
School Choice:

A Simple Term Covers a Range of Options

by Tom Mather

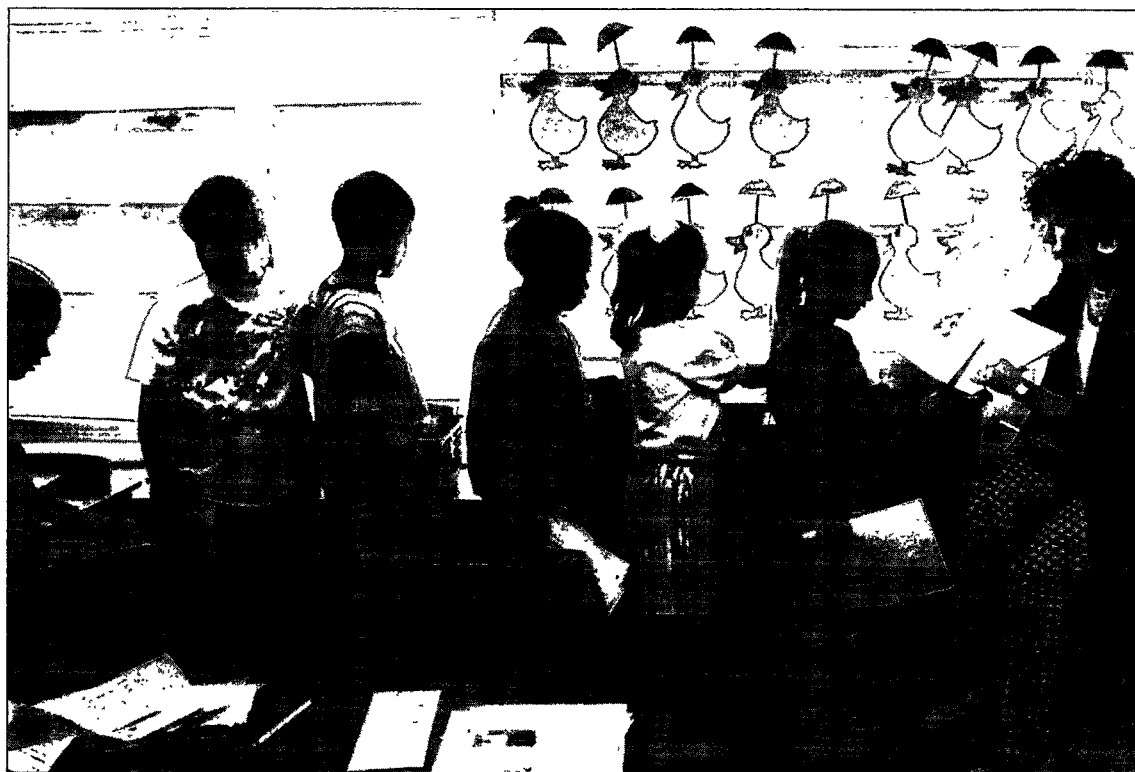
Summary

School choice, the concept of letting parents pick which schools their children attend, has been one of the most talked-about education proposals over the past decade. Proponents tout school choice as a way to increase educational opportunities and achievement by promoting competition in public schools and parental involvement in education. But critics say choice would destroy public schools by starving them of funds and magnifying inequalities.

*Following the debate can be confusing because of differing views about what school choice is. In fact, choice encompasses a range of options involving both public and private schools. Public-school choice options include: **transfers**, in which districts allow students to attend other schools on a case-by-case basis; **magnet schools**, which focus on themes and draw students from anywhere in a district; **charter schools**, which are like magnets but are largely free from state and local educational regulations; and **open-enrollment programs**, in which students can attend any school in their district or state. Private-school choice options use state tax money to pay for students' tuition at private and religious schools, including: **vouchers**, which are credit slips that schools can redeem for cash from the state; **tuition grants**, which are direct payments to parents; and **tax credits**, which allow parents to deduct tuition costs from their income taxes.*

This article discusses various school choice options. It also introduces a pro/con discussion of private-school choice, with the pro side written by Vernon Robinson, president of the N.C. Education Reform Foundation, and the con side written by Cecil Banks, president of the N.C. Association of Educators.

The following articles on school choice were supported by grants from The Broyhill Family Foundation of Lenoir, N.C., the Hillsdale Fund of Greensboro, N.C., and the Weyerhaeuser Company Foundation of New Bern, N.C., and Tacoma, Washington. The N.C. Center for Public Policy Research extends its sincere thanks to these foundations for their generous support of this project.



Karen Tam

Nearly 25 cents out of every dollar in state taxes collected in North Carolina goes to support the public schools.¹ Yet some citizens, particularly many parents who send their children to private schools, say they aren't getting their fair share of the state's educational spending. They say the state should give them vouchers or tax credits to offset the money they spend on private school tuition.

"I feel like we should get reimbursed because we pay our taxes and we aren't using the public schools," says one such parent, Ann Coble of Raleigh. She and her husband, John, spend about \$4,000 a year to send their two school-aged children to a private religious school.² "I would love vouchers," she says. "I think we should get something for the taxes we pay."

