

## Jindal Proposes Vouchers, Changes in Tenure, Other Education Reforms

By Joy Pullmann

Louisiana Gov. Bobby Jindal has outlined long-promised education reform proposals, including the largest voucher program in the nation, altering teacher tenure and pay, a Parent Trigger, and giving principals authority to hire, evaluate, and fire.

Enacting his proposals would make approximately 400,000 students eligible for state vouchers.

"The way forward is to provide more choices to families, reward teachers, and give school leaders more flexibility with fund-

JINDAL, p. 6

## Chalkboard

### NCLB Waiver Worries

Some states have decided to reject No Child Left Behind waivers or delay their applications, citing the expense. **Page 3**

### McDonnell's Ambitious Proposal

Virginia Gov. Bob McDonnell's education reform proposals include tax credit scholarships, ending teacher tenure, and expanding charter schools. **Page 4**

### W. Va. Audit Finds Problems

A West Virginia schools audit reveals an expensive bureaucracy, tenure trouble, and potential savings from online education. **Page 7**

### NCLB Redux

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### Military Kids Excel

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### Marriage Benefits Identified

Children and the economy thrive when legislators encourage strong marriages, explain David Usher and Cynthia Davis. **Page 18**



# Jindal Proposes Vouchers, Other Education Reforms

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ing and personnel," Jindal, a Republican, said in announcing his proposals. "Our kids only grow up once, and we cannot wait for the system to reform itself."

The governor stressed three "pillars" of education: effective teachers, equal opportunity for families, and school flexibility.

He pointed to Louisiana's low ranking on myriad measures of academic performance in calling for "faster" change. Louisiana students score in the bottom five states on the National Assessment of Educational Progress in every grade and subject tested.

"You have to wait until actual bills have been written and filed, but I think it's fair to describe it as an ambitious education reform agenda," said Kevin Kane, president of the New Orleans-based Pelican Institute for Public Policy.

## Expanding Choice

A school voucher program currently benefits low-income New Orleans families. Jindal would expand it to every child



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**BOBBY JINDAL**  
GOVERNOR - LOUISIANA

attending a school rated C or lower by the state whose family is at or below 250 percent of the federal poverty line (\$55,875 per year or less for a family of four). That's more than half of Louisi-

ana's nearly 700,000 K-12 students.

"The current system is unacceptable and unfair," Jindal said. "Parents and kids should not be trapped in a failing school because of their ZIP code, income, gender, or color."

Jindal's plan also would allow students to take classes from varied providers, including virtual schools, colleges and universities, and businesses with training programs. He'd give high school students who graduate early half of their per-pupil state spending as a college scholarship. He also would extend charter school authorization authority to approved nonprofits, universities, and community organizations.

## Attracting, Retaining Teachers

"Our system today often crushes talented teachers, and it makes their jobs harder, not easier," Jindal said. "If any actual business was set up like this, they would go under in a matter of months. That's about to happen to our education system."

To address these problems, Jindal proposes several changes, including removing teacher salary schedules, ending "last in, first out" policies, moving teachers rated ineffective from tenured to probationary, and tying teacher certification to effectiveness. New teachers would receive tenure only after five years of a "highly effective" rating.

"The status quo is going to say my plan hurts teachers and hurts public education," Jindal said. "They are going to do whatever it takes to say reform is a bad idea. That type of rhetoric is insulting to the people across this state demanding better schools. Teaching is not only one

of the most important professions in the world; it's also one of the toughest professions. That's why we want to reward teachers."

## Legislative Debates Ahead

Effective reform requires two components, Kane said: Removing obstacles to school success, and giving parents more options for their children to attend a better-fitting school.

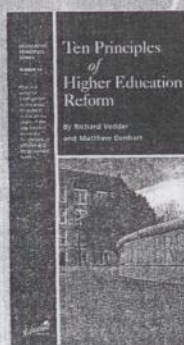
He said Jindal's ideas will have strong support in Louisiana's legislature, given its "appetite for reform" and a weaker array of opponents such as teacher unions. Jindal's landslide 2011 reelection with 65 percent of the vote gives his priorities heft, with Republican majorities in both statehouses.

Kane cautioned, however, "Any time you're talking about changing things, that means there are entrenched interests to oppose that change, and there's hard work involved."

Should such an expansive voucher program become reality, Louisiana's strong history of Catholic parochial schools and their recent enrollment decline means private schools are relatively well-positioned to absorb more students, Kane said.

"Jindal is pretty careful. He has put a lot of time and effort into this, and he's got a lot of smart people working with him," Kane said. "This has been a carefully thought-out process. It'll certainly make the next few months pretty interesting."

Joy Pullmann (jpullmann@heartland.org) is managing editor of School Reform News and a research fellow in education policy at The Heartland Institute.



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# Virginia Governor Proposes School Choice, Reforms

By Joy Pullmann

Virginia Gov. Bob McDonnell (R) has joined the growing ranks of governors supporting school choice by proposing in his 2012 legislative agenda tax credit scholarships, ending teacher tenure, stronger charter school laws, requiring an online class of high school students, and streamlining virtual school regulations.

