

# Center for Education Reform



*Making Schools Work Better for all Children*

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Welcome to the Center for Education Reform's weekly hot-line, this week beginning Friday October 8.

School Choice will reach the nation's highest court in 2000. On the agenda is *Mitchell v Helms*, a case involving public funding of parochial schools, or at least a federal program that provides computers, televisions, library materials and other supplies to parochial schools. Lower courts across the country seem to be continuously debating this issue. The court has persistently avoided hearing cases involving public tuition assistant for parochial schools.

In other legal issues, the House Judiciary Committee's Subcommittee on the Constitution will hold oversight hearings on desegregation and charter schools next Thursday, October 14. Specifically, it will be investigating the Justice Department's use of desegregation decrees to limit the creation of charter schools. If justice is blindfolded, she's peaking. At least 19 charter schools states are subject to desegregation orders and have the potential to be prevented from providing minority children with access to equal educational opportunities.

In 1981 the federal courts put a desegregation order on Benton Harbor Michigan, along with schools in other states. In order for a new school to open it must meet a list of criteria that works to maintain the present racial status quo. Although Advantage had gained approval for its Benton Harbor Charter School they had to go to court to defend their right to open when challenged because of the racial makeup of the student enrollment. This summer, Advantage had begun extensive remodeling to the permanent facility. The construction was delayed until the courts made their first decision. Once that happened construction was way behind schedule, so far behind that the local school board filed a petition that said the delays and uncertainties had hampered their efforts to meet federal desegregation regulations. Last Friday the judge agreed with the district and pulled the state and federal cash until next year. Advantage has stated that they will absorb the almost 3.1 million in lost funding themselves, as well as fund the 1999-2000 school year, and open no later than November 15 anyway.

The wrap on the National Education Summit may hold some surprises. What remains to be seen is whether all the lofty ideals agreed upon will bear fruit. The call for rigorous curriculums and professional development programs will need more than the feel-good environment of the summit to succeed. Reformers will need to be sure that alternative opportunities for children are available in case these proposed interventions fail.

Does size count? The results of an independent examination of 277 studies on class size effects show that only 15 percent suggested that there is a "statistically significant" improvement in

achievement, 72 percent found no effect at all, and 13 percent found that reducing class size actually had a negative effect on achievement.



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