

EDUCATION WEEK

SPOTLIGHT

Parent Empowerment and Choice

EDITOR'S
NOTE

Efforts to promote parental engagement and empowerment have deep roots in educational reform, with prominent examples dating back several decades. Today, a new wave of changes promises to significantly elevate the place of parents in American education as central drivers of demand for high-quality schooling options. Parent-trigger laws, school voucher programs, charter schools, magnet programs, and home schooling alternatives have proliferated – and sparked considerable debate – in recent years. These initiatives have placed parents front-and-center on the national reform stage and also have offered the opportunity for families to more directly shape their own children's education.

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Andrew Spear for Education Week

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Special Ed. and Choice Ties Grow

By Nirvi Shah

Meet voucher supporters' new fellow strategists: students with disabilities.

Creating private school vouchers for special education students—programs that are largely unchallenged in court, unlike other publicly financed tuition vouchers—can be the perfect way to clear a path for other students to get school options, according to school choice proponents.

With this approach, “there is more success legislatively,”

Fati Fuchs, center, walks her son, Christopher, and daughter, Carly, home from the bus stop in Gahanna, Ohio. The family is tapping into Ohio tuition-voucher programs to pay for special education services the children need, but don't get, at their private school.

said Malcolm Glenn, a spokesman for the Washington-based American Federation for Children. The group advocates school choice, focusing its efforts on tuition vouchers and scholarship tax-credit programs.

“Our opposition is more worried about appearing that they’re standing in the way of special-needs kids’ getting a good education,” Mr. Glenn said. “We don’t really care [about] the reason they don’t oppose the legislation. If we can benefit from that reticence, ... we’re OK with that.”

At least seven states—Arizona, Florida, Georgia, Louisiana, Ohio, Oklahoma, and Utah—have voucher programs for students with disabilities, and some of those have multiple programs. At least another 10 state legislatures are considering new voucher offerings targeted at special education this legislative session.

In addition, Georgia lawmakers have proposed a change to their program this session that would make it simpler for students who want a voucher to qualify for one by waiv-

ing a requirement that a student has attended a Georgia public school in the prior year.

In an article published in November in the public-policy journal *National Affairs*, Marcus A. Winters, a senior fellow at the conservative, pro-school-choice Manhattan Institute, based in New York City, said it would be a poor decision to dismiss the strategy of using special education vouchers as a driver for the movement as a whole.

“But one of the fastest-growing types of school choice program does not fit the typical voucher mold,” Mr. Winters wrote in the article. “It is certainly a mistake, however, to overlook one of the most promising avenues for advancing school choice: voucher programs serving students with disabilities.”

Options Vary

Voucher programs for special education students are very different from state to state. Some states require students to have

attended public school for at least a year or more before turning to vouchers to avoid subsidizing private school for families who already can afford it, but others don’t. In some programs, students using vouchers must take state assessments.

Seven states already have private school voucher or tax-credit scholarship programs specifically designed for students with disabilities. Others this year are considering adding programs or expanding existing ones.

In other states, students don’t have to use the voucher for private school tuition at all and can instead put the money toward services such as speech and occupational therapy or applied behavior analysis, a therapy specifically for autism. Some states require private schools accepting vouchers to have licensed special education teachers, though many don’t. In most cases, the private schools can reject students they don’t want.

“This is the same playbook voucher proponents have used for 20 years. Twenty years ago, it was kids in so-called failing schools.

State Programs

Seven states already have private school voucher or tax-credit scholarship programs specifically designed for students with disabilities. Others this year are considering adding programs or expanding existing ones.

STATE	PROGRAM	YEAR ENACTED	STUDENTS ENROLLED FOR 2011-12	\$ SPENT IN 2011-12
Arizona	Empowerment Scholarship Account program	2011	154	\$1.3 million
	Lexie’s Law*	2009	116**	\$561,029**
Florida	McKay Scholarships for Students with Disabilities	1999; expanded in 2011 to include students with Section 504 plans in addition to special education students	23,201 students with disabilities; 414 students with 504 plans	\$150 million
Georgia	Georgia Special Needs Scholarship	2007	2,364**	\$16.2 million**
Louisiana	School choice pilot program for certain students with exceptionalities	2010	186	\$400,647
Ohio	Ohio Autism Scholarship Program	2003	1,978	\$31.4 million
	John Petersen Special Needs Scholarship Program	2011	enrollment has just begun for the 2012-13 school year; about 11,750 scholarships will be available	\$0
Oklahoma	Lindsey Nicole Henry Scholarships for Students with Disabilities Program	2010	151	\$1.2 million
Utah	Carson Smith Special Needs Scholarship	2005	682	\$3.7 million

*This program includes foster children.

**Data are for the 2010-11 school year, the most recent available.

SOURCES: *Education Week*; State Education Departments

Now, it's special-needs students," said Chris Thomas, the general counsel for the Arizona School Boards Association. "You have a group of parents that are not happy with the system. They're sympathetic from a public relations perspective. You get that camel's nose under the tent."

The school boards association sued in September to end a program established earlier last year called the Arizona Empowerment Scholarship Account. Under the program, parents who sign up get a debit card loaded with 90 percent of what would have been the state's allocation to the school district for their child. They can use the money for tuition, textbooks, therapy, or college classes while students are still in high school—or the money can be saved and used to attend college full time after graduation.

Mr. Thomas pointed out that Arizona lawmakers already have proposed similar scholarship-account programs for other groups of students, not just those with disabilities.

The school boards association, which joined with the Arizona Education Association and the Arizona Association of School Business Officials to sue the state education department, lost the first round of their legal challenge to the scholarship accounts.

A superior court ruled last month that the program does not violate the state constitution.

The state supreme court previously found another Arizona voucher program for students with disabilities unconstitutional, and Mr. Thomas said he is confident that the scholarship accounts will ultimately meet the same fate.

"Arizona has one of the strongest statements in its constitution: No public money can go for private education, religious or otherwise," he said. Just because the money goes into a debit-card account before it goes to private schools, he added, does not make the program any more legal.

The only other program with a pending legal challenge is Oklahoma's Lindsey Nicole Henry Scholarships for Students with Disabilities. Several districts in the Tulsa area sued parents using the scholarships last year, with hopes that the program will eventually be found unconstitutional.

In states that prohibit tax dollars from being spent at educational institutions that have a religious affiliation, special education vouchers aren't any more defensible, legally, than voucher programs for other students, said Richard Komer, a senior lawyer for the Arlington, Va.-based Institute for Justice.

"But it's for, I'd say, largely social or political reasons that they don't get challenged," said Mr. Komer, whose organization is a libertarian public-interest law firm that supports vouchers and other forms of school choice.

"The dynamics are very different when you're talking about children with special needs, for a whole number of reasons."

One of those reasons, he said, is "general paternalism": "We feel more sympathetic toward disabled kids and families of disabled kids. We're more willing to accommodate and provide vouchers for them than run-of-the-mill kids."

That sentiment bothered Lindsay Jones, the senior director for policy and advocacy services for the Arlington, Va.-based Council for Exceptional Children, which represents special educators, children with disabilities, and gifted children.

"It fundamentally disrespects children with disabilities. That viewpoint is discrimination. We would oppose [vouchers] on those grounds alone," she said. "It's not an attitude that shows respect for people with disabilities. They don't need pity. They need respect."

They also don't need to have public funds diverted to private schools at a time when school district resources are already stretched thin, she said.

Parental Rights

Private school vouchers concern Ms. Jones for another reason, too. When parents use them, they lose their rights to participate actively in their child's education and to object when they believe their child isn't getting the educational services he or she is entitled to under the federal Individuals with Disabilities Education Act, also known as IDEA. The law entitles students to an education in the least-restrictive classroom setting. Every student with a disability is supposed to get a special plan, updated annually, that outlines learning goals and how to achieve them. When parents disagree with schools, the IDEA outlines specific options for them to challenge schools' decisions.

"I can't imagine wanting to relinquish those rights," Ms. Jones said.