Families like the Cobles would get some relief under so-called "school choice" legislation considered in the 1995 N.C. General Assembly. Republican lawmakers in the N.C. House introduced several bills that would help families send their children to private and religious schools. (See Table 1 on p. 7.) Under those bills, the state would provide tax credits, vouchers, or tuition grants that families could use to offset tuition and other costs at private

schools. One of those bills (H.B. 954) also would allow open enrollment, thus letting parents choose which public schools their children attend. In addition, legislators from both parties introduced bills in the state House and the Senate that would authorize the establishment of charter schools, which are publicly funded but free from most state and local education regulations. Although the legislature enacted none of the school choice bills in 1995, such proposals are certain to be considered in future sessions.

"We want to provide as many options as possible to let parents choose the educational setting that best helps their children learn," says Rep. Steve Wood (R-Guilford), chair of the N.C. House Education Committee and sponsor of two school-choice bills—one that would establish charter schools and one for private-school vouchers and tax credits.

Such sentiments are at the heart of one of the most talked-about topics today in education: "School Choice." (See Table 2 on p. 18 for a summary of the key arguments for and against school choice.) Proponents tout school choice as a way to expand educational opportunities by letting parents pick which schools their children attend. School choice also would instill a much-needed element of competition in the public education system, supporters say. Increased competition, they argue, would

Tom Mather is Associate Editor of North Carolina Insight.



Karen Tam

Rep. Steve Wood (R-Guilford) presiding at the House Education Committee, which he chairs.

spur educational improvements by encouraging schools to excel and by weeding out the poorly performing ones (See Vernon Robinson's article, "Pro: North Carolina Should Embrace School Choice," starting on p. 33, for a more detailed discussion of the merits of vouchers and other school choice options.)

"The problems facing primary and secondary education in North Carolina will never be addressed without changing the system's incentive structure,"

"We want to provide as many options as possible to let parents choose the educational setting that best helps their children learn."

*—REP. STEVE WOOD (R-GUILFORD),
chair of House Education Committee,
sponsor of bills to provide vouchers and tax
credits for private-school tuition*

says Rep. Larry Linney (R-Buncombe), who introduced legislation (H.B. 781) that would provide tuition grants to parents with children in private and religious schools. "This bill empowers parents by giving them choices and making the customer king or queen in a new market of educational services."³

But critics say vouchers and tax credits would derail efforts to improve the public schools by diverting funds to wealthier citizens who can afford private schools. Such reasoning led Citizens for Public Schools—a bipartisan coalition of 28 organizations representing educators, parents, business people, and other citizens—to release an open letter on June 19, urging North Carolinians to oppose the tuition tax credit bill (H.B. 954), which appeared to be the most likely private-school choice legislation to win approval in the legislature.⁴ The letter, signed by Democratic Gov. Jim Hunt and former Republican Gov. Jim Martin, stressed that the bill would cost taxpayers \$15 million in 1996 and \$77 million in 1997—just to provide tax credits to existing users of private schools.⁵ Instead of spending public money on tax credits, the group says, such funds should be used to: (1) reduce class sizes, (2) raise teachers' pay, or (3) provide for other performance incentives for educators.

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—REP. LARRY LINNEY (R-BUNCOMBE),
sponsor of bill to provide
grants for private-school tuition

"Taxpayers deserve to get their money's worth from the schools," the letter states. "But we believe North Carolina should focus on improving the public schools, and we believe the legislature has taken historic action to do that. For the first time, school systems and individual schools will have the authority they need to meet their obligations to taxpayers and be held accountable for the results. That clear authority and accountability could be undermined if HB 954, or any tuition tax credit/voucher bill, is enacted."

Opponents of private-school choice also argue that increased competition would be a farce because public schools and private schools don't com-

pete on even terms. Private schools can cherry-pick the brightest students from wealthy families, but public schools must take all comers—including the poor, the disabled, the disciplinary problems, and the not-so-intelligent. (See Cecil Banks' article, "Con: School Vouchers Would Destroy Public Education," starting on p. 42, for a discussion of the drawbacks of school choice.)

"Possession of a voucher doesn't guarantee anyone a place in private schools," says Albert Shanker, president of the American Federation of Teachers. "If students are of the wrong religion or social background, or the school thinks they won't fit in, private schools don't have to take them. The notion of 'parental choice' is a false promise, since the private schools actually do the choosing, not the parents."⁶



**Rep. Larry Linney
(R-Buncombe) discusses
his school-choice bill,
which would provide
grants for private-school
tuition, at a press
conference in the
Legislative Building.**

Karen Tam

"... North Carolina should focus on improving the public schools, and we believe the legislature has taken historic action to do that. For the first time, school systems and individual schools will have the authority they need to meet their obligations to taxpayers and be held accountable for the results. That clear authority and accountability could be undermined if HB 954, or any tax credit/voucher bill, is enacted."

