

THE Center for Education Reform



1001 Connecticut Avenue, NW
Suite 920 • Washington, DC 20036

Tel 202-822-9000
Fax 202-822-5077

SCHOOL REFORM IN THE UNITED STATES

STATE BY STATE ANALYSIS SPRING, 1994

Some material for School Reform in the United States was adapted from School Choice Programs. What's Happening in the States by Jeanne Allen with Angela Hulseby, published by The Heritage Foundation, Washington, DC, March 1992.

DEFINING REFORM

The definition of 'school reform' varies greatly among individuals, the media and even education groups. There is consensus that the word reform refers to more dramatic change in school systems than what can currently be achieved without legislation or structural policy change. In most instances, fundamental school reform requires legislative or popular initiatives, or the approval of a state or local governing authority. It varies depending upon the degree of control permitted to each governing body for education in a state.

While many existing education groups use the term 'school reform' to refer to a hodgepodge of programs that they promote, the term really refers to concepts or proposals that institute fundamental change in a system. For the purposes of this analysis and to be consistent with popular sentiment, reform refers generally to four broad categories: school choice, contracting-out services to private entities, deregulation or decentralization (e.g., charter schools) and accountability through strong academic assessment mechanisms.

Virtually every state in the nation allows some form of school choice to families, but the degree to which parents can choose varies greatly. Eleven states currently have statewide public school choice and three offer public school choice only within districts. Six states offer post-secondary enrollment options. School choice programs that encompass choices among both public and private schools — either through public funding or private scholarship programs — are in effect in school districts in at least fourteen states. Charter school legislation has been passed in eight states.

Districts in at least 17 states have taken advantage of private contracting to better manage administrative and education services, and at least eight states have adopted new forms of testing to spur accountability. The broad category "reformers" refers to those people or organizations who embrace wholesale change through one or more of these concepts.

The latest updates on education reform issues,* state by state, are covered in the following overview.

* The Center for Education Reform has detailed information about each of these state reform efforts, and can put you in touch with local-level experts and activists. If you would like additional information on any of the topics in this summary, please call us at (202) 822-9000 or write to us at 1001 Connecticut Avenue, NW, Suite 920, Washington, DC, 20036.

REFORM NATIONWIDE

ALABAMA

A group of business leaders and community activists called Score 100 have submitted an education reform bill as an alternative to the A+ Plan Governor Jim Folsom is currently proposing. Their bill would strengthen curriculum and local control for school decision making. The Score 100 plan is backed by the state education association's president Paul Hubbard, who will be a gubernatorial candidate in this fall's elections. It is likely the legislature will adopt some combination of the Score 100 and the Governor's plans.

ALASKA

Several state board of education officials strongly back educational choice. At their urging, Governor Wally Hickel, an Independent, appointed a special commission to examine the school choice issue. The Alaska commission's report, released in March of 1992, falls short of advocating full choice and favors instead experimenting with charter schools, magnet schools, and other types of choice within the public system. There has been no legislative action to implement the task force recommendations.

ARIZONA

A school reform bill that provides for Parental Choice Grants and Charter Schools has the support of the Governor, Senate and House leaders, and is currently a few votes short of passage. The bill would expand upon an existing law that provides for children who do not benefit from their existing school to attend private education programs. It is expected to be voted on in early April.

In Phoenix, 49 children receive privately funded scholarships through the Arizona School Choice Trust, Inc., for half tuition, up to \$800. There are 750 students on the program's waiting list.

ARKANSAS

The state provides a full public school choice option to parents, although it is rarely publicized. A local businessman started the Free to Choose Trust to provide low-income children with scholarships to attend private schools. For the 1993-94 school year, 17 children received full tuition, up to \$1,000.

CALIFORNIA

A proposition to provide parental choice scholarships worth \$2,600 to residents was soundly defeated in November, 1993. Polls conducted at the end of the effort show that the majority of Californians would support some form of school choice. Problems cited as reasons the proposition may have lost potential voters included a lack of accountability and an overly expansive program. (A program limited to low-income children or children not already enrolled in

private school may have drawn more supporters.) Supporters there have already submitted new propositions for a future initiative, but it is unclear whether these will result in a comparable large-scale campaign.