She said many parents may not be aware that they are giving up those rights when they use a voucher to enroll their child in a private school.

Fati Fuchs, a mother of three in Gahanna, Ohio, has never sent her children to public school. She said she is comfortable with the education they are getting at St. Matthew School, a Roman Catholic school in her community that doesn't meet state requirements to accept vouchers in part because there is no special education teacher on staff.

Ms. Fuchs uses Ohio's Autism Scholarship Program, created in 2003, to pay for therapy and tutoring for her daughter, Carly, 10, who has autism. And she is signing up her older son, Christopher, 12, who has Down syndrome, for Ohio's brand-new voucher pro-

“ It is certainly a mistake, however, to overlook one of the most promising avenues for advancing school choice: voucher programs serving students with disabilities.”

MARCUS A. WINTERS

Senior Fellow at the conservative, pro-school-choice Manhattan Institute

gram for all students with disabilities. She'd like to use the money to pay for additional hours for an aide for his classroom.

"You have to be smart about how you use the funding to best meet the needs of the child," Ms. Fuchs said.

'Not About the Students'

But if a private school or special program really is right for a student, then the student's school district will put the student there, said Dennis Van Roekel, the president of the National Education Association. The teachers' union has long opposed private school voucher programs.

Districts across the country enroll some students with disabilities in private programs, at the districts' expense, Mr. Van Roekel said. In those cases, students with disabilities and their parents maintain all their federal rights under the IDEA.

"What we need to use are proven programs, not experiments in privatizations," he said.

Mr. Van Roekel said Florida's special education voucher program, the McKay Scholarships for students with disabilities, established in 1999, is an example of how vouchers with one intention can morph into something else. The state doesn't require students to have attended public school before receiving a voucher, so participating in the program may not be indicating dissatisfaction with the public school system.

Last year, the state legislature expanded scholarship eligibility to 51,000 students

who aren't in special education. This group includes students with Section 504 plans—a population that could include students with allergies, asthma, attention deficit hyperactivity disorder, or other conditions that can impair learning. The state also has created a corporate tax-credit scholarship program for all students.

"They use it to open the door to vouchers to all of K-12," Mr. Van Roekel said. "That so clearly demonstrates it's not about the students. It's about a shifting of public dollars into private coffers."

Oklahoma created a voucher program for some low-income students about a year after it began offering scholarships for students with disabilities.

Meeting Needs

One of the groups behind the empowerment-scholarship-account idea in Arizona is the Phoenix-based Goldwater Institute, a conservative think tank.

The idea was tossed around at least seven years ago but didn't get any traction until recently, said Jonathan Butcher, the institute's education director. While the accounts do help further the school choice agenda, they also fill a legitimate need, he said.

"We call on public schools to be all things to every student. The fact is, kids have different needs. That's a reality, especially kids with special needs," Mr. Butcher said. "The idea is always to be conscious of students that have needs a traditional public school can't meet specifically."

Mr. Thomas of the Arizona school boards group said he sympathizes with parents of children with disabilities, who sometimes must battle school districts to get the services and setting they want for their children. But that doesn't justify private school vouchers for these students, he said.

"I reject the notion completely that the special education system is broken," Mr. Thomas said, "and that this is a solution if it were broken."

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'Parent Trigger' Push Stirs Debate on Impact

By Sean Cavanagh

State lawmakers and community activists are making a new push for "parent trigger" laws, measures that let parents vote to convert academically struggling schools to charters or to radically restructure them in other ways.

But proponents and critics of the often-controversial, citizen-led efforts are divided on just how profound an impact those policies are likely to have on public schools across states and districts, and about who is likely to guide overhauls of those schools—parents themselves or outside organizations.

Opponents of proposals such as legislation recently introduced in Florida predict that they will lead to groups of parents organizing overhauls of schools at the urging of charter school advocates and operators.

Others, however—including many backers of the parent-trigger laws—say that relatively few parents will attempt to clear the legal and organizational obstacles necessary to bring about a school overhaul, and when they do, it will be because the community's frustration with an underperforming school is widespread.

Predicting the power of trigger proposals in states like Florida is difficult because the concept is so new.

California approved what is believed to be the nation's first parent-trigger law in 2010. Mississippi and Texas have also approved such laws, and Connecticut has a modified version of one. At least 12 states are considering proposals this year, according to the National Conference of State Legislatures.

So far, however, there have been few attempts to restructure schools using the existing laws, partly because of opposition, but also because of the time delay before the "trigger" kicks in for academically

struggling schools.

The sponsor of one of the parent-trigger proposals in Florida, state Rep. Michael Bileca, a Republican, discounts the idea that the state will see a "mass conversion to charters" if his proposal becomes law. The power of the trigger is not that it allows parents to impose one academic solution on a school, but that it compels local district officials to take their ideas seriously, he argues.

"If the parents have voice in the school turnaround plan, it's going to be a better turnaround plan," Mr. Bileca said in an interview. "It gets parents engaged in the discussion and in the direction of the school."

Petition Process

Mr. Bileca's proposal would allow a majority of parents at schools that have continued to struggle after being designated for academic turnaround to submit petitions to change the schools in a number of ways.

If a majority of parents signed a petition, the options would include shutting the school down and reopening it as a charter; reassigning students to other schools; contracting with an outside entity to operate the school; or converting the school to a district-managed turnaround, with a state-approved plan for improvement, according to a recent version of the measure.

The local school board could select a plan for turning the school around that differed from the one chosen by the parents. But the state school board could overrule the district board's option and choose the parents' plan, if the state board regarded the parents' plan as more likely to be effective, according to the proposal.

The most recent version of the legislation also would require that districts notify parents when their children were assigned

to teachers with low performance ratings. That notification would also inform parents that virtual education options were available from teachers who had been rated effective.

The debate over Florida's proposed legislation also underscores the extent to which parents—and groups that say they represent the interests of parents—have very different views of parent triggers.

Proponents and critics of the legislation both claim to have the greatest grassroots support for their position. Mr. Bileca, who represents part of Miami-Dade County, said he has heard from many parents who favor the idea. The national organization StudentsFirst, founded by former District of Columbia Schools Chancellor Michelle A. Rhee, has circulated a petition asking for supporters to press state lawmakers to approve the proposal.

"If you had a child in a persistently failing school, would you want to do something about it?" a letter accompanying the petition says. "If you had a child whose teacher had been continuously evaluated as ineffective, would you want to know? Most, if not all, Floridians would say 'Yes!'"

But organizations like the Florida Parent Teacher Association, which reports having at least 300,000 members, oppose the parent-trigger legislation.

Mindy Gould, the legislation chair for the state PTA, says her organization wants parents to become more involved in demanding strong school performance. But she says that the measure would divide communities, and that parents could be manipulated by for-profit companies promising to make improvements to schools that they couldn't deliver.

"The bill pits parents against parents," Ms. Gould said. "Our belief is that if you want to empower parents, you have to educate parents."

California's Experience

The parent-trigger concept gained national prominence after California lawmakers approved a measure two years ago that allowed parents to bring about the restructuring of a school.

A group of parents in the 25,000-student Compton Unified School District organized a petition to convert their school to a charter school (*See Education Week, Jan. 12, 2011*).

The Compton parents' plans were met with strong opposition, and a legal battle over the validity of their effort ensued. Last year, the California state board of education approved regulations to clarify the rules surrounding the parent-trigger process, which have won praise from many supporters of the law as well as skeptics.

Despite the tumultuous rollout in California, lawmakers in other states have been drawn to the parent-trigger idea. But how great an imprint those laws and proposals will leave on school policy is hard to say.

Mississippi has not yet approved any plans for school overhauls endorsed by parents, at least partly because the program is so new that more test results are needed to determine whether academically struggling schools are eligible, said Pete Smith, a spokesman for the state department of education.

In California, the Compton effort is in litigation, and the state has not yet approved any improvement plans crafted by parents through the state's trigger mechanism, said Ben Austin, the executive director of Parent Revolution, a Los Angeles-based organization that is a leading backer of parent-trigger proposals. He believes the new state regulations will help parents interested in pursuing school overhauls.

