

Council for American Private Education

CAPE outlook

Voice of America's private schools

Luminaries Energize Attendees at School Choice Policy Summit

A swarm of impressive analysts and leaders from the spheres of politics, media, and business energized attendees at a two-day policy summit last month hosted by a new and determined school choice advocacy group. New Jersey Governor Chris Christie, CNN analyst Roland Martin, former U.S. Secretary of Education Rod Paige, and an army of other school choice luminaries offered insights and advice on how to advance equal educational opportunity for disadvantaged children across the country.

The American Federation for Children (AFC), which was formed in January and whose mission is to improve K-12 education by advancing “sustainable public policy that empowers parents, particularly those in low-income families, to choose the education they determine is best for their children,” sponsored the education reform forum May 3 and 4 at the Omni Shoreham Hotel in Washington, DC. AFC’s vision is to bring about the “fundamental transformation of public education through parental choice.” It defines public education as “providing families, particularly low-income families, with the public funding they need to choose the education they determine is best for their children.”

Gov. Chris Christie

Governor Christie, perhaps the nation’s most passionate gubernatorial champion of school choice, described an agenda to advance the issue in the Garden State, whose politics, according to the governor, have been dominated by the New Jersey Education Association. “If we can make this happen in New Jersey over the course of the next four years, there is no excuse for anyone anywhere not to get this done. We’re going to lead the way,” he said to enthusiastic applause.”

Christie said his driving principle is simple and straightforward: “Parents and children deserve a choice,” especially

children “who are being failed by a public school system whose costs are exorbitant and whose results are insulting.”

“We know that there are over five million children trapped in over 10,000 failing public schools around America,” said Christie. “And I use the word ‘trapped,’ and I use it directly. They are trapped by an educational bureaucracy. They are trapped by a selfish, self-interested, greedy school union that cares more about putting money in their own pockets and in the pockets of members than they care about educating our most vulnerable and needy children.”

Christie said half the students in the country’s largest cities never graduate from high school, and he singled out Newark, NJ, for special criticism: “We are spending \$24,000 per pupil in public money for an absolutely disgraceful public education system—one that should embarrass our entire state.”

College or Jail

The governor described a conversation he had with a mother whose child had won a lottery for selection into an acclaimed charter school in Newark. She believed the selection meant the difference between her son going to college or going to jail. He summed up the encounter this way: “From a mother in one of the wealthiest states in America; from a mother in a school district that spends

\$24,000 per pupil per year; from a mother who believed in her heart that the luck of pulling a ticket out of a barrel was going to be the determining factor of whether her son was going to be a college student or whether her son was going to join the ranks of the incarcerated. That is obscene. It is an obscenity in America today to have that situation be confronted by any parent.

It is an even greater obscenity in the state that spends more money per pupil than any state in America on public education. That’s what we are here to stop.”

Christie and his wife, Mary Pat, send their four children to Catholic school because “we want them to go to a place

that will not only give them a robust education but also reinforce the values that we’re trying to teach them at home.” The Christies have made that choice “despite the fact that we pay \$38,000 a year in property taxes in New Jersey, 80 percent of that towards our public school system in our town.” But the governor said a single mother in Newark, “working two jobs to keep a roof over her child’s head,” should have the same ability to choose her child’s school. “Her child’s life is no less precious than ours. Her child’s future is no less promising than ours. And the great things that her child will do with his or her education will mean just as much to the great state of New Jersey as what our children



New Jersey Governor Chris Christie presents a package of legislative reforms at the Statehouse in Trenton, NJ, on May 10, 2010. (Governor Photos/Tim Larsen)

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CAPE member organizations:

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National Association of Episcopal Schools
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Wisconsin Evangelical Lutheran Synod Schools
33 Affiliated State Organizations

a coalition of national associations serving private schools K-12
Executive Director: Joe McTighe

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will do with their education.”

The New Jersey legislature is currently considering legislation to provide opportunity scholarships to help low-income students attend private schools. The program would be funded by contributions to scholarship-granting organizations from companies that then would receive dollar-for-dollar tax credits for those contributions. Christie said the bill over time would permit “thousands and thousands of children to pursue educational choice.” He called the bill the “first step” that would eventually “lead to school vouchers across the state of New Jersey so that choice is available to every parent and every child.”

Elections Matter

Another message from Christie was that “elections have consequences.” As proof, he cited the change in New Jersey from an administration last year that was anti school choice to one that is willing to lead the charge. He also said he sees “the sun rising for this cause.” But he added: “We cannot for a minute blink, hesitate.... It is time for us to get going and to engage in this fight, to press our advantage, to not only lead, but to give voice to the frustration of the people who are too busy working to put food on the table to give voice to it for themselves.”

Roland Martin

Journalist, author, and CNN analyst Roland Martin told the group that the school choice movement should concentrate on three M’s: motive, mobilization, and message.