The legislature, spurred by the threat of school choice, did provide the people of California with statewide open enrollment to allow some form of choice over public schools, and passed a charter school bill that provides for up to 100 charter schools. Teachers, parents and community groups have already converted or created 49 new charter schools, and Senate Leader Gary Hart, a Democrat, has proposed lifting the limit on charter schools and amending the bill to prevent harassment from local school boards and teacher unions.

The Children's Educational Opportunities (CEO) Foundation, based in Texas, plans to start a program this fall to provide partial tuition scholarships to at least 200 students in Oakland to attend their school of choice.

COLORADO

Public school choice within school districts has been mandatory since the 1990-1991 school year. In 1990, Colorado also enacted a seven-year pilot public school choice program that allows parents to choose a school outside their own district. A ballot initiative failed in 1992, but the same organizers have launched a new effort for 1996.

Last year the state passed the Charter Schools Act to allow for up to 50 charter schools, with 13 reserved for schools that serve at-risk children. Two are up and running and seven more have been approved; of the nine, three target at-risk students. Four groups who were denied charters have begun the appeals process.

In 1993 Education Options Children, a private fund in Denver, provided partial-tuition scholarships up to \$1,250 to 38 children attending 12 private schools.

CONNECTICUT

In February of this year, a bipartisan group of legislators headed by Democratic Majority Leader Tom Luby introduced a comprehensive school reform bill that permits local districts to decide on school choice for their children as well as provides for the creation of charter schools. Meanwhile, the Coalition to Empower Fairfield is proposing a choice plan that includes private schools to help alleviate overcrowding and cut operating costs in its district's public schools.

School districts in Connecticut are allowed to offer transportation to non-public school students and are reimbursed by the state. New Haven has a widely publicized magnet school program that began in 1974 and is credited with modest gains in achievement among low-income children.

DISTRICT OF COLUMBIA

Washington, DC, School Superintendent Franklin Smith favors public school choice, and recently attempted to bring in a private firm to manage the district's administrative services. Although he enjoyed the support of business leaders, the education establishment fought his efforts and thus he has postponed

the matter until next year. A group called COMPASS is trying to drum up support for charter schools.

This January the Washington Scholarship Fund began providing 50 half-tuition scholarships, up to \$1,500, to low-income children in the District to attend a private or parochial school. The program hopes to more than double the number of scholarship offered for the 1994-95 school years.

FLORIDA

Florida has several public school site-management programs. In 1991 Miami school officials contracted with a private firm, Education Alternatives, Inc., to set up and run the newly established South Pointe elementary school.

Legislation to allow intra-district choice is under consideration, but does not look likely to pass this year.

GEORGIA

A law on the books since 1961 provides for parents to obtain a voucher to send their children to private schools. Lt. Governor Pierre Howard held hearings on the matter in October, 1993; this February, Senator Roy Allen introduced the Parental Freedom Act designed to reactivate the 1961 law, but the bill died in committee. A group of parents who have been denied the voucher provided for in the law are taking the matter to court.

The Children's Education Foundation, a private scholarship program in Atlanta, provides low-income parents scholarships up to \$3,000 to pay for half of their child's tuition at any private school. In 1993, 163 students received scholarships.

The state passed a charter school law in 1993, but the law provides little governing autonomy, freedom from regulations or flexibility in staffing, and is only available to existing public schools. There have been no applications to date.

IDAHO

Idaho enacted a statewide, voluntary, open enrollment plan in 1990. Under this law, state funds follow the child to the chosen school. It was effective with the 1991-1992 school year.

ILLINOIS

Due to the declining quality and rising costs of Chicago's public schools, several bills are pending to enact school choice in Chicago and throughout Illinois. Given the climate in which the schools opened for the 1993-1994 year, support for a choice initiative has intensified; a coalition of businesses and civic groups has mobilized to push through legislation. Bills under consideration in each of the past two years have only made it past one of the two authorizing committees.

Governor Jim Edgar and Chicago Mayor Richard Daley have both called for the creation of charter schools, and charter school bills have been introduced in the House and the Senate.