In Indiana, state Sen. Dennis Kruse, who chairs his chamber's education committee, predicted that if the parent-trigger legislation under consideration there became law, it would be used no more than "two or three times a year," partly because of the difficulty of getting so many parents in a community to agree on a school overhaul.

Mr. Austin also said the idea that parent triggers would bring about widespread restructuring of schools across states is overblown, given the obstacles. He also did not believe that most nonprofit or for-profit charter school operators were eager to take on schools being restructured through parent-trigger laws, given the myriad challenges in turning around those schools and the requirements that they serve a broad population of students.

Nuanced Impact

Over the coming years, Mr. Austin believes, parents are likely to pursue a more nuanced approach to restructuring schools through trigger laws, rather than simply pressing to convert them to charter schools with outside operators.

Parents will use the trigger laws for leverage in negotiating with districts to make substantial changes to schools, which also allow for parental oversight, Mr. Austin said. That approach is now being pushed at Desert Trails Elementary School, in Adelanto, Calif. A group of parents there is seeking to convert the school to a "community charter," without an outside operator, and they are trading ideas with district officials, said Mr. Austin, whose organization is helping the parents.

"The parents are using the trigger in a very sophisticated way," he said. "That is the way

“Everybody is trying to understand what the implications of all of this might be, but nobody has very much experience in dealing with this.”

GREG RICHMOND

President, National Association Of Charter School Authorizers, Chicago

the movement is really going to go to scale. Our hope is that, more often than not, the parents will use the trigger as leverage to be taken more seriously."

One of the tensions created by trigger laws is that while they require committed parents to rally behind a cause through political activity and grassroots organizing, "the qualities you need to start a school are not based in politics," but rather sound management, said Greg Richmond, the president of the National Association of Charter School Authorizers, in Chicago.

If parents vote to convert schools to charter status, making them independent public schools, they need to take steps to ensure sound oversight, he said, such as establishing boards independent of operating organizations and with representation from people experienced in law, finance, and management.

Parent triggers "are still quite rare," Mr. Richmond noted. "Everybody is trying to understand what the implications of all of this might be, but nobody has very much experience in dealing with this."

The idea holds strong appeal for Jimella Harris, of Fort Wayne, Ind. She and others in her community hoped to convert a school that was attended by her grandson to a charter school, an effort that did not succeed. She supports her state creating a parent-trigger law.

"It's a tool of accountability," Ms. Harris said. Even if parents "don't know what questions to ask, or who to ask them to" about a school, they "have plenty to say," she added. "What we learned going door to door was they all had strong feelings, and they wanted a charter conversion."

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Magnets Reimagined as School Choice Option

By Nora Fleming

Once considered a solution to desegregate racially divided districts, magnet schools today have been forced to evolve, given legal barriers that bar using race to determine school enrollment and increasing pressure to provide more public school choices.

In a post-desegregation era, many large districts like Chicago, Los Angeles, and Baltimore County, have maintained high numbers of magnet schools, even amid the economic downturn, and others are using magnets as a strategy to meet new goals around improving school quality.

The changing definitions and demands have left the purpose and future of magnet schools in flux, according to magnet school advocates and researchers, particularly as the charter school movement continues to gather steam on national and state levels.

"This is a pivotal time for school districts and education leaders to clearly define the role of magnet schools," said Claire Smrekar, an associate professor of education at Vanderbilt University, in Nashville, Tenn., who has researched magnet schools for decades. "The future of magnet schools will depend upon which policy values and priorities school leaders embrace and whether the federal role will emphasize racial diversity as an educational goal or place the highest value instead on accountability and innovation exclusively, at the expense of diversity."

While the term "magnet school" has expanded, traditionally it referred to schools whose curricula was linked to thematic or content-specific subject matter and whose student bodies remained unbound by neighborhood lines. They have typically relied on lottery systems to determine enrollment.

Several decades ago, magnet schools became a popular strategy for many districts that often touted the catchy themes of the schools to attract families from diverse backgrounds in hopes of willingly desegregating their schools. These schools were also seen as a way to keep white, middle-class families from leaving the public school system, Ms.

Smrekar said.

But as many districts moved out from under court-ordered desegregation mandates, the diversity of magnet schools in some places started to decline, and student-body demographics resembled the neighborhoods in which the schools were located. In addition, the 2007 U.S. Supreme Court decision *Parents Involved in Community Schools v. Seattle School District* bars a school system from assigning students through a race-based lottery, unless the district is still under court supervision for desegregation.

In turn, the magnet schools' umbrella has expanded to include those with increasingly specialized themes as well as those that focus on an accelerated curriculum and require more than a luck-based lottery for acceptance.

According to the National Center on Education Statistics, as of the 2008-09 school year, magnet school enrollment was actually higher than charter school enrollment, but charter enrollment has steadily risen each year while magnets', though still high, has been more variable.

And though the federal funding stream for magnets, the Magnet School Assistance Program, MSAP, has remained relatively consistent the past few years at around \$100 million annually, and magnet schools were listed as a "turnaround strategy" in the reauthorization bill for the Elementary and Secondary Education Act introduced by Sen. Tom Harkin, D-Iowa, the federal funding for charter schools is much higher.

"The playing field is different with magnets and charters, as there's no state funding for magnets and there are fewer federal dollars available for magnet schools [than for charters]," said Robert Brooks, the executive director of the Magnet Schools of America, a nonprofit advocacy organization based in Washington. "Still, we don't see a decline in interest in magnet schools, but magnets now included as part of districts' broadening portfolio of options for parents, as districts are recognizing that it's important for parents to have choices to pick the best school for their child."

“Still, we don't see a decline in interest in magnet schools, but magnets now included as part of districts' broadening portfolio of options for parents, as districts are recognizing that it's important for parents to have choices to pick the best school for their child.”

ROBERT BROOKS

Executive Director, Magnet Schools of America,

In some districts, the push for magnet schools has not subsided, but just been repurposed.

Model Repositioning

In Nashville, for example, six low-performing schools, all high poverty, high minority, were turned into magnets this past year. Themes were attached to each school, staff members were coached on how to restructure and improve instruction accordingly, and enrollment was opened to students districtwide through a lottery system.

While Nashville has been operating a few magnet schools for years, the six new magnet schools are part of ramped-up efforts to improve district schools, said Alan Coverstone, the district's executive director of innovation.

As part of the plan, one of the new mag-

net middle schools became a direct feeder to Hume Fogg High School, an established magnet that's ranked as one of the best in the country by *U.S. News and World Report*. Nashville's hope is that the linkage will make both the middle school more appealing to parents district-wide and eventually make Hume Fogg more diverse.

"As we move into post-desegregation, we have to find ways to advance our goals of excellence and diversity without using race, and magnet schools provide an exciting academic option," Mr. Coverstone said. "Magnet schools not only strive to raise academic-achievement options for students traditionally left behind as strong charters do, but they also create strong schools that promote diversity that students across our county want to be a part of."

Other districts are also creating more magnet schools. Last year, Lawrence Township, a diverse district of 15,000 students on the northern outskirts of Indianapolis, converted all its elementary schools to magnets, the only district in the country to do so, according to the Magnet Schools Assistance Program.

Launching more magnet schools was seen as a solution to combating the district's racial and economic isolation, a way to reduce the achievement gap between students, and a means of giving parents more choices for public schools, said Jan Reckley, the district's magnet grant-project coordinator.

With the help of a startup grant from the Magnet Schools Assistance Program, the district has been able to pay for instructional coaching and consultants to help teachers craft course frameworks and weave themes like environmental and international studies into their curricula. The district also plans to establish magnet schools at the secondary level, too, in coming years, Ms. Reckley said.

Academic Competition

Other districts have expanded the priorities of their existing magnet schools by employing new ways to gauge student enrollment and new models for curriculum.