Martin said the motive for the movement has to be pure; it has to focus on doing what is best for children, rather than advancing a partisan political agenda. A political argument, he said, turns the issue into Republican/Democrat, left/right. “And that to me has always been the mistake.”

Second, the choice movement has to involve the people who are affected by the policy, and that means mobilizing both parents and children. Martin reported that two years ago, Illinois state senator and Chicago pastor Rev. James Meeks

organized families and students in the city to enroll for a day in a local suburban public school district to protest a lack of equal educational opportunity. This year Meeks mobilized parents in support of legislation to help students in the city’s worst-performing public schools enroll in religious and independent schools.

Martin said he has a fundamental problem with politicians and civil rights leaders who oppose school choice while enrolling their own children in private schools. His message to them was simple: “If you believe in public schools that much, send your children there.”

The third of Martin’s M’s is message. Speaking as someone from the media who knows about honing messages, he offered several pieces of advice to school choice advocates. For one, they should not depict private schools as providing public schools with “competition”—a term that engenders a defensive response. Instead, the message should be that private schools “complete” public schools. And for anyone who

argues that vouchers should be rejected because they do not help everyone, Martin noted the same could be said of charter schools and magnet schools.

Air Force One

Recounting a conversation on Air Force One with President Obama, Martin said the president told him, “Roland, I have no problem with vouchers if they help all children,” to which Martin responded, “Is the current system helping all children?”

Martin emphasized the pivotal role of messaging. “You may have a great argument; it may be the moral imperative; it may make absolute sense to every logical thinking person in the world, but if you lose the message war, you lose the battle.” He added, “Without that sophisticated message where you are talking in clear and concise ways to the average person, you will not be able to be successful.”

For more information about the National School Choice Summit, including videos of some summit speakers, visit <<http://www.federationforchildren.com/>>.



CNN analyst and journalist Roland S. Martin (photo: rolandsmartin.com)

High Court to Hear Arizona School Choice Case

The U.S. Supreme Court announced May 24 that it would hear arguments in a case challenging the constitutionality of an Arizona statute that provides tax credits for donations to private school scholarship organizations. Enacted in 1997, the law that established the nation's first scholarship tax credit program served as trailblazer for similar programs that have since been established in six other states: Florida, Georgia, Indiana, Iowa, Pennsylvania, and Rhode Island.

"The Supreme Court's decision to review this case is terrific news for the thousands of families who desperately need scholarship assistance in order

to send their children to the school of their choice," said Tim Keller, executive director of the Institute for Justice Arizona Chapter.

ACLU Challenges Program

In 2009, the U.S. Court of Appeals for the Ninth Circuit in effect ruled that the Arizona program, which allows single taxpayers to take up to \$500 in dollar-for-dollar tax credits for contributions to school tuition organizations (STOs), would violate the Establishment Clause of the U.S. Constitution if it lacked "religious neutrality and true private choice in making scholarships available to parents." (The appeals court sent the case back to a federal trial court to determine if indeed the program was being carried out in a constitutionally impermissible way.) The American Civil Liberties Union of Arizona and some citizens of the state alleged that certain STOs restricted the use of scholarships to religious schools (a practice permitted by the program), preventing recipients from having a genuine choice between religious and secular institutions. The appeals court found that, if the allegations were true, the Arizona program would differ in a constitutionally meaningful way from the voucher program in Cleveland, Ohio, that the Supreme Court upheld in 2002.

Petitions Seeking Reversal

Various parties defending the program, including the state of Arizona, the Institute for Justice (representing the Arizona School Choice Trust), and the Alliance Defense Fund (representing the Arizona Christian School Tuition

Organization), filed petitions earlier this year asking the Supreme Court to reverse portions of the appeals court ruling, claiming that the overall structure of the program is religiously neutral and consistent with Supreme Court precedent.

"This case is particularly worthy of the Supreme Court's attention because the Ninth Circuit's decision directly conflicts with no less than four of the court's past precedents upholding other school choice programs," said Keller.

"Parents should decide what schools their children attend and where their money goes. This constitutionally sound

program allows families the liberty to choose what's best for their kids," said Alliance Defense Fund's Senior Legal Counsel David Cortman. "This program is neutral; the state never touches the private money involved, and it is one of several popular school choice programs that offer Arizona kids real educational opportunities."

First Since *Zelman*

The Arizona case, which will be heard in the October 2010 term, will be the first major K-12 school choice ruling rendered by the high court since *Zelman v. Simmons-Harris*, a 5-4 decision in 2002 upholding Ohio's Pilot Project Scholarship Program. When the court hears oral arguments in the Arizona matter, it will have four new justices since *Zelman*: John Roberts, Samuel Alito, Sonia Sotomayor, and whomever the Senate approves as the replacement for John Paul Stevens, who announced he will resign at the end of the current term. Stevens voted in the minority in *Zelman*, as did current justices Ruth Bader Ginsburg and Stephen Breyer. The other dissenter, David Souter, has since been replaced by Sonia Sotomayor. Three of the five majority justices in *Zelman*—Anthony Kennedy, Antonin Scalia, and Clarence Thomas—remain on the court, while the other two have been replaced: William Rehnquist by John Roberts, and Sandra Day O'Connor by Samuel Alito. Thus, to the extent that *Zelman* may have value in predicting the outcome of the Arizona case, four of the *Zelman* justices—two in the majority and two in the minority—will have been replaced by persons new to the high court.