INDIANA

Indiana has no state programs for educational choice, but the public schools in Indianapolis' three districts have choice within each district for elementary and middle schools, and citywide choice for its seven high schools. Several school choice bills were voted on and defeated in the House last year.

The state gives financial assistance to some children who attend private and parochial schools. The state provides transportation for children attending private schools if they are on the same bus routes as public school children. In addition, low-income children who attend private and parochial schools are entitled to state financial support for textbooks.

Golden Rule Insurance Company, based in Illinois, started the national trend in 1991 for private scholarship programs. Golden Rule's CHOICE Charitable Trust helps low-income children in Indianapolis attend the private school of their choice by awarding them scholarships to cover up to half of tuition costs. Now in its fourth year, the program serves over 1,100 children.

IOWA

The state is in its fourth year of a mandatory, statewide inter-district open enrollment program, though the Department of Education does little to publicize it. Approximately 7,500 students are currently taking advantage of the open enrollment option, up from 1,700 in the program's first year.

KANSAS

Representative Kay O'Connor sponsored a school choice bill targeted to low-income children initially and then phased in over five years for the remainder of students. Hearings were held in February and the Education Committee voted to table consideration. The Senate will try to resurrect it but prospects are not good.

Republican Senator Eric Yost and Democratic Representative Tom Bishop are also strong choice supporters.

KENTUCKY

A 1990 law that redesigned the state's education system gives parents limited authority to remove their children from an assigned public school. The law's main focus, however, is a new form of assessment and accountability that has garnered mixed reviews. The Kentucky law was enacted after the Kentucky Supreme Court ruled that the state's entire system of public education was unconstitutional.

LOUISIANA

Legislation for parental choice in education has been introduced almost annually in recent years. Although every bill has been defeated, support for choice continues in the state. Because of procedural restrictions, legislation cannot be introduced again until 1995, except under special order of the governor. Polly

Broussard, President of the Associated Professional Educators of Louisiana, is one of many educators and reformers pushing a charter school bill.

MARYLAND

There is a high level of interest in Maryland in promoting choice for low-income students, particularly in areas with high concentrations of disadvantaged children. The Governor endorsed a bill funding a pilot voucher program to allow low-income children to attend public or private school. That legislation was not reported out of committee last year, but will be reintroduced later in 1994.

In Baltimore, the City School District contracted with the private company Education Alternatives, Inc., to take over the running of nine schools, beginning September, 1993. Teachers remain employees of the district, but other services are contracted out, and EAI has implemented curriculum and teaching method innovations culled from educational programs in other school systems.

MASSACHUSETTS

A 1991 Massachusetts law permits students to attend a public school in a district other than their own, unless the receiving district declines to participate. The program began operation in September, 1991.

On March 15, 1994, the Secretary of Education selected 15 new charter schools, including three that will be run by The Edison Project, a private company that has developed a radically innovative new school model. The charter schools are set to open in September, 1995; under the law, ten more charters will be awarded.

MICHIGAN

In August, 1993, the Michigan legislature abolished property taxes, which at that time provided two-thirds of the state's school funding. Governor John Engler used the measure to gain support for charter school legislation, which passed in December. The public voted in mid-March to increase state sales and cigarette taxes, and the state, rather than local districts, will now provide the bulk of school funds. This will bring minimum spending per district to \$4,200 by 1996, up from \$3,200 currently in the poorest districts.

Michigan's charter school bill puts no limit on the number of public school academies, as they are called, that can be established, and as many as ten academies are expected to be up and running by fall of this year.

TEACH Michigan, a state education reform coalition, is pursuing a ballot initiative which would amend the state's constitution to allow for school choice among public and private schools.

MINNESOTA

Minnesota in many ways has led the school reform movement in the states. In 1988 it became the first to enact mandatory, statewide open-enrollment for all students. During the 1992-93 school year 113,000 Minnesota students (of about

750,000 total enrollment) actively selected the public school which they attended. Last year 12,500 students used the open enrollment option to attend schools outside of their home district, a 110% jump from two years before. The state has three alternative school programs for students and dropouts; in the last three years nearly 28,000 students have taken advantage of these options.