In Connecticut, for example, while race does not determine enrollment, a state Supreme Court decision in the mid-1990's led to the creation of interdistrict magnet schools that enroll students across district lines because segregation can be more prevalent between districts rather than within.

The Chicago district, on the other hand, places a priority on blending students of different socioeconomic backgrounds in its 82 magnet and selective-enrollment schools. To determine placements at more than half of those schools, the district places student applications into one of four Census tracts linked to factors like family income, home ownership, educational attainment, percentage of single-

family homes, and percentage of homes with English as a second language.

Students from each tract compete only with one another through a lottery system for spots.

While many magnet schools still use luck-based lottery systems, other districts have shifted to heightened academic requirements as a way to decide who can attend their magnets.

Competition to enroll at some has become increasingly steep, as the schools have placed more emphasis on gifted education. Just recently, the competition to get into Thomas Jefferson Science and Technology High School, a top-ranked magnet in Northern Virginia, led one company to publish a guidebook for its admissions testing.

And at Nashville's Hume Fogg, for example, academic strength has trumped diversity as a goal in recent years, particularly because of parents' changing priorities, said Principal Paul Fleming. To be in the running for a spot at the school, which focuses on a rigorous liberal arts curriculum, applicants must meet academic criteria.

"Parents no longer see our school as part of the desegregation process, but as a choice option with high academic standards," Mr. Fleming said. "I think choice is here to stay. But while you can set up schools with different labels or with different focuses, if you aren't getting to the core of teaching or learning, it doesn't matter how you're organized or the classes you offer. It's less about the form and more about the quality of instruction."

Blended Models

The push for charter schools has overshadowed magnet schools as a public school choice option, according to some magnet school advocates.

Much of the discussion around public school choice today centers on charters, which, unlike magnet schools, have mixed research results about their effectiveness, said Richard D. Kahlenberg, a senior fellow at The Century Foundation who researches school diversity.

"Magnet schools represent a form of choice that values racial and economic integration, built on a much sounder body of research, which finds that separate schools for rich and poor are inherently unequal," Mr. Kahlenberg said. "Low-income students in economically diverse schools have a much better shot at succeeding than those stuck in high-poverty schools."

Recent research from The Civil Rights Project at the University of California, Los Angeles, also suggests students in charter schools tend to be more segregated by race and class than those in magnet schools. This segregation, they report, has negative impacts on

academic achievement and graduation rates, unlike the diversity found to have positive impacts on student performance.

Charters and magnets, however, are not necessarily an either/or choice for districts, some say. In a number of districts, both magnets and charters are seen as options for choice and reform, particularly as low-income students tend to be sequestered in neighborhood schools that are also low performing as a result of zoning, a recent Brookings Institution study found.

Todd Ziebarth, the vice president of state advocacy for the Washington-based National Alliance for Public Charter Schools, an advocacy group, said that while he would argue charter schools are "more public" than magnets given the lack of any entrance requirements, one type of choice doesn't push the other out. In fact, according to Mr. Ziebarth and others, the two types of choice may end up influencing one another, particularly with charters becoming more diverse like Denver School of Science and Technology and San Diego's High Tech High, for example.

Also, more districts are continuing to weave characteristics of both into traditional neighborhood schools, and others are supporting districtwide open-enrollment policies.

In Chicago, 98 of the district's public schools are themed neighborhood schools, seen as a way both to improve instruction and give parents another public school option. Similarly in Nashville, all high schools have small learning communities, or two to three theme-based coursework paths linked to careers.

According to Bryan Stoll, the head of magnet programs at the 105,000-student Baltimore County district, which operates 29 magnet and other themed neighborhood schools, maintaining the magnet program has just as much to do with diversity and parent choice as it does in keeping students engaged in school. Students attending magnets tend to have more incentive to attend school because they're learning new, specialized curricula they are interested in, said Mr. Stoll.

"[In the future] I believe we will continue to see more demand for free, public school options," Mr. Ziebarth said. "Charter schools have been in a strong position, particularly in places where they are delivering results. But people need options for schools other than charter schools, so the more options for families, the better, particularly in urban districts."

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Studies Spotlight Charter Schools Aimed at Diversity

By Jaclyn Zubrzycki

Nearly six decades after *Brown v. Board of Education*, the landmark U.S. Supreme Court decision that ushered in an era of efforts to integrate public schools, charter school advocates and researchers are shining a light on a number of those independent public schools that are integrated by design.

Two new reports—one from the National Alliance of Public Charter Schools, another from the Century Foundation and the Poverty & Race Research Action Council—examine charter schools that have racially and socioeconomically diverse enrollments as part of their school missions. Researchers and advocates say that there is increasing demand for such schools, but that national educational priorities and policies are not necessarily stacked in their favor.

“Charters have always had the potential to be incredibly diverse schools,” said Amy Stuart Wells, a professor of sociology and education at Teachers College, Columbia University. “They’re not bound to residential patterns,” she said, which means that their student populations need not reflect the less diverse neighborhoods where they might be located.

But research from the Civil Rights Project/Proyecto Derechos Civiles, at the University of California, Los Angeles, indicates that many charter schools are more racially segregated than regular public schools, many of which have also become less diverse in recent decades.

“Charters could be more integrated than traditional public schools. The great tragedy is that they’re more segregated,” said Richard D. Kahlenberg, a senior fellow at the Century Foundation, a Washington think tank. “The charter school community is recognizing that to the extent that it’s seen as segregated, that’s a negative thing.”

Fresh Focus

The brief from the Washington-based National Alliance for Public Charter Schools, or

NAPCS, highlights six high-performing charter schools, three of which specifically formed to create a more diverse alternative to existing neighborhood schools. The remaining three focus on serving disadvantaged children.

The NAPCS brief, “A Mission to Serve: How Public Charter Schools are Designed to Meet the Diverse Demands of Our Communities,” presents both approaches as potentially effective, but says that “the past decade or so ... has seen a noteworthy rise in high-performing public charter schools with missions intentionally designed to serve racially and economically integrated student populations.” These schools differ from charter schools that are required to be diverse in order to meet targets set by districts or authorizers.

And the report from the Century Foundation and the Poverty & Race Research Action Council, or PRRAC, a Washington-based civil rights policy organization, titled “Diverse Charter Schools: Can Racial and Socioeconomic Integration Promote Better Outcomes for Students?,” focuses exclusively on seven diverse high-performing charter schools and their strategies for recruiting and maintaining integrated student enrollments. A few of the schools were also profiled by the NAPCS.

The spotlight on integrated schools represents a shift in focus for the charter movement, said Mr. Kahlenberg, who is also one of the Century Foundation-PRRAC report’s authors and a leading proponent of policies that foster socioeconomic integration of schools.

That report suggests that the benefits of having more integrated charter schools may outweigh the successes of a few of the more well-known charters, some of which are more racially isolated. “If charter schools were uniformly producing high achievement levels, then there would be real logic to packing as many poor kids into charters as you could,” Mr. Kahlenberg said. But those schools have mixed results.

“So we’re suggesting that the charter community should be looking at a variety of options, including integrated charters,” Mr. Kahlenberg said.

Both reports also include recommendations

for federal and state policymakers, including suggesting that charter schools be permitted to receive federal startup funding even if they use a weighted lottery—rather than a random drawing—in order to create an integrated student population.

No one has tallied just how many integrated-by-design charter schools exist, but the increasing number of charter school incubators with an interest in diversity, such as the Rhode Island Mayoral Academies incubator that supported the development of socioeconomically diverse charter schools like Blackstone Valley Prep in Cumberland, R.I., indicates that the number may be on the rise.

Integrated Design

Currently, though, only a small percentage of the nation’s more-than-5,000 charter schools are designed with diversity in mind. The integrated schools tend to be designed to “solve a concrete problem in a very specific neighborhood or city,” said Renita Thukral, the senior director of legal affairs at the NAPCS. Some schools, like Capital City Public Charter School in the District of Columbia, are located in neighborhoods that are themselves diverse or going through a transition. Others, like Blackstone Valley Prep, are situated to be accessible to neighborhoods with different populations.

