CAPEs: Advocating by Example

Sometimes just a small piece of information can cause great things to happen. That, at any rate, is the theory behind a practice initiated at the most recent meeting of representatives of state CAPE affiliates. They call it "advocacy by example," and it involves their sharing with one another — in person and via Internet — successful state-level programs and practices that benefit the private school community. The hope is that the sharing will spark similar programs in other states.

Here are a few examples of what's being done to help private school students in various states. You may want to review these ideas with a simple question in mind: *If they can do it, why can't we?*

• **Connecticut:** State law requires that students in private schools receive the "same kind of transportation services" from school districts as students in public schools. A recent decision by the Connecticut Supreme Court has made it clear that private school students have the right to transportation on 180 days each year, even on days that public schools are not in session.

• **Puerto Rico:** Residents may take a \$3,000 deduction against income taxes for educational expenses, including those

associated with private education.

• **Virginia:** The legislature is considering a law to allow private school students to participate in extracurricular activities in public schools.

• **Florida:** The state has established an information resource network for public and private schools, which includes Internet access.

• **Indiana:** Students and teachers in nonpublic schools receive the same benefits as those in public schools under the state's new AP program. Test fees for

certain AP tests are covered by the state, and teachers can participate in training institutes to help them teach AP courses.

• **Illinois:** Last fall the legislature approved a \$500 tuition tax credit, but the governor vetoed it.

• **New York:** The legislature recently set categorical aid to public and private school students at the following per-pupil amounts: textbooks - \$40.90; software - \$4.58; library materials - \$4.

• **Missouri:** The SLC has approved the state CAPE as an approval agency for private school technology plans.

• **South Dakota:** Under the provisions of a bond issue that recently passed, nonpublic schools can apply for school construction bonds at a reduced rate.

• **Oregon:** The state CAPE held a seminar last month on private school law, and earlier this year it persuaded the governor to proclaim February 6 as Private School Appreciation Day.

• **California:** The state CAPE sponsors a statewide conference and is looking to establish a Web site to provide information about the mosaic of private schools in the state.

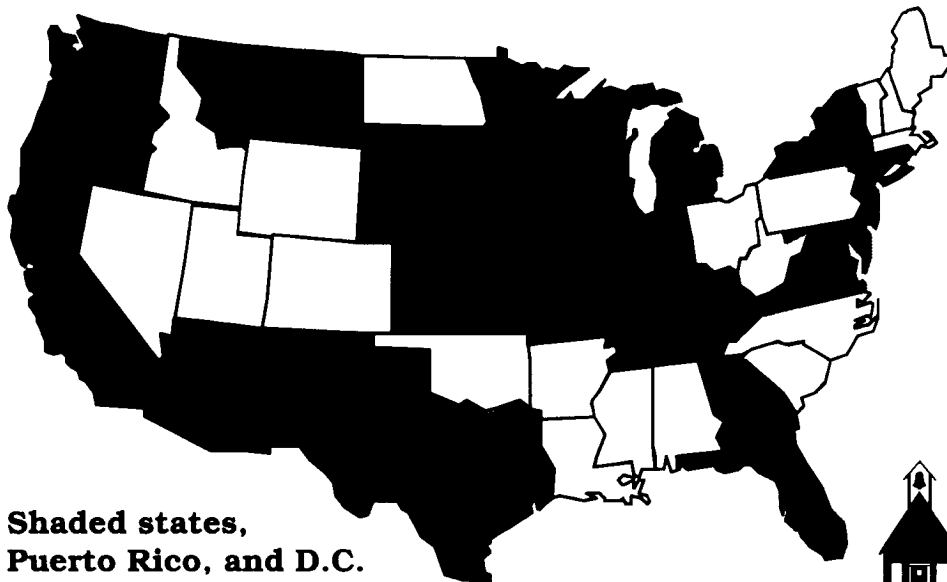
• **New Jersey:** Children who live between 2 and 20 miles from a nonpublic school either get transported to the school by the traditional yellow school bus or their parents receive \$675 per year toward the cost of providing transportation.

• **Kentucky:** The nonpublic school community in Kentucky is supporting legislation that would provide a \$100 per student tax credit for children attending private schools in the state.

Is Your State Part of the CAPE Family?

Right now 31 state CAPE affiliates are helping CAPE become an even stronger voice for private education. State CAPEs are the backbone of CAPE. The fact is that state governments often promulgate the policies and programs that most directly affect private schools. If your state is not yet part of the CAPE family, encourage your state-level private school associations to join. Remember, in unity there is strength. Working together, we can become much more effective advocates for children in private schools.

Where Are the State CAPEs?



Shaded states,
Puerto Rico, and D.C.
have CAPE affiliates.





capenotes

• Last November, the University of Dayton hosted an unprecedented national conversation on research issues relating to private schools. Covering a range of topics from the identity and value of private education to the financial and political issues affecting private schools, the conference brought together educators and researchers from across the country in an effort to identify a research agenda for American private education as it enters the 21st Century. A copy of the thought-provoking proceedings of the conference, entitled *Private Schools: Partners in American Education*, is now available for \$30 from Peter Li Education Group, 330 Progress Road, Dayton, OH 45449.

• Between January 30 and April 28 of this year, more than 40,000 applicants sought slightly more than \$2 billion in **E-rate discounts**, according to a report released May 1 by the Schools and Libraries Corporation. It is not known at this time how many private schools have applied for the program or how much

they have requested in discounts. A maximum of \$2.25 billion is supposed to be made available this year for the E-rate program.

• April was a good month for privately-funded voucher programs. The **Avi Chai Foundation** announced it would give vouchers of up to \$3,000 each to perhaps as many as 100 students in the Atlanta and Cleveland regions. The vouchers, available for up to four years, will help children in grades 2-8 attend Orthodox, Conservative, Reform, and unaffiliated Jewish day schools.

In San Antonio, the **Children's Educational Opportunity Foundation** announced it will allocate up to \$50 million over the next ten years to provide a "Horizon Scholarship" to any low-income student in the Edgewood district whose parents request one. Each scholarship would be worth as much as \$4,000. The program is the first to cover every eligible student in a single district.

Meanwhile, **Theodore J. Forstmann**, a New York investor who already sponsors scholarships in New York and Washington, announced at an April 30 news conference that he intends to set up scholarship funds in up to 30 cities nationwide. His plans include

helping as many as 5,000 children in Los Angeles starting with the 1999-00 school year.

• Would **Al Checchi**, a candidate for governor in California, send his children to public schools if elected? "Of course not. Why should I?" he told the editorial board of *The San Francisco Chronicle*. Two of his children currently attend private schools. "By making the choices I have made, I am demonstrating that the public schools are not up to the par they ought to be. I'm not going to sacrifice my children's education," he said. Checchi, a millionaire, opposes school vouchers that would help low-income students escape failing schools. He labeled vouchers, "a typical political trick."

• Another local public school board, this one in Southeast Delaware County, PA, has adopted a school choice program. The Southeast Delco plan reimburses parents between \$250 and \$1,000 when they send their children to private school or public school outside the county. The Pennsylvania teachers union has filed a suit to stop the program. The **Institute for Justice** is representing the school board.

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