"We have crafted this with one sole focus: what's in the best interests of the young people of this state," McDonnell said.

Having balanced the state's precarious budget and with Republicans gaining control over both houses of the state legislature in 2010, McDonnell had the political traction to tackle education, said Don Soifer, executive vice president of the Lexington Institute.

## Choices for Low-Income Families

The governor's proposal would provide tax credits to companies that contribute to scholarship funds for low-income students to attend private schools of their parents' choice.

"One of the few things you can change in a kid's life is his school," said George McVey, president of the Virginia Council for Private Education. "If he was not being successful in one school, he might be in another place. A low-income person doesn't have that option."

Virginia's constitution limits school choice options

by forbidding spending state funds on religious institutions. States with similar constitutional provisions, such as Arizona, have implemented education tax credits, which the U.S. Supreme Court upheld in 2002, to encourage school choice.

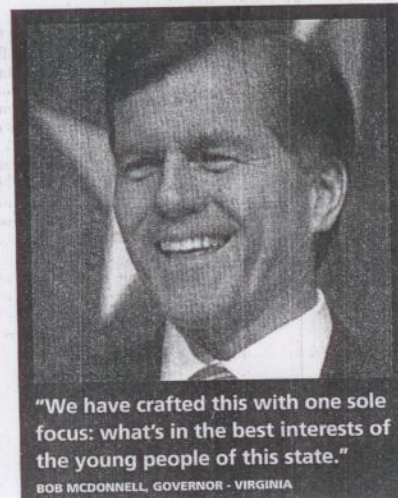
## Potential Impediments

Three historical factors will influence debates over the plan, Soifer said: Virginia's historically strong content standards have been diluted, resistance to desegregation, and the deep influence on both sides of the aisle by the state's largest teacher union, the Virginia Education Association.

"All of that has contributed to a slowing of market-based school reforms in Virginia," Soifer said, and the debate will require McDonnell to spend significant political capital. The need for reform is evident in falling National Assessment of Educational Progress scores and large minority gaps in test scores and graduation rates, he said.

"At the end of the day, the relative success and the effectiveness of the proposals will have a lot to do with the details," Soifer said.

Joy Pullmann (jpullmann@heartland.org) is managing editor of School Reform News and a research fellow in education policy at The Heartland Institute.



"We have crafted this with one sole focus: what's in the best interests of the young people of this state."

BOB McDONNELL, GOVERNOR - VIRGINIA

# South Dakota Governor Proposes Teacher Bonuses, Ending Tenure

By Sally Nelson

Gov. Dennis Daugaard opened South Dakota's legislative session by proposing to eliminate tenure for new teachers and to award \$15 million in bonuses to the state's best teachers and those teaching math and science.

With House Bill 1234, the Committee on Education introduced his proposal in January to the House of Representatives for discussion.

Daugaard, a Republican, says he hopes to improve education in South Dakota by rewarding the best teachers and attracting more talented young adults to hard-to-fill math and science positions.

"We cannot simply pour more money into the same old system. Rather, we must focus on improving results, and spend creatively and strategically to achieve those results. The key to high achievement is great teaching, and we will invest the dollars it will take to make a difference," Daugaard said in his State of the State speech.

The proposal includes \$3,500 bonuses for math and science teachers, \$5,000 bonuses for the top 20 percent of each district's teachers, annual teacher evaluations, biannual evaluations for principals,

and phasing out tenure for new teachers.

In his address, Daugaard said South Dakota is spending more money than ever on its education system but student test scores aren't improving.

In the past 40 years, South Dakota's per-student spending has increased 230 percent and the number of staff per student nearly doubled. Though the number of students in public schools has decreased 28 percent, the number of teachers has increased 10 percent. Student test scores have changed little since 1971.

"A sizeable increase in our investment in education, over time, is not getting us better achievement. We are simply putting more money into the same system, and we are not getting significantly better results," Daugaard said. "The key to obtaining high achievement in the classroom is not more spending. It is effective teachers."

State Rep. Jacqueline Sly (R-Rapid City) said the South Dakota legislature is discussing how to implement the governor's proposals.

"We've just seen the actual bill for the first time. We will be looking at that to see where discussion should go from here," Sly said.



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DENNIS DAUGAARD  
GOVERNOR - SOUTH DAKOTA



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history of local control about teacher evaluation and teacher hiring. I'm a proponent of local control."

JIM BOLIN  
STATE REPRESENTATIVE  
CANTON, SOUTH DAKOTA

## Democrat, Union Opposition

Even before the bill reached the House, Daugaard's proposal faced opposition from teacher unions and the state's Democratic Party, whose Web site decried the proposal as an attack upon teachers.

State Rep. Jim Bolin (R-Canton), a retired teacher, says he opposes the bill for different reasons.