Many of the schools also use weighted lotteries to help ensure diversity. Larchmont Charter School in Los Angeles, for instance, gives students who are eligible for free or reduced-price lunch a 2-to-1 weight in its lottery. “They get two tickets in the hat,” said Executive Director Gene Straub.

In San Diego, the High Tech High public charter schools use ZIP codes to help ensure a balance of students from different communities.

Even before charters host a lottery, and especially if the lottery is unweighted, school staff members and founders must recruit students from each community they hope to educate. The schools highlighted in the two reports hosted meetings, sent representatives door

to door, and advertised in local newspapers until they built reputations strong enough to ensure full lotteries that yield a school with students from a variety of backgrounds.

At Larchmont Charter School, Mr. Straub said that 2,000 families had entered a lottery for the 2012-13 school year's incoming kindergarten class, which will have 66 students—and whose slots are already partly reserved for siblings of current students or the children of staff members or school founders, who can make up as much as 10 percent of the student body.

Mr. Straub said that the school continued to weight applications from students who are eligible for free or reduced-price lunch, as they represent a smaller portion of applicants overall.

Not an Easy Task

Using a weighted lottery can help create diversity, but it makes a school ineligible for federal charter startup funds, said Mr. Kahlenberg. Guidance from the federal Charter Schools Program permits schools to use weighted lotteries only in order to comply with Title IX, the law against sex discrimination in federally funded education programs, or with the Civil Rights Act of 1964. This usually arises in districts where there is an active desegregation plan, though schools often still shy away from using race in lotteries, tending, for instance, to increase recruiting efforts to underrepresented populations.

"This is a disincentive to charter schools that want to proactively take steps to integrate," Mr. Kahlenberg said of the rules governing federal startup money. Thus, charter schools hoping to achieve diversity might ask for contributions from well-off parents, and often rely on support from private foundations.

At the same time, some states require charters to have racial, socioeconomic, special education, or English-language-learner students in proportions that reflect the demographics of the district in which they are located—which may not reflect the demographics desired by school founders.

There is disagreement, however, on what an integrated student population looks like. As Thomas A. Saenz, the president and general counsel of the Mexican American Legal Defense and Educational Fund, noted: In Los Angeles, where more than 70 percent of students in the public school district are Latino, for instance, is a school whose population is 20 percent Latino diverse?

"You need an appropriate demographic comparison," he said.

Though engineering integration takes work for charter schools, said Philip Tegeler, the executive director of PRRAC, "to not choose it is a choice in and of itself. You're basically accepting the social engineering that already exists by refusing to choose diversity as a possibility."

Cream of the Crop?

At the same time, charter schools seeking to promote integration sometimes find themselves subject to a criticism common to charter schools—that they "cream"

the most likely-to-succeed children from the regular public schools in their neighborhoods. Charter schools with larger white populations than surrounding public schools may be particularly susceptible to this claim, as "some early charters were perceived as white-flight schools," said the NAPCS's Ms. Thurkal.

While researching *Gentrification and Schools: The Process of Integration When Whites Reverse Flight*, a book to be published in July by Palgrave Macmillan, Jennifer B. Stillman, now a research analyst for the New York City department of education's office of innovation, found some New York City parents in changing neighborhoods who felt that diversity-focused charter schools competed with efforts to integrate regular public schools.

"The charter schools were able to start off as diverse schools," she said, while many of the regular schools in the city had very few white children.

Even with a lottery system, there is concern that schools intended to be diverse can wind up as racial or socioeconomic enclaves that resemble private schools, said Michael J. Petrilli, the vice president of the Thomas B. Fordham Institute, an education research and advocacy group in Washington.

Intentional efforts to recruit minority and disadvantaged students actually make the resemblance between charters and private schools stronger, added Ms. Wells of Teachers College, as many private schools have long reached out to lower-income students. She also expressed concern that charter schools may achieve racial diversity without serving students with learning or physical disabilities, though some states require charters to have targets for these populations; New York state, for instance, recently re-emphasized its intention to enforce such targets.

Despite concerns, the charter schools highlighted in the NAPCS report are often both high-performing and remarkably diverse. In 2010-11, for instance, E.L. Haynes Public Charter School in the District of Columbia had an enrollment that was 54 percent African-American, 31 percent Hispanic, 12 percent white, and 3 percent Asian/Pacific Islander, and 70 percent of the overall student enrollment was eligible for free or reduced-price lunches, according to the NAPCS report.

Balancing Philosophies

Once charter schools have attracted diverse enrollments, "there's a lot of work done to make sure they're serving all students, that they're integrated in practice," said Halley Potter, a policy associate at the Century Foundation and another author of its new report.

Part of the challenge stems from different expectations about education and schooling.

The "no excuses" philosophy popular in many charter schools, which focuses on discipline and more-traditional teaching practices, has garnered attention for some positive results with disadvantaged students, but "middle-class parents generally aren't interested in that," said Mr. Petrilli.

On the other hand, several models of progressive education that place less emphasis on basic skills have not been consistently demonstrated to be effective for more-disadvantaged students, he said.

“Charters have always had the potential to be incredibly diverse schools. They’re not bound to residential patterns.”

AMY STUART WELLS

Professor, Sociology and Education, Teachers College, Columbia University

The reports illustrate schools attempting to strike a balance.

In Denver, the DSST (formerly the Denver School of Science and Technology) charter schools and San Diego's High Tech High have a science and technology focus that appeals to parents from different backgrounds. Blackstone Valley Prep in Rhode Island uses a model that resembles the no-excuses model, but refers to it as "high expectations" and also advertises arts and language programs.

Those schools also use different strategies to avoid resegregation through tracking; the DSST, for instance, offers honors classes not as separate classes but through additional assignments within the same classroom.

Cultural gaps between families and students from different cultural and ethnic backgrounds can go beyond educational philosophy. At Community Roots, a progressive charter school in New York City, a staff "community-development coordinator" is tasked with making sure parents and students from each of the school's communities is served and represented. At Blackstone Valley Prep, a parent committee is beginning to offer Spanish and English lessons to parents to bridge the language gap between residents of different communities.

Mr. Straub of Larchmont Charter School said building the school culture there takes a significant amount of commitment and work.

"You can't take this and put it in a box and ship it out. These really are schools of choice," he said. "Communities have to say, 'We want this model, we understand what it takes to have this model,'" he said.

Meanwhile, charters overall still make up just a small fraction of the nation's public schools, with approximately 2 million of the nation's 55.5 million K-12 students attending some 5,600 schools—"a drop in the bucket," said the Century Foundation's Ms. Potter.

But as existing diverse charter schools have begun to expand—DSST now has five schools, for instance—and as more schools with similar missions sprout up, such charters may still have a broad impact, said Mr. Kahlenberg.

"The charter school model initially was meant not as a replacement for public [education], but as a laboratory for experimentation," he said. "When you have a heterogeneous population, how do you ensure that there isn't tracking within the school that resegregates? How do you make sure teachers are trained to address children with a wide variety of needs?"

"This is one of the issues charters can be helpful with."

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FOCUS ON: HOME SCHOOLING

'Hybrid' Home-Teaching Options Grow in Popularity

By Sarah D. Sparks

Emmy Elkin's school day starts with a cooking show.

The 10-year-old and her mom, Jill Elkin of Peachtree City, Ga., are up at 8 a.m., making breakfast along with "Iron Chef America" and chatting about algebra. Last week, Emmy left home after breakfast to meet a new Japanese tutor, around the time her sister Kayla, 14, dragged herself awake to get her independent mathematics study done before a friend came over for a joint British literature course. The sisters spent the afternoon working through a chemistry course online, with Jill Elkin giving more individual coaching to her younger daughter.

Kayla and Emmy are part of the modern generation of home-schooled students, piecing together their education from their mother, a former Fayette County math teacher; other district and university teachers, parent co-ops, and online providers.