A Favorite Teacher

Most of us can recall our favorite teacher, but few of us ever have the chance to pay public tribute to that teacher. Not so for Secretary of Education Arne Duncan. Last month Duncan took the opportunity of Teacher Appreciate Week to honor Darlene McCampbell, his high school English teacher at the independent University of Chicago Laboratory Schools. Duncan and McCampbell discussed the importance of teaching in a video released by the Education Department.

The secretary talked about the impact McCampbell had on his life and the high standards she set. "It wasn't easy work," said Duncan. "But there was never talk of limits, or ceilings, or what you can't do. As good as you thought you were, she was always pushing you to the next level."

McCampbell, who still teaches at the Laboratory Schools, offered reflections about her vocation. "A reason to go into teaching is that it's a total joy," she said. "And yes, it's hard work...but it's a gift."

In another video to commemorate Teacher Appreciation Week, Duncan offered thanks to the nation's teachers, calling their work "heroic" and saying they "bring the treasures of freedom to our children."

Recalling several teachers in public and private schools that he's known over the years, Duncan again put the spotlight on Darlene McCampbell. "She made it clear that in her class, expectations were high," he said.

The secretary also singled out his own children's public school music teacher, "who weaves science lessons into songs, and is the closest thing to a rock star in the lives of my kindergartner and second grader."

Duncan even mentioned his wife as a memorable teacher: Karen Duncan started her teaching career at the Laboratory Schools in 1992 and was appointed athletic director in 1997.

Return service requested

CAPE notes

★ **Fast Fact About Private Schools:** On May 27, the National Center for Education Statistics released the *Condition of Education 2010*, which had this to say about demographic trends: “Private school enrollment in prekindergarten through grade 12 increased from 5.9 million in 1995–96 to 6.3 million in 2001–02 and then decreased to 5.9 million in 2007–08. About 11 percent of all elementary and secondary school students were in private schools in 2007–08. While Roman Catholic schools maintained the largest share of total private school enrollment overall from 1995–96 to 2007–08, the percentage of private school students enrolled in nonsectarian schools increased from 20 to 22 percent during this period, and the percentage enrolled in Conservative Christian schools increased from 13 to 15 percent.”

★ The Oklahoma legislature last month approved a bill that provides scholarships to enable public school students with special needs to attend a private school that meets accreditation requirements set by the state or by an accrediting association approved by the state. Gov. Brad Henry is expected to sign the bill into law.

Arizona, Florida, Georgia, Ohio, and Utah offer similar programs.

“Supporters of this program should be lauded for advancing this new opportunity, this choice, to Oklahoma’s children with special needs,” Robert Enlow, president and CEO of the Foundation for Educational Choice, said. “Soon, a tremendous

burden could be lifted on parents who want nothing but a quality, safe education for their children.”

★ Bruce Stewart, former head of Sidwell Friends School, believes that one public purpose of Friends schools is their service to the country as models of excellence in education. Moreover, their achievement of excellence is directly related to their autonomy and independence. In a keynote presentation at the annual meeting in Philadelphia of the Friends Council on Education, Stewart said top Quaker schools have the opportunity to be on the cutting edge of excellence and change because they have “the freedom to experiment and to explore and to do and to try.” Innovation in education, said Stewart, “is critically important,” and Friends schools “can contribute profoundly to it.”

★ The Pennsylvania CAPE, whose associations represent over 84 percent of the religious and independent school community in the commonwealth, reports that key private school leaders met last month to encourage state legislative leaders “to utilize the private school community in helping to solve the educational concerns in the commonwealth.” Specifically, legislators, including House Speaker Keith McCall, were encouraged to fully fund the Education Improvement Tax Credit (EITC), which provides tax incentives to encourage corporations to contribute to private school scholarship programs.

Merle Skinner, a PACAPE coordinator, commented, “It is encouraging to know that many of our legislative leaders understand the value of the EITC program and the contribution to Pennsylvania education that the private schools make.”

★ Can private schools play a role in fixing state budgets? Charles T. Evans thinks they can, at least in the state of Texas. Writing in the *Austin American-Statesman* last month, Evans, executive director of the Texas Association of Non-Public Schools (the Texas CAPE), noted that while the state education budget “hemorrhages over the next two years, Texas private schools will actually save taxpayers as much as \$6 billion.” And they could save the state even more if the legislature approved tax incentives to stimulate contributions for private school scholarships. According to the Texas Public Policy Foundation, the ten-year savings could reach \$15.9 billion.

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