Minnesota also enacted the first charter school plan in 1991, and in 1993 legislation expanded the number of charters available from 8 to 20. The newly introduced appeals process provides more options to teachers and parents seeking approval for their charter proposal.

In 1985 Minnesota became the first state to permit high school student enrollment in college for dual credits. This program allows high school juniors and seniors to take courses at local colleges for both high school and future higher education credit. A share of the money allocated for the students' high school course work follows them to the colleges they choose. As a result, local high schools have quadrupled the advanced placement courses offered in order to meet the new competition from colleges for student funds.

Through the High School Graduation Incentives Program, school districts may contract with private, non-profit alternative education programs to enroll eligible at-risk students from grades K through 12. In 1990-91, more than 1,000 students attended 20 alternative schools through this program. Under an 1991 amendment to the law, the program was extended to include religiously affiliated schools, for eligible students 16 years and older. Last year the St. Paul School District contracted with a private Catholic high school to take up to four such students, although the district then blocked the first applicant from enrolling. Under the HSGI program, 88% of per pupil costs, or \$3,489 for 1993-94, follows the student to the participating private school.

Minnesota allows households to take a tax deduction for private school expenses. The tax deduction applies if the child attends either private or parochial school.

MISSISSIPPI

In 1991 Governor Kirk Fordice ran and won on a platform that included private school choice. Fordice enjoys widespread support in the business community and there is discussion that a modest school choice measure will be on his agenda in 1995.

MISSOURI

Magnet schools were instituted in Kansas City in the late 1970s as a way of attracting suburban white children to central city schools, thus promoting voluntary desegregation. However, a court-ordered desegregation plan in Kansas City which funneled an additional \$36,000 per pupil into the system has been recognized as a scandalous failure, and test scores in the district actually dropped in the aftermath of this spending windfall.

NEBRASKA

In 1990 Nebraska became the fourth state to adopt an open enrollment measure.

NEW JERSEY

Jersey City Mayor Bret Schundler is teaming with state leaders to introduce school choice and charter legislation to benefit his inner-city residents. Governor Christine Todd Whitman has promised her support for his efforts and action is expected by October, 1994.

The state currently has a few intra-district choice programs in place. Montclair has a nationally recognized district-wide magnet school program that has boosted student achievement. A 1990 report by the Educational Testing Service (ETS) found that between 1984 and 1988, the median reading and mathematics scores of minority and non-minority students rose in all grades. In most grades, minority students made greater gains than non-minority students. Overall, the gap between minority and non-minority academic achievement was reduced by almost 30 percent over four years. The system also has fostered voluntary racial integration.

NEW MEXICO

In June of last year, New Mexico passed legislation providing for five charter schools.

NEW YORK

New York City has one of the longest-running successful public choice programs — in East Harlem's District 4. Beginning in 1976, District 4 officials allowed teachers in the junior high schools there to redesign or even create schools, and empowered parents to choose which schools their children would attend. The East Harlem choice program is credited with raising reading scores and lifting the district from last of 32 New York City school districts to a high of 15th in 1983, and reading scores for the district continue to fall in the mid range for New York City schools. The choice plan also has attracted white students to the largely minority school district, creating voluntary desegregation.

In 1993 another three districts opened up schools to choice. A school fair held last summer drew over 1,000 parents to learn about their options. Choice among high schools is available through a wide array of magnet schools that operate throughout New York City, many on a selective admissions basis.

A bill to expand choice to private schools in the city was only narrowly defeated among the Board of Regents in 1993. The Student/Sponsor Partnership, a private scholarship foundation, provides full tuition assistance to 725 students from low-income families to attend private and parochial schools. Operation Exodus in Washington Heights granted scholarships this year to over 100 children to attend 30 different schools. And Hope through Education assists 24 children in 14

schools in Albany with half-tuition scholarships; over 300 others are on the waiting list.

OHIO

In 1990 Ohio became the fifth state to enact a statewide open enrollment law. The law requires that students be allowed to choose their school within a district, space providing. Senate Education Committee Chairman Cooper Snyder is a proponent of full school choice and is pushing a measure to provide school districts with the option to allow choice. The Governor and his Commission on Excellence in Education has also recommended choice.