Education policymakers and researchers have largely ignored the tremendous growth in home schooling, particularly among these sorts of "hybrid" home-schoolers willing to blur the pedagogical and legal lines of public and private education, said Joseph Murphy, an associate dean at Peabody College of Education at Vanderbilt University and the author of *Home Schooling in America: Capturing and Assessing the Movement*. The book, an analysis of research on the topic, is being published this month by Corwin of Thousand Oaks, Calif.

"Historically home school was home school, and school was school," Mr. Murphy said. "Now ... it's this rich portfolio of options for kids."

Menu of Choices

Baywood Learning Center in Oakland, Calif., a private school for gifted students, has offered hybrid home-schooling programs for the past three years. The school has a la carte classes on individual subjects once a week, as well as a multiage class that meets on Tuesdays and Thursdays to cover core academics. Director Grace Neufeld said demand for the latter has grown 50 percent in the last year, to about 40 students ages 4 to 17.

"Parents usually design a patchwork quilt of different

“

Historically home school was home school, and school was school. Now ... it's this rich portfolio of options for kids.”

JOSEPH MURPHY

Associate Dean, Peabody College of Education, Vanderbilt University and the author of *Home Schooling in America: Capturing and Assessing the Movement*

classes and activities for their children,” she said. “What I see is they sign up for various classes being held in various locations like science centers or museums or different places. They also add things like music lessons, art lessons, sports, or martial arts.”

Similarly, more home-schooling parents are developing formal co-ops, like the Inman Hybrid Home School program in Inman, Ga. Founder Holly Longino, a former health teacher at Carver Middle School in Inman, left public teaching to home-school her four children, but last year started the group classes a few times a week with five students and a handful of retired public school teachers. The teachers provide video lectures for students to use as well as in-class projects. Ms. Longino said some parents also take their children to courses at the local college and science museum, but would never consider forming a charter school.

“There’s a lot of freedom in home schooling,” she said. “I don’t ever want to be a school, because I don’t want to lose the parental control we have.”

Diversifying Population

With the modern schoolhouse only in place since the late 1800s, home schooling is hardly a new idea. But the number of home-schoolers has more than doubled since 1999, to more than 2 million as of 2010, representing nearly 4 percent of all K-12 students, according to Mr. Murphy’s book. More than 90 percent of the families are two-parent, one-salary homes, and the mother continues to be the most likely parent to stay home.

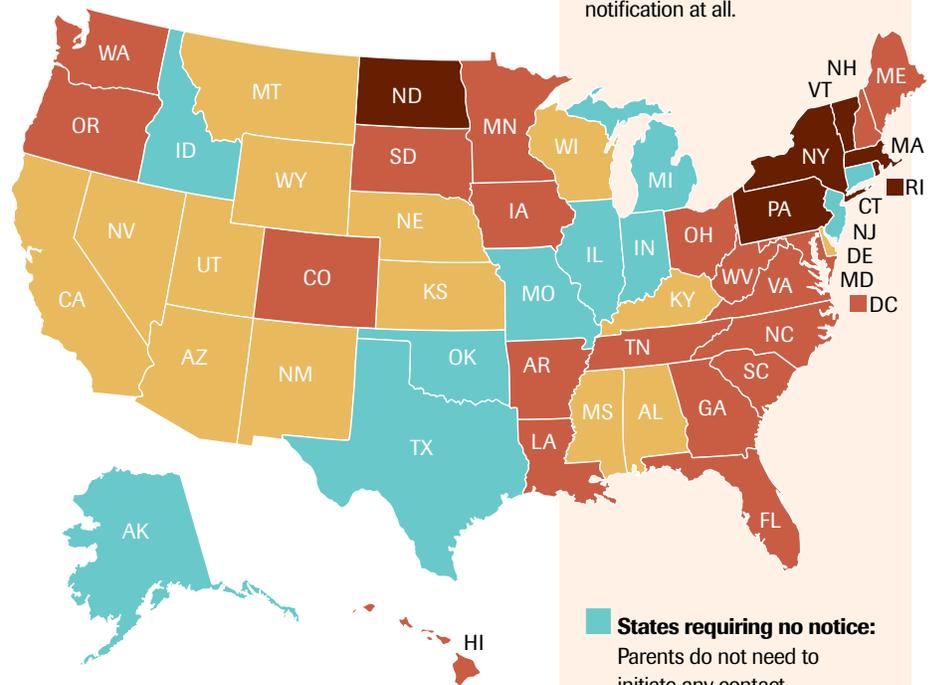
While conservative religious parents, predominately Protestants, still comprise the majority of home-schoolers, there has been an increase in the number of moderate and liberal families choosing to teach at home, and concerns about the social environment of schools, including bullying and teaching practices, have now edged out religious values (31.2 percent to 29.8 percent) as the top reason parents teach their children at home, according to Mr. Murphy.

“Pioneer home-schoolers a decade ago had to be rather strong in their personalities and commitments to do this, and had to really go against the culture,” said Brian D. Ray, the president of the National Home Education Research Institute in Salem, Ore. “Now, what I’ve seen is an increasing portion want to be more like conventional schooling—which is what the first 30 years of the modern home-schooling movement had not wanted to be.”

Michael P. Donnelly, a staff attorney and the director for international affairs at the Home School Legal Defense Association in Purcellville, Va., said many parents still choose to have nothing to do with public schools—for ideological, political, or religious reasons, among others—but the line has gotten a lot blurrier. For example, many parents whose children attend a state public virtual academy—as the Elkins did, for awhile—consider

themselves to be home-schooling, but by law would be considered full-time public school students. But what to make of a student who takes French at the local school, biology at a public community college, and core math and reading courses via a public online school? That child’s designation might differ from one state to another.

The hybrid approach has become “very, very typical, particularly at the middle and high school level,” said Yvonne Bunn, the director of home-school support for the Richmond-based Home



SOURCE: Home School Legal Defense Association

Educators Association of Virginia. “It used to be it was very difficult to get materials; now we have people all over the place who want to sell to home-schoolers because they are such a good market.” About half of state legislatures now require school districts to allow home-schooled students to enroll part time if they want to, and both Mr. Ray and Mr. Murphy noted that the current budget crunch may have given districts more reason to offer programs to home-schooling parents, which can generate additional revenue.

“Public schools have figured out that home-schooling people aren’t the devil, and vice versa,” Mr. Murphy said. Ms. Elkin agreed, noting that Kayla’s 1st grade teacher was the first to recommend that her mother consider removing her from school, because of the district’s limited support for highly gifted students. “A lot of home-schoolers have a really negative feeling toward the public school system, but I don’t feel that way. I feel like I got nothing but positive support and feedback from the local school system,” she said.

STATE LAWS

States vary widely in monitoring home schooling. Some states require parents of home-schooled children to notify public school officials and then provide test scores or other professional evaluations of their children’s academic progress; others require no parent notification at all.

- States requiring no notice:** Parents do not need to initiate any contact.
- States with low regulation:** Parents must identify students to be taught at home.
- States with moderate regulation:** Parents must send notification, test scores, and/or professional evaluation of student progress.
- States with high regulation:** Parents must send notification and achievement-test scores and/or professional evaluation, plus other requirements (e.g., curriculum approval by the state, teacher qualification of parents, or home visits by state officials).

Home Achievement

Mr. Murphy said research on the effects of home schooling has been limited—many parents choose home schooling in part to avoid testing—and it's often conducted by advocates, using self-reported information and samples that are not necessarily representative of the students at large. Across the board, though, the studies to date of home-schooled children's academic achievement suggest they perform at or above average on nationally normed tests. A 2005 study by Clive R. Belfield, an assistant economics professor at Queens College, City University of New York, found students identified as home-schooled by the studies performed significantly better on the SAT college-entrance test than did public school students, even after controlling for differences in family background and other characteristics.

"The question is, can a reasonably competent person do a better job one on one—in a loving relationship where you own that child's time—than someone who walks on water but comes into a room full of 30 kids?" Mr. Murphy said. "It would seem to me the evidence would suggest this is a reasonably positive effect on kids."