—CITIZENS FOR PUBLIC SCHOOLS,
coalition opposing private-school choice, in an open letter
signed by Gov. Jim Hunt, former Gov. Jim Martin, and others

—at government expense. Here is a brief description of various school choice options, ranging from the most to the least restrictive:

Transfers.

Traditionally, most students are assigned to public schools by attendance district. They can attend other schools by moving to another district or by requesting transfers, which some systems grant on a case-by-case basis. (See related article, Neigh-

borhood Schools the Choice for Many Parents," on p. 8.)

Magnet Schools. Students are assigned to public schools by district but can enroll in special "magnet" schools. Although most magnets accept students from all districts within a county or city school system, schools may turn away some students if they receive too many applications. Magnet schools typically specialize in themes—such as the arts, science and technology, academically gifted, or international studies—and often are established to increase racial diversity. For example,

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Despite vigorous opposition from many educators, support for school choice appears to be growing. In 1994, legislatures in 25 states were considering bills that would establish some type of school choice, according to The Heritage Foundation, a conservative think tank in Washington, D.C.⁷ Plus, the governors in 40 states have expressed support for some type of school choice.⁸

The push for school choice has taken on a new vigor since Republican candidates captured many local, state, and national offices in the 1994 elections—including control of the N.C. House. That's because the Republican Party and other conservative groups have propelled most of the efforts to expand school choice, particularly voucher programs. Republican leaders such as former President George Bush have been some of the most visible proponents of school choice at the national level. But school choice encompasses much more than vouchers. So it's important to clarify terms to avoid confusing apples with oranges.

School Choice Encompasses a Range of Options

In its broadest sense, school choice means giving parents—rather than school administrators—the freedom to select which schools children attend. But school choice can include a wide range of options. At one extreme is the traditional approach, in which the only way parents can choose a school is to live in or move to the district in which the school is located. At the other extreme is the voucher concept, in which parents can send their children to any school—public, private, or religious

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—ALBERT SHANKER,
president, American Federation of Teachers

**Table 1. School Choice Legislation in the
1995 N.C. General Assembly**

| Bill Number | Short Title | Sponsor | Brief Description | Status in N.C. Legislature at end of 1995 Session |
|---|--|---|--|---|
| HB 190 | Education Expenses Tax Credit | Rep. Ken Miller (R-Alamance), et al. | Provides tax credits worth \$3,100 for private and religious schools and \$2,480 for home schools. | Pending in House Education Committee |
| HB 781 | Children First/ Educational Opportunity | Rep. Larry Linney (R-Buncombe), et al. | Provides private-school tuition grants worth about \$2,050 for low-income families and \$1,400 for others. | Pending in House Appropriations Committee/Education Subcommittee |
| HB 954 (Committee Substitute) ¹ | Parental Choice in Education | Rep. Steve Wood (R-Guilford), et al. | Provides refundable tax credits worth \$200 in 1996, increasing to \$1,000 in 1997, for tuition at private and religious schools. Allows public school students to attend schools outside their districts. | Passed House Education and Finance Committees. Pending in House Appropriations Committee/Education Subcommittee |
| HB 955 | Charter School Educational Opportunity Act | Rep. Steve Wood (R-Guilford) | Sets guidelines for charter schools, with a variety of public agencies authorized to approve charters. | Passed House. Pending in joint House/Senate conference committee |
| SB 940 | Charter School Act of 1995 | Sen. Wib Gulley (D-Durham), et al. | Sets guidelines for charter schools, with final approval by the State Board of Education. | Passed Senate. Pending in joint House/Senate conference committee |
| SB 941 | Charter Schools Act of 1995 | Sen. Fletcher Hartsell (R-Cabarrus), et al. | Authorizes and sets guidelines for charter schools. | Pending in Senate Education/Higher Education Committee |

¹ The original version of H.B. 954 introduced by Rep. Steve Wood would have provided vouchers worth \$1,500 and tax credits the same as in H.B. 190 for tuition at private and religious schools.

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Bugg Elementary in Raleigh focuses on the creative arts and science, with specialized instruction in visual arts, music, dance, and the theater. (See the related article, "Magnet Schools: The First Step Toward School Choice," on p. 12.)

Charter Schools. Teachers or other groups can apply for "charters" to operate schools that receive government funding, but are largely free from the administrative control of local school systems. As with magnet schools, students can attend charter schools outside their assigned districts, but may be denied admission if the school has too many applicants. An example of a charter school

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—CARNEGIE FOUNDATION FOR THE
ADVANCEMENT OF TEACHING,
in its report, *School Choice*



is City Academy of St. Paul, Minn., which was established by teachers to attract high-school dropouts. The school, which has only about 30 students and seven teachers, receives funding from the state as well as local businesses.⁹