OREGON

A 1991 Oregon law contains two provisions for public school choice. One permits parents of children who have not made progress at any grade level for at least one year to choose another school, provided the receiving school agrees to accept the student. The second provision creates a tenth grade Certificate of Initial Mastery, which indicates a certain level of basic skills. When a student earns this certificate, he or she can attend any public school in the state or any state community college to pursue vocational or college preparatory course work. It is not clear whether these laws have benefited students, given their limited use.

PENNSYLVANIA

Parents in Pennsylvania came close to winning statewide school choice in the fall of 1991. The State Senate passed a bill giving \$900 educational opportunity grants to all children, which could be used at private schools. The legislation also established statewide public school open enrollment. The Senate-approved bill narrowly lost in the House.

The REACH Alliance, a private grassroots organization backing the choice proposal, has drafted a modified school choice bill for vote this year. Once again, parents favoring school choice can expect strong grassroots support for the revised bill and significant support from both parties in the legislature.

SOUTH CAROLINA

Business and grassroots support for school choice in South Carolina gained momentum in 1993 when the Save Our Schools Committee, a coalition of parents and community and business leaders, put together a low-income school choice proposal that enjoys widespread support. It has not been acted upon favorably at this time. Choice among public schools within the district has been adopted by two districts in the state.

TEXAS

A bill to provide vouchers for low-income children failed by only two votes in 1993, but will be reintroduced, with widespread support among community leaders, for a vote later this year or early 1995.

A private group, Children's Educational Opportunities (CEO) Foundation, provides half tuition up to \$1,000 to nearly 1,000 children attending over 100 schools in San Antonio and Austin. Another 1,750 are on waiting lists. The CEO Foundation plans to provide similar choice opportunities this fall to children from low-income families in Houston, Midland and Dallas.

UTAH

The law as amended in 1992 makes open enrollment mandatory as of September, 1993. It also modifies the funding system, so that 100 percent of state education dollars follows a transferring student to his or her new district.

VERMONT

A limited school voucher system has been in effect in some Vermont districts since 1894. The voucher system began because some small towns in this rural state had formal schools, while many others did not. Under the Vermont system, communities with no schools give parents vouchers to permit them to send their children to public and private schools in nearby communities. Towns without any schools are allowed to use state and local funds raised from taxation for education in other towns, at public or private schools.

VIRGINIA

A lawsuit brought by the school boards and superintendents of several school districts charged the state with disparity in education funding. The lawsuit, filed under the guise of education reform despite overwhelming evidence that no correlation exists between educational spending and student achievement, was thrown out by the Virginia state court. The suit has the support of the state's largest lobbying body, the Virginia Education Association, and an appeal has been filed.

WASHINGTON

Intra-district school choice became mandatory for all school districts in September 1991, although details governing the transfers vary from district to district. A group of business leaders and community activists are looking into a possible 1996 initiative.

The Washington Institute hopes to start a private scholarship program this fall to provide tuition grants to 100 students from low-income families in Seattle to attend private school.

WISCONSIN

Milwaukee is the home of the nation's first private school voucher plan for low-income children. Last September, the Landmark Legal Foundation filed suit on behalf of several low-income parents asking the courts for fairness in extending the program to include religious schools.

The current plan, spearheaded in 1990 by Assemblywoman Annette "Polly" Williams, a Democrat, and signed into law by Governor Tommy Thompson, a Republican, permits up to 1,500 low-income Milwaukee students to use an annually adjusted amount (\$2,970 for the 1993-94 school year) in state funds to go to a private, non-sectarian school of their choice. The program began operation in September, 1990, with 300 children using vouchers at six private schools. Four years later, 746 students attend one of thirteen private schools participating in the program. Virtually all the parents report that their children have improved academically and their attitudes about school have improved, and that they plan to stay with the schools they have chosen.