A little less than one in five home-schooled students also are enrolled in a public school, though most for less than nine hours a week. On average, Mr. Murphy found students taught at home are engaged in coursework only three to five hours each day, but have more individual instruction than students in school. Time-on-task studies in traditional schools have found students engaged with their studies only about a third of each day, he noted. "If you've really got engaged time for 130 minutes, you've probably added 30 minutes to what kids get in school."

Ms. Elkin said she uses the Iowa Test of Basic Skills for her daughters, mainly to guide her own instruction, but she sees more academic development in the way they put together their own learning; Emmy decided to learn Japanese, following her interests in origami and sushi, while Kayla is working on her third novel.

"The kids learn to work on their own and figure things out for themselves," Jill Elkin said.

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Indiana Grapples With Impact of Voucher Law

Nearly 4,000 students sign up for program—even as it faces a court challenge

By Jaclyn Zubrzycki

As the 3,919 students who participated in the first year of Indiana's new, wide-reaching school voucher program near the end of the first semester in their new schools, the program faces its next challenge: A state court hearing opened on Dec. 19 on a lawsuit arguing the program violates Indiana's constitution.

The Choice Scholarship program, one of a number of education changes enacted by Indiana's Republican-dominated state government during the 2011 legislative session, has drawn national attention for a number of bold components. It is the only active voucher program in the country that is not limited to low-income students or students who have attended a low-performing school, and the only one with no eventual cap on enrollment.

With the program moving into full gear, public schools across the state are bracing for an outflow of funds from already-tight budgets, while private schools prepare for an increased demand for spaces in their classrooms. Meanwhile, debate still rages over the initiative as schools and families consider the financial, educational, and social consequences of a program that is projected to grow substantially.

The hearing that opened last month in the Marion County superior court, in Indianapolis, stems from a lawsuit filed by a group of residents with backing from the National Education Association. It questions whether the voucher program meets Indiana's constitutional obligation to provide a common education to its students and asks whether public funds can go to private institutions. Nearly all the private schools signed up for the program so far are religiously affiliated.

Indiana schools Superintendent Tony Bennett, who is a defendant in the case along with fellow Republican, Gov. Mitch Daniels, said in an interview that he believes the law will be upheld. A judge

rejected a motion for an injunction this summer, and the law went into effect as scheduled on July 1.

"We continue to believe in the merits of the case," countered Nate G. Schnellenberger, the president of the Indiana State Teachers Association, an affiliate of the NEA. The judge's ruling is expected later this week, but the law will likely not be free of legal challenges for a while. John M. West, a lawyer representing the plaintiffs, said appeals were likely however the judge rules. Rick Muir, the president of the Indiana Federation of Teachers, an affiliate of the American Federation of Teachers, said his union was also in the process of developing a lawsuit.

The legal precedent is unclear: Challenges to voucher programs in other states have yielded "a mixed bag" of results, said Jennifer Dounay Zinth, a senior policy analyst at the Education Commission of the States, a Denver-based research and information-sharing organization.

But Indiana's law was built with the lessons of other states' programs in mind, said Terry E. Spradlin, the director for education policy at the Center for Evaluation and Education Policy, at Indiana University in Bloomington. "Based on experiences in Wisconsin, Florida, Ohio, I think they've learned," he said.

Rolling Out the Plan

The law went into effect on July 1, and applications were due Sept. 16, leaving families little time to apply. Students who had spent the previous two semesters in Indiana public schools or who were attending private school on certain state-funded scholarships were eligible for the vouchers. Families can use the vouchers as long as they meet the income requirement.

School officials anticipate that far more than 3,919 students eventually will enroll. This school year, the law would have permitted 7,500 vouchers. That cap jumps to 15,000 next year, and will be lifted alto-

gether in 2013-14. “The level of participation [this school year] is not an indication of interest,” said Indiana University’s Mr. Spradlin.

More schools are also likely to participate. Of the state’s 400-plus private schools, 260 accepted vouchers this school year.

Of the private schools that didn’t enroll, some are waiting to see how the program unfolds, and “some would prefer not to accept state dollars,” said John Elcesser, the executive director of the Indiana Non-Public Education Association. He said he anticipated that more schools would eventually take part in the program.

The law includes some requirements for schools that receive vouchers, but they are “not a real heavy lift for state-accredited schools” like the state’s Roman Catholic schools, which are used to meeting certain state requirements, Mr. Elcesser said.

Superintendent Bennett suggested that new, nonreligious schools might form to take advantage of the program.

Robert C. Enlow, the president and chief executive officer of the Friedman Foundation for Educational Choice, an Indiana-based advocacy group, said that has been the tendency in other states.

Mr. Bennett also emphasized that low-performing private schools can be taken out of the program.

Demographic Breakdown

Of the first year’s batch of students, 593 were from middle-income families, that qualified for a 50 percent voucher. About 53 percent of the voucher recipients are minority students, while the state’s population is 84 percent white. Mr. Bennett said the demographic breakdown of voucher recipients is evidence that the program fulfills its goal: “When we first proposed this, that was the exact demographic that many folks were saying would be left in public schools.”

Jon G. Ellis, the executive director of the Indiana Association of Public School Superintendents, has a different perspective, noting that the percentage of Indiana students in nonpublic schools has remained constant since 1989. “We’ve always had about 5 percent looking for a way to leave public schools. We’ve just decided to pay them to look for a way,” he said.

According to Jenny S. Andorfer, the director of admissions at the private Bishop Luers High School, in Fort Wayne, “I had a lot of people call me and register subsequently once they knew the voucher program had passed. But, really, the majority of our voucher monies went to students that we already had registered to come here for this school year.”

Ms. Andorfer had reached out to students

whom she noticed might qualify. This year, 59 students used a voucher toward tuition at Bishop Luers, which is between \$5,500 and \$6,500.

Parent Bonita Gaston learned about the program when she visited the Roman Catholic school last spring. Her sons Charles Gaston, 17, and Jeremiah Gaston, 15, now attend the school on full vouchers. “It’s amazing how all of this came about for my family,” Ms. Gaston said. “I want to put it out there for more minority people.”

Deborah Torres, a parent of a freshman who moved from a public school to Bishop Luers this year with the help of a voucher, said the bill had caused a dilemma for her family: The Torres’s were eligible for a full voucher this year, but “if we made \$200 more, it would cause \$3,000 more in tuition for us,” as they would be eligible only for a partial voucher.

To help its schools with the transition, the Catholic Diocese of Fort Wayne-South Bend hired a school choice specialist. Advocacy groups like School Choice Indiana hosted outreach events, and schools reached out through church bulletins, said Mark D. Myers, the superintendent of the diocese of the Fort Wayne Catholic schools.

Public schools also stepped up public-relations efforts. Mr. Bennett described a superintendent’s tie that read “free tuition to the best school district in Howard County.” Schools in Kokomo put up signs promoting the local district. Mark E. GiaQuinta of the Fort Wayne Community School Board said the district ran a principal-for-a-day program for “community leaders, especially skeptics.”

Karyle M. Green, the superintendent of the East Allen Community Schools, said her district would reach out to students who’d left to “see if there’s anything we can do to get them to come back.”

Mr. Bennett and other advocates of the program said that sort of competition would lead to better public schools.

But Krista J. Stockman, a spokeswoman for the Fort Wayne Community Schools, said public schools could use more data about which students were leaving and why. “If there’s something more that people are looking for, we want to know,” Ms. Stockman said. Those data are currently held by the state education department for privacy reasons.

Money Troubles

In November, school districts received a memo from the state education department stating how much money would be cut from their budgets because of the voucher program. The agency retracted the memo soon afterwards and later issued a clarification. The initial memo “gave superintendents an



Whether these reforms we’re seeing in Indiana have staying power remains to be seen. But it’s clear we’re in a parental-choice era.”

FRANK A. BUSH

President, Indiana State School Boards Association

[inaccurate] impression that there’d be an immediate hit and that it wouldn’t have to do with how many students were taking vouchers,” said Stephanie Sample, a spokeswoman for the state department of education.