Open Enrollment. Students can attend any public school that is appropriate to their grade level. Administrators make final selections, however, and students may have to settle for second or third choices if schools have more applicants than they can accommodate. Open enrollment can be district-wide or statewide. In district-wide programs, students can attend any public school *within* their local system. For example, elementary and middle-school students in the East Harlem section of New York City can enroll in any public school in the

district, with the schools offering a range of different educational approaches.¹⁰ In statewide programs, students can attend any public school *in their state*, with state funding typically shifting from the transfer students' district of residence to the district of the school they attend. In Minnesota, the first state to adopt statewide open enrollment (in 1987), students can attend virtually any public school in the state.¹¹

Private-School Choice. In addition to public school options, students can attend any *private* school of their choice, with their tuition paid for or supplemented by government-funded vouchers, grants, or tax credits. Vouchers are credit slips that parents give to schools, which can redeem them for cash from the state. Grants are direct payments to parents for tuition costs. Tax credits allow parents to deduct tuition costs from their income taxes or to receive tax refunds. As with other choice options, however, school administrators make final enrollment decisions based on the availability of space. Plus, private schools can deny students who don't meet their educational standards, don't belong to affiliated religious faiths, or cannot afford the full tuition even with government support. Minnesota and Iowa are the only states with statewide private-school choice, allowing parents to deduct educational expenses—which can include private-school tuition—from their state income taxes.¹²

Support for School Choice Rooted in Many Causes

The push for school choice is rooted in many causes. These include: parental frustrations over the lack of control in selecting public schools; concerns about the quality of education in public schools; violence, drugs, and other crimes in public schools; opposition to busing and other efforts to promote racial integration in public schools; resentment by parents who must pay taxes for public schools while also paying tuition for their children to attend private schools; parents who want a religious education for their children; and desires for stability in rapidly growing communities where students are frequently reassigned to different schools. (See the related article, "What Polls Have Shown About Public Attitudes Toward School Choice," on p. 30.)

"The decade-long struggle to reform American education seems suddenly to hang on a single word: choice," the Carnegie Foundation states in a detailed report on school choice. "Advocates of choice are promoting this option from the nation's



N.C. Division of Archives and History

A first-grade class at Davie Avenue Elementary School in Statesville, 1938.

most respected political and academic pulpits, driven by the conviction that public schools are in deep trouble and that bold, creative steps are needed to shake up a lethargic education system.”¹³

Public School Systems Offering More Choices

Public school systems have responded to requests for more educational choices in several ways, including student transfers, magnet schools, charter schools, and open enrollment programs. Some people argue that such options are all that’s needed to satisfy public demands for more school choice. “These are true parental choices within the public schools,” says Bob Berlam, director of government relations for the N.C. School Boards Association. “We now have these choices, and they are developing.”

Others, however, contend that public-school choice options serve only a small percentage of the student population. “There is hardly anywhere in North Carolina—other than your urban areas—that has any magnet choices,” says Rep. Fern Shubert

(R-Union), who adds that transfers and open enrollment programs are equally rare. “They (school systems) are perfectly capable, yet I doubt that they would unless they would be forced to do so.” In the 1994–95 school year, 8.4 percent (10 of 119) of the state’s local school systems offered some sort of magnet program, according to the N.C. Department of Public Instruction.

Virtually all school systems allow some students to transfer to schools outside their districts of residence, typically on a case-by-case basis. But most systems allow only limited numbers of transfers because of difficulties arranging transportation and allocating space in the schools. For instance, Wake County Public Schools approved about 4,700 transfer requests (not including magnet and year-round schools) for the 1994–95 school year, representing about 6 percent of the total student population in the system.¹⁴

Magnet schools are the first step toward expanding choice, and many school districts across the state have opened magnet schools—particularly in urban areas. Typically, students from anywhere in

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"We had over 200 parents that applied; 160 (students) were accepted," says Honeycutt, the principal at Morehead Montessori. "I have not recruited at all."

At Durham Magnet Center, Principal Ed Forsythe says the school filled all of the 400 slots it had available for the 1995-96 school year. "Right now, they're clamoring to get in," he says. "But you have to deliver on your promises. If you don't, the parents are not naive."

Forsythe and his staff will have their work cut out for them if they want to keep those students coming back. During the open house at Durham Magnet Center, he led a group of visiting parents into a large, oily smelling room. The floor was spotted with grease and painted with stripes like a parking lot. Large, industrial-size lamps and ventilation pipes hung from the ceiling, and a cluttered workbench abutted one of the walls.

"This used to be the old mechanics shop," Forsythe told the parents. "It will go through a renovation and will be used as a black-box theater. We're looking at putting in seating for about 200 in this area. We're going to call it our theater-in-the-round. I wasn't kidding when I said we're going to roll up our sleeves and go to work here. We're going to have to."

—Tom Mather

FOOTNOTES

¹ Personal communication with Patrick Kinlaw, director of magnet programs for Wake County Public Schools. The 22,000 magnet students include those who choose to attend magnet schools, students who live in the district of residence for such schools, and students who choose to attend year-round schools.

² The Charlotte-Mecklenburg public school system has offered a Montessori magnet program at James Elementary since 1992. The Wake County Public School System also established a Montessori program at Poe Elementary in Raleigh, starting with the 1995-96 school year.