Last year Wisconsin expanded to the entire state a program that provides tuition vouchers to at-risk students to attend private education programs. Districts provide at least 80% of their average per pupil spending for students eligible to enroll in such programs. During the 1992-93 school year, over 1,000 Milwaukee students benefited from these alternative schools. 1993 was the first year such options were available to students throughout the state.

In addition to publicly funded vouchers, Wisconsin's Partners Advancing Values in Education (PAVE) was formed in 1992 to operate a private scholarship program. Unlike the state-sponsored Milwaukee program, PAVE allows students to use their scholarships at religious schools. PAVE currently provides half tuition scholarships to 2,089 low-income Milwaukee K-12th grade students at 79 non-public schools. As many more children are on the program's waiting list. And a group named PACE is working to expand the choice program statewide in 1995.

Wisconsin passed a charter school law last year that in effect created ten charter school districts, in which the school board and superintendent control the development process for up to two charter schools which may be established in each district.

PUERTO RICO

In September, 1993, Puerto Rico passed legislation which allows children to attend the school of their choice, with the money allocated following them to that school. The plan provides a \$1,500 grant per student for use at a public or private school. Of the 1,596 students selected to be part of the plan in 1993, 66% requested transfer from one public school to another, 18% requested transfer from a public to a private school, and 16% requested transfer from a private to a public school. 15% of the transfers were to schools with specialized programs. Another 3,500 students attend a special university-level program developed by the College Board — the recent legislation provided funding to expand the existing program by almost 10%. The legislation also allowed the creation of charter schools.

— Jeanne Allen
President
April 4, 1994

A SCHOOL REFORM GLOSSARY OF TERMS

Charter School: A public school created by an individual or group, often of teachers and parents, that is largely free from state and district oversight. Depending on the state, existing public schools may convert to charter status. Differs from a magnet school in its method of creation and its autonomy.

Controlled Choice: Choice that is limited by court-ordered desegregation guidelines. Because such choice programs limit parents to choices that do not upset the racial balance of a particular school, school districts with these programs can control parental choices based on race and space limitations.

Full Choice: Includes private as well as public schools.

Inter-district Choice: Students are permitted to cross district lines to attend schools. Some states allow inter-district choice among a limited number of districts.

Intra-district Choice, Transfers: Open enrollment among schools within a district.

Magnet Schools: Public schools offering specialized programs to attract students. This is used as a voluntary method of achieving racial balances when districts are under court order to desegregate. Magnets are offered to students as an optional substitute for their location-based school assignment.

Mandatory Statewide Choice, Open Enrollment, Voluntary Choice: Parents in a state have the right to decide which public school their children attend anywhere in the state, rather than having children irrevocably assigned to a school based on location. With voluntary open enrollment, the district is not required to offer choice among its schools, but it can allow parents to choose a school. With mandatory open enrollment, the district must allow parents this option.

Post-secondary Enrollment Options: High school students (usually juniors or seniors) are permitted to enroll in courses at state universities or community colleges at government expense and to receive high school graduation credits and college credits toward future enrollment. Public money allocated for the child's high school education is used to pay for

the post-secondary courses, and thus forces high schools to compete with colleges for student funds.

Private Contracting: School districts contract with a private company to run some or all of the schools in their district, to provide specific academic programs, such as remedial, at-risk, or special education programs, or to cover certain parts of a curriculum, such as foreign languages, science or math. Districts also contract out for support services such as transportation, maintenance or food services.

Private Scholarship Programs: Scholarship programs set up by private corporations or foundations to provide low-income parents with assistance for their children to attend the public, private or parochial school of their choice. Such programs offer anywhere from half to full tuition to allow these children to attend their school of choice, including religiously affiliated schools.

Public School Choice: Choice only among public schools.

Site-based Management: Management, personnel and educational policy decisions are made by teachers and the principal (and perhaps parents) of an individual public school, rather than at the district level by a central administration or school board.

Tax Credits: A funding method for educational choice in which parents receive a credit against income or property taxes for money spent on school tuition, books, or other expenses associated with sending their child to school.

Vouchers, Scholarships, Certificates: Mechanisms for dispersing funds to children in school choice plans. Parents have a designated dollar amount which they may "spend" to enroll their child at the educational institution of their choice.