That’s only somewhat reassuring to districts. Fort Wayne’s Ms. Stockman said, “We stand to lose as much as \$2.4 million in state funding with 392 students taking vouchers. But we’re not able to cut teachers or cut expenses, because we’re not losing 30 students in 3rd grade at one school. We’re losing them across the district.”

Advocates argue that the program eventually will save the state money.

“The voucher program only takes 70 percent or 90 percent of the per-student allocation,” said Ms. Sample. If a child withdraws from a private school, the state will receive a prorated refund from the school. The savings from the vouchers are in the state’s general fund, said Ms. Sample, and the department will distribute savings to schools in late spring or early summer based on the state funding formula. But there are still kinks to be worked out, and a state tax credit for parents sending their children to private schools may negate those savings, according to an analysis from the Cato Institute, a think tank based in Washington.

Opponents of the program question whether the private schools are really an option for all students. Private schools are able to select the students who attend their schools.

At Bishop Luers, Principal Mary T. Keefer said she’d only rejected two students who’d applied: “One was a senior and only had 17 credits. Our state requires 49. Her brother had straight Fs on his 8th grade report card.” Two of the initial 59 students have also been asked to leave the school due to behavioral issues.

Mr. Ellis, of the superintendents association, was critical of such risks: “We don’t want our students leaving a school because of a glitzy ad campaign only to find that they don’t meet the standards of the neighborhood Catholic school.”

The situation is particularly knotty for special-needs students; currently, there is no special-needs voucher program, and students with certain disabilities who enroll in private schools sometimes need services provided only at public schools.

Mr. Bennett said that he would support a special education voucher program.

Looking Forward

Indiana schools and families are waiting to see if enrollment will increase and how the program will affect schools around the state. Families at schools including St. Charles Borromeo School in Fort Wayne have withdrawn children from private schools in order to become eligible for the program.

At Bishop Luers, Ms. Keefer is considering using offices for classes and hiring more teachers. In the public schools, superintendents will see budget numbers reflecting departures this month.

Frank A. Bush, the president of the Indiana State School Boards Association, said, “Whether these reforms we’re seeing in Indiana have staying power remains to be seen. But it’s clear we’re in a parental-choice era. ... The debate’s over in many ways. Public school officials are going to have to understand they have to be active in making the public understand that they’re doing the job that needs to be done to educate kids.”

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N.H. Parents Gain Leverage to Challenge Curricula

By Erik W. Robelen

Overriding the governor’s veto, New Hampshire’s Republican-led legislature has enacted a new law that requires school districts to give parents the opportunity to seek alternatives to any course materials they find objectionable.

The measure, approved this month, calls on all districts in the state to establish a policy for such exceptions, but sets two key conditions. First, the district must approve of the substitute materials for the particular child, and second, the parents must pay for them.

Although at least a few states, including New Hampshire, already have laws giving parents some explicit recourse in particular subjects, such as sex education, this policy appears to be more expansive in its potential reach.

It was that factor that apparently sparked a veto last summer from Gov. John Lynch, a Democrat. He said the legislation was too vague about what could be deemed objectionable, would prove burdensome to districts, and risked stifling teachers, who might shy away from exposing students to “new ideas and critical thinking” for fear of sparking complaints.

“This legislation in essence gives every individual parent of every student in a classroom a veto over every single lesson plan developed by a teacher,” Gov. Lynch said in his veto message in July.

“It encourages teachers to go to the lowest common denominator in selecting material, in order to avoid ‘objections’ and the disruptions it may cause their classrooms.”

But Rep. Jack B. Flanagan, a Republican and a co-author of the bill, said the governor and other critics have exaggerated its impact.

“It’s been blown out of proportion,” he said in an interview. “If you felt a book was inappropriate for your child, wouldn’t you like to see if there was some opportunity [to find an alternative]?”

“

“I don’t think it’s crazy to say parents should have a say in what their kids are learning, especially when it affects issues about their faith and belief system. The problem is that the bill is written so broadly.”

KATHLEEN PORTER-MAGEE

Senior Director, Thomas B. Fordham Institute

He said the measure will provide better balance to what he called the three-legged stool of education: students, parents, and schools.

“You get some districts, ... they love parental involvement as long as it agrees with them,” he said. “This is a bill that makes the three-legged stool a little stabler.”

The action to override Gov. Lynch’s veto was approved on largely party-line votes of 255-122 in the House of Representatives and 17-5 in the Senate.

Jennifer Dounay Zinth, a senior policy analyst at the Denver-based Education Commission of the States, said the law appears to be unique in its scope.

“We are not aware of other state curriculum-excusal policies that allow a parent to excuse a child from any aspect of the curriculum the parent finds objectionable,” she wrote in an email. “Typically, state-level ...

policies provide for a parent to excuse a child from specified components of the curriculum, such as animal dissection, sex education, or physical education.”

Too Broad?

The new law was changed substantially from the version that initially passed the House last year. That bill, which was offered by Rep. J.R. Hoell, also a Republican, was seen as much more far-reaching and stalled in the Senate.

It said: “No school district shall compel a parent to send his or her child to any school or program to which he or she may be conscientiously opposed nor shall a school district approve or disapprove a parent’s education program or curriculum.”

That language sparked widespread criticism in the state. The conservative-leaning editorial board of the *Union Leader* newspaper suggested it “would effectively end compulsory public education in New Hampshire.”

The final language says districts must adopt a policy “allowing an exception to specific course material” found objectionable by a parent or guardian. The alternative material must be agreed on by the school district and the parent, and must be “sufficient to enable the child to meet state requirements for education in the particular subject area.”

Mark V. Joyce, the executive director of the New Hampshire School Administrators Association, said the final law is preferable to the original measure, but he said he still has misgivings.

“We didn’t think there was a need for this bill,” he said, noting that districts typically already have policies to handle parental objections. “A worry everybody has is that it will be too broadly utilized” by parents, Mr. Joyce said.

“It’s a very broad, blanket statement, and therein lies some of our concern,” said R. Dean Michener, the associate director of the New Hampshire School Boards Association, which helped in crafting changes to the original proposal, even though the organization did not ultimately back it.

“The sponsors didn’t take all of our suggestions, but they did listen to several of our concerns,” he said.

Mr. Michener notes that state law already requires districts to have a policy allowing parents to opt their children out of class units on health or sex education they find objectionable.

Gov. Lynch’s veto statement was sharply critical of the revised version and spelled out some of the potential problems he believes it could create.

“Parents could object to a teacher’s plan to teach the history of France or the history of

the civil or women’s rights movements,” he said. “Under this bill, a parent could find objectionable how a teacher instructs on the basics of algebra. In each of those cases, the school district would have to develop an alternative educational plan for the student.”

But Rep. Flanagan, a former local school board member, said the idea is not to allow a student to opt out of the curriculum in a particular class. Instead, he said it’s simply to find an alternative to material that a parent deems morally objectionable, or even material the parent believes does not provide sufficient academic challenge.

Asked about the complaints he’s heard, Mr. Flanagan cited a recent case of parent objections to sexually explicit material and profanity in *The Glass Castle*, an award-winning memoir by Jeanette Walls included on a high school teacher’s reading list.

In any case, he predicted that few parents would actually make use of the new law.

“Based on the number of parents that object to the material, I would guess it’s one-tenth of one percent,” he said.

‘Faith and Belief Systems’

Kathleen Porter-Magee, a senior director at the Thomas B. Fordham Institute, a Washington-based education think tank, said the New Hampshire legislation touches on a tough issue. She said she would not want to see it used by parents to reject outright an approach to teaching math, for instance, or to bring the teaching of creationism into schools as an alternative to evolution.

At the same time, she said, she sympathizes with parents.

“I don’t think it’s crazy to say parents should have a say in what their kids are learning, especially when it affects issues about their faith and belief system,” Ms. Porter-Magee said. “The problem is that the bill is written so broadly.”

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