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a district can attend magnet schools. But magnet programs offer only a limited amount of choice because participating schools may turn away students—usually through lotteries—if they receive too many applications. For instance, the Wake County public school system received nearly twice as many applications as it had spaces for in its magnet schools for the 1995-96 academic year.¹⁵ (For more on magnet schools, see the articles, "Magnet Schools: The First Step Toward School Choice," on p. 12, and "Neighborhood Schools the Choice for Many Parents," on p. 8.)

Charter schools are the next step toward school choice. As with magnet programs, students from anywhere in a school district can apply to attend charter schools. And, like magnets, charter schools may focus on a particular theme or style of education. The key distinction with charter schools is that, although they are publicly funded, they are largely free from educational controls set by local school boards and the state.¹⁶ Instead, such schools are run by teachers or other groups—such as private contractors or education colleges—that are granted "charters" by the state or some other enabling body.

"It's a magnet school on steroids, basically," says Jim Johnson, a senior analyst with the N.C.

General Assembly's Fiscal Research Division. "The difference is in the flexibility of funding and how they decide to spend their money."

To keep its charter, a charter school has to meet or exceed predetermined standards of performance for student achievement, attendance, and other measures. In theory, that organizational structure spurs teachers and students to excel because the school's existence depends on its performance.

"Charter schools are part of a movement for expanded opportunity, in a careful and thoughtful way. These people are accountable for results. There has to be measurable improvement in student achievement. If there isn't, then the charter school is closed."

—JOE NATHAN,
director, Center for School Change,
University of Minnesota

"Charter schools are part of a movement for expanded opportunity, in a careful and thoughtful way," says Joe Nathan, director of the Center for School Change at the University of Minnesota and a leading proponent of charter schools. "These people are accountable for results. There has to be measurable improvement in student achievement. If there isn't, then the charter school is closed."

Minnesota was the first state to start a charter schools program, with its enabling legislation adopted in 1991. By January 1995, 11 states had passed laws establishing charter school programs, and those programs had approved charters for 134 schools.¹⁷ (See Table 3 on p. 20.) In addition, more than 20 states were considering charter-school bills during the 1995 legislative session¹⁸, with at least eight of those states (Alaska, Arkansas, Delaware, Louisiana, New Hampshire, Rhode Island, Texas, and Wyoming) enacting laws by August.¹⁹ (See Figure 1 on p. 21.) "Any list of charter schools should be viewed as out of date within a month of its publication," Nathan says.²⁰

Charter Schools Coming to North Carolina?

Currently there are no charter schools in North Carolina.²¹ But the charter school concept was the only school-choice option to win approval in either house of the N.C. legislature in 1995. Both the House and the Senate passed bills (H.B. 955 and S.B. 940) that would authorize and set standards for charter schools in North Carolina. (See Table 1 on p. 7.) The bills failed to get out of conference by the end of the 1995 session. But legislators are confident that they can work out a compromise bill that will pass both houses in the 1996 session.

"We'll have a charter school law," says Rep. Steve Wood (R-Guilford), the chair of the House Education Committee and sponsor of House Bill 955. "What it amounts to now is just hammering out the differences between the two bills."

Both charter school bills would let various groups apply for charters—including teachers, groups of parents, and nonprofit contractors—but the House bill would allow private businesses as well. Both bills also would exempt charter schools from most rules and regulations set by local school boards, but they would still require such schools to abide by health, safety, and civil rights laws. The primary difference between the bills relates to which institutions would have the authority to approve charters. Under the House bill, charters could be approved by local boards of education, the State

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—DUDLEY FLOOD, executive director
N.C. Association of School Administrators



Board of Education, boards of county commissioners, community college boards, trustees for institutions in the University of North Carolina, and town or city councils. The Senate bill is much more restrictive, authorizing only the State Board of Education to grant final approval for charter applications, although local boards would have conditional approval authority.

"The other [Senate] charter bill is limited to the State Board of Education," Wood argues. "They've already got a monopoly on a \$4 billion industry, so nobody is going to expect them to run out and start chartering a bunch of schools." However, the legality of the House charter-school bill (H.B. 955) is open to question because the N.C. Constitution specifically delegates the supervision and administration of public schools to the State Board of Education.²²

Sen. Wib Gulley (D-Durham), who introduced the Senate charter school bill (SB 940), points out that it was co-sponsored by Democrats and Republicans. "This offers some exciting opportunities that I think this state should look at very seriously," Gulley says. "We need to explore this."²³

Not everyone is so enamored with charter schools, however. Dudley Flood, executive director of the N.C. Association of School Administrators, says he is concerned about the notion that increased competition would improve public schools. "There is no place in public schools for competition," Flood says. "What's needed in public education is collegiality, and collegiality brings improvement. They're going to get better because we realize that all the schools belong to all the people." Flood also warns against an over-reliance on testing, which would be used to gauge the progress of charter schools. "I fear that we're going to be testing two days and teaching just one," he says. "If you want a cow to get fat, you feed the cow, not weigh the cow."