"I oppose the bill because, in South Dakota, we have a strong history of local control about teacher evaluation and teacher hiring," Bolin said. "I'm a

proponent of local control."

Individual districts, he says, should have the ability to evaluate and reward schools as they choose.

In addition to opposing the loss in local control, Bolin says he disagrees with increasing state education spending.

"It would require a \$15 to \$17 million continual obligation from the state expressly for schools," he said.

Sally Nelson (sallynelson7@gmail.com) writes from Hillsdale, Michigan.



# Ariz. Constitutional Amendment to Allow Vouchers?

By Jim Waters

State Rep. Jack Harper (R-Surprise) has proposed legislation that would amend Arizona's constitution to allow state-funded vouchers for disabled and foster children.

"I believe [a voucher] breaks down the barriers to competition and sharpens the focus of public schools to want to do a good job for every child," he said.

In 2009, the Arizona Supreme Court struck down two voucher programs because the state constitution's Blaine Amendment prohibits sending public monies to religious schools. Arizona legislators then approved education savings accounts for disabled children to accomplish similar ends without violating the constitution.

Harper's plan would allow state-funded, \$5,500 vouchers to pay private school tuition for qualified students in any school where average class sizes exceed 35.

## First Flight for Arizona ESAs

Analysts from school choice legal heavyweights the Goldwater Institute and Institute for Justice say they would like to see Arizona's ESAs—the first in the nation—given a chance to withstand current court challenges before trying a constitutional amendment.

"[ESA] is the next generation of education reform," said Jonathan Butcher, the Goldwater Institute's education director.

Signed into law in April 2011, SB 1553 created Empowerment Scholarship Accounts, which provide an average of \$13,000 in public funds per special-needs student. Funding amounts range from \$3,500 for mildly disabled students to more than \$25,000 for those with serious disabilities.

Seventy-five students joined the program in fall 2011. Another 72 requested applications in December. There are currently 125,000 special-needs students in the state, a population requiring immediate attention, Butcher said.

"Public schools have for generations tried the one-size-fits-all approach, trying to be all things to all children," Butcher said. "But there are a host of different needs when you put highly functioning, bright autistic children in a class with students that have a different diagnosis."

## The Key: Education Debit Cards

In *Cain v. Horne*, the Arizona Supreme Court laid down guidelines for future attempts at school choice. It ruled requiring a parent to sign over a lump sum to a private school was unconstitutional.

ESAs avoid that problem because parents "receive a debit card which they

can use on a wide array of educational options," said Tim Keller, executive director of the Institute for Justice's Arizona chapter. "That was the key—parents previously had no choice but to use those funds for a private-school education. The ESA program permits tutoring, occupational speech help, homeschooling, and the ability to purchase curriculum and other educational materials."

Payments are awarded quarterly. Parents must submit receipts to the state's education department before receiving the next quarter's payments.

## 'Good Chance for Reasonable Ruling'

The ink was barely dry on the bill before the state's teacher union filed suit to halt it. Keller is optimistic the state's high court will declare ESAs constitutional.

The state and the Goldwater Institute joined him in arguing for the program before Phoenix's Maricopa Circuit Court. He says he expects the case to move rapidly to the state supreme court now that the Maricopa judge ruled in his party's favor and opponents promised to appeal.

"There's a very good chance for a reasonable ruling from the supreme court," Keller said. "While [Harper's] intentions are admirable, right now we need to let the current court case play out. If education savings accounts are upheld, it would offer a very robust program of school choice that could eventually be made available to all students."

## ESAs Spread

Butcher agrees, noting in addition to special-needs students, 94,000 children currently attend "D"-rated schools in Arizona.

"Vouchers have been considered the Holy Grail for school choice in the past, but that isn't necessarily the case anymore," Butcher said.

Other states are expressing interest in

"I believe [a voucher] breaks down the barriers to competition and sharpens the focus of public schools to want to do a good job for every child."

JACK HARPER  
STATE REPRESENTATIVE  
SURPRISE, ARIZONA



ESAs, including Florida, which has been working on language for new legislation after opponents stopped a similar bill in early 2011.

Blaine amendments—nineteenth-century limits rooted in anti-Catholic bias—should not hinder school choice supporters in other states, Butcher said.

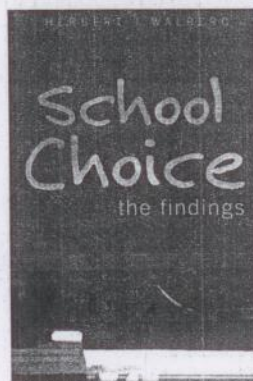
"[A Blaine Amendment] certainly hasn't stopped Arizona and Florida from

posing bills and getting them passed," he said. "Hopefully, what we've done and are doing in Arizona will have its effect nationwide."

Jim Waters (jwaters@freedomkentucky.com) is vice president of policy and communications at the Bluegrass Institute for Public Policy Solutions in Bowling Green, Kentucky.

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BY HERBERT J. WALBERG



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