Even Joe Nathan, the proponent from Minnesota, cautions that charter school programs—if not implemented carefully—could promote re-segregation and exacerbate disparities between rich and poor schools. “Choice, it seems to us, is a lot like electricity,” Nathan says. “It is a very powerful force and it has to be used carefully. If it’s not used very carefully, it could be used to increase inequality.

Open Enrollment Becoming More Widespread in Public Schools

Most of the debate over school choice in North Carolina has centered on charter schools and private-school choice options such as vouchers and tax credits. But the committee substitute for Rep.

Wood’s Parental Choice in Education bill (H.B. 954) also would establish limited open enrollment in North Carolina’s public schools. Under the bill—which is pending in the House Appropriations Committee—parents could send their children to public schools outside their district of residence if space is available. However, school systems could charge tuition for transfer students. Plus, parents would have to submit written requests at least one year before the beginning of the school year in which the transfer would occur.

Nationwide, the concept of open enrollment or public-school choice appears to have broad support. Several nationwide opinion polls have found that the public supports open enrollment by about a 2-to-1 margin. (See the article, “What Polls Have Shown About Public Attitudes Toward School Choice,” on

p. 30.) Likewise, at least 19 states allow some type of open enrollment—although not all of those programs are statewide in effect.²⁴

Despite the broad support for open enrollment, such programs have been slow to catch on—even in states that have adopted comprehensive, statewide open enrollment programs. The Carnegie Foundation found in a 1992 study that less than 2 percent of the public school students had transferred from their school districts of residence in each of the seven states with statewide open enrollment programs at that time. (See Table 4 on p. 22.) Likewise, the Carnegie study found that



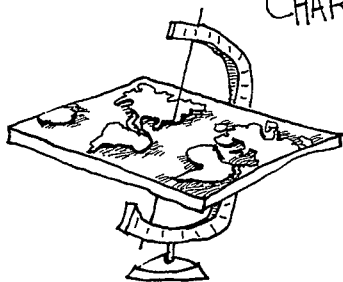
**Sen. Wib Gulley
(D-Durham), describes his
charter schools bill
to the House Education
Committee.**

Karen Tam

Table 2.
Key Arguments For and Against School Choice

| For | Against |
|--|---|
| 1. Parents who send their children to private schools would get something back for taxes they pay for public education, perhaps building more support for education funding. | 1. Choice could starve the public schools of funds as more parents send their children to private schools, perhaps becoming less willing to pay taxes for public education. |
| 2. Choice is needed to provide alternatives to the public schools, which some people perceive as unsafe, undisciplined, and academically inferior to private schools. | 2. Surveys show most parents do not want to send their children to other schools, public or private. Studies show that private schools are not significantly better than public schools when socio-economic factors are taken into account. |
| 3. Charter schools and private-school choice options would create competition for the public schools, spurring them to improve. | 3. Public schools can't compete on the same terms because private schools can exclude students who are less intelligent, cause disciplinary problems, or have learning disabilities and other handicaps. |
| 4. Private-school choice could save public schools the expense of having to build new schools and educate students who transfer to private and religious schools. | 4. The state would incur large expenses in paying tuition for transfer students, as well as for those already enrolled in private schools. |
| 5. School choice could build more support and interest in education because parents and students would have more input and control. | 5. School choice could greatly increase school systems' costs for administration and transportation. |
| 6. Parents would not be penalized financially for sending their children to private and religious schools. | 6. Using public money to pay for tuition at private schools could violate the guarantee of separation of church and state in the U.S. Constitution, as well as the public purpose clause of the N.C. Constitution. |
| 7. Private-school choice would provide alternatives for low-income families that are unhappy with public schools but cannot afford tuition at private and religious schools. | 7. Vouchers and tax credits would not help many low-income families that could not afford private-school tuition, even with the proposed funding supplements. |
| 8. School choice is the fair thing to do because we live in a free society in which citizens choose their own destiny. | 8. Although we live in a free society, our choices are often limited in how we vote, where we live, the work we do, and other options. |

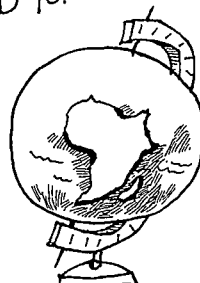
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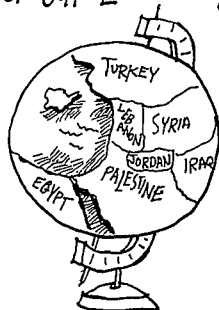
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SCHOOL OF WESTERN VALUES



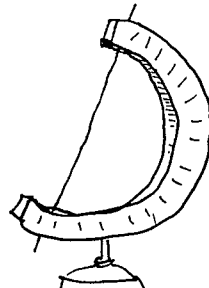
THE AFRO-ACADEMY



THE ISLAMIC JIHAD CENTER



THE MILITIA INSTITUTE



THE PUBLIC SCHOOL

Signe Wilkenson

Signe Wilkenson
Philadelphia Daily News
Cartoonists & Writers Syndicate

most parents with children in public schools (70 percent of those surveyed) had no desire to send their children to another school, public or private.²⁵ In explaining this apparent contradiction, the Carnegie study concluded:

"In summary, the vast majority of public school parents appear to be quite satisfied with the education their children are receiving. Most are not inclined to move their children to a different school. And in states where choice has been introduced, participation rates are very low. The general public, on the other hand, seems to find the idea of choice appealing. But when asked to choose between local schools and a market approach to education, Americans overwhelmingly support the neighborhood school arrangement. None of this speaks to the merits or demerits of choice. What it does suggest is that the push for school choice does not appear to be a groundswell from parents."²⁶

Nevertheless, *district-wide* open enrollment has been credited with helping to revitalize public schools in areas such as Cambridge, Mass.; East Harlem, N.Y.; and Montclair, N.J. "These districts are routinely cited as evidence that school choice

can indeed deliver excellence to all, including children in the most challenging environments," the Carnegie study says. "Even education leaders who generally are skeptical of choice's potential have hailed these places for their efforts."²⁷ In all three of these districts, open enrollment programs have led to increased educational opportunities for students, better parental involvement, and improved racial harmony, the study concludes. But the programs have had less certain effects on academic performance, while increasing educational costs—particularly for transportation.²⁸

The jury is still out on the merits of *statewide* open-enrollment programs. Although various polls have found strong support for the concept of open enrollment, existing statewide programs have encountered problems with providing transportation to transfer students, supplying adequate information for parents to compare schools, and assuring equitable funding and racial balance among school districts.²⁹ Such problems undoubtedly have helped account for the low participation rate in areas with statewide open enrollment programs. (See Table 4 on p. 22.) Even in Minnesota, which began

its statewide open enrollment in 1987, only 1.8 percent of the students were participating in the program by 1992.³⁰

Transportation has become an issue with open-enrollment programs because many parents cannot afford to send their children to other schools unless bus rides are provided. Plus, busing students across school district lines can greatly increase transportation costs, at a time when many

governments are trying to find ways to cut expenses. For instance, the Michigan legislature postponed plans for a statewide open enrollment program after studies estimated it would cost an additional \$20 million in state transportation funding.³¹ Thus, in most states with comprehensive open enrollment programs, parents and local school districts are responsible for transportation.

Table 3. Charter Schools Authorized and Approved in the States, January 1995.¹

| State ² | Year Law Passed | Number of Charters Authorized by Law | Number of Charter Schools Approved as of January 1995 |
|--------------------|-----------------|--------------------------------------|---|
| 1. Arizona | 1994 | No limit ³ | 3 |
| 2. California | 1992 | 100 | 73 |
| 3. Colorado | 1993 | 50 | 16 |
| 4. Georgia | 1993 | No limit | 0 |
| 5. Hawaii | 1994 | 25 | 1 |
| 6. Kansas | 1994 | 15 | 0 |
| 7. Massachusetts | 1993 | 25 | 14 |
| 8. Michigan | 1993 | No limit ⁴ | 8 |
| 9. Minnesota | 1991 | 35 | 14 |
| 10. New Mexico | 1993 | 5 | 4 |
| 11. Wisconsin | 1993 | 20 | 1 |
| TOTAL | — | — | 134 |

¹ Source: U.S. General Accounting Office, "Charter Schools: New Model for Public Schools Provides Opportunities and Challenges," Report to Congress, GAO/HEHS-95-42, Washington, D.C., January 1995, p. 6.

² Table does not include states that adopted charter school bills during the 1995 legislative session. By August 1995, charter school laws had been enacted in at least eight additional states—Alaska, Arkansas, Delaware, Louisiana, New Hampshire, Rhode Island, Texas, and Wyoming. See Drew Lindsay, "In States, G.O.P. Stymied in Push to Revamp Policy," *Education Week*, Vol. XIV, No. 39 (June 21, 1995), p. 14.

³ Local school districts may approve any number of charters in Arizona, but the state board of education and state board for charter schools may sponsor no more than 25 schools a year.

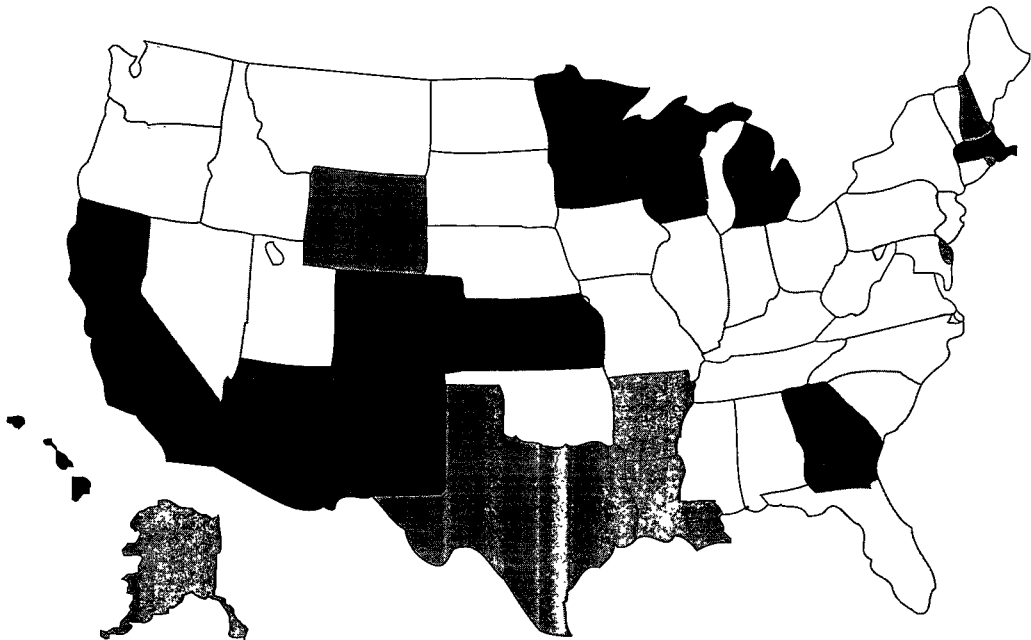
⁴ State universities may approve no more than 75 charter schools in Michigan, but the state puts no limit on the number of charters sponsored by other institutions.

Parents also are largely on their own when it comes to comparing and evaluating different schools. The Carnegie study found that, except for Minnesota, states with comprehensive open enrollment programs provide parents with little reliable information for assessing school options.³²




But perhaps the most serious shortcoming of statewide open enrollment programs concerns the allocation of educational resources. Various stud-

ies have found that open enrollment programs can exacerbate funding inequities among school districts because students tend to transfer from poorer schools with less resources to wealthier schools with more equipment.³³ Such inequities can become even worse with open enrollment programs as state funding generally transfers with the student. Thus, poor schools end up with even less money, making it harder for them to improve.

Figure 1.
States with Charter School Laws,
Existing and Under Consideration in 1995.



Legend

-  States with charter-school laws as of January 1995
-  States that enacted charter-school laws during 1995 legislative session as of August
-  States that were considering charter-school laws during the 1995 legislative session

Source: Center for School Change, Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, Minneapolis, Minn.

Table 4. Student Participation Rates in Comprehensive, Statewide Open Enrollment Programs, 1992.

| State | Number of Students in Open Enrollment | Percent of Total in Public Schools |
|------------------|---------------------------------------|------------------------------------|
| 1. Arkansas | 1,667 | 0.4% |
| 2. Idaho | 2,580 | 1.2% |
| 3. Iowa | 5,227 | 1.0% |
| 4. Massachusetts | 1,100 | 0.1% |
| 5. Minnesota | 13,000 | 1.8% |
| 6. Nebraska | 3,300 | 1.2% |
| 7. Utah | 5,000 | 1.1% |

Source: Ernest L. Boyer, ed., *School Choice*, The Carnegie Foundation for the Advancement of Teaching, Princeton, N.J., 1992, p. 12.

Such inequities also can magnify racial differences among school districts. For instance, hundreds of white students in Des Moines, Iowa, transferred from inner-city to suburban schools after the state began an open enrollment program. As a re-

sult, the Des Moines city school system was expected to lose more than \$1 million a year in state funding, even though the system had district-wide open enrollment with a broad range of educational choices.³⁴ Such problems led the Carnegie Foundation to conclude that states should *not* start comprehensive open enrollment programs until they have established measures to prevent inequities.

"By any standard of fairness, then, statewide [open enrollment] programs demand a level playing field," the Carnegie study concluded. "At a minimum, this means adequate transportation for all students; accessible, reliable information for parents and students about the plan itself and about the quality of schools and their programs; and serious attention to reducing the disparities between rich and poor districts. By these yardsticks, we conclude that responsible and effective statewide school choice does not exist in America today."³⁵

Private-School Choice Still Largely Untested

Although much of the debate over school choice has focused on vouchers, there are few examples of private-school choice programs in the United States. None of the states currently have statewide programs providing vouchers or other

"... [T]he vast majority of public school parents appear to be quite satisfied with the education their children are receiving. Most are not inclined to move their children to a different school. And in states where choice has been introduced, participation rates are very low. The general public, on the other hand, seems to find the idea of choice appealing."

—CARNEGIE FOUNDATION FOR THE
ADVANCEMENT OF TEACHING,
in its report, *School Choice*



direct financial support for parents who send their children to private schools. However, several states provide limited or indirect support for private-school students:

- Iowa allows parents who send their children to private schools to deduct from their state income taxes up to \$1,000 per child, with a limit of \$4,000 per family.
- Minnesota allows parents to deduct from their income taxes up to \$1,000 per year for school-related expenses, which can include private-

school tuition, as well as transportation, books, supplies, and required clothing.

- Vermont lets small towns that have no nearby public schools pay the tuition for residents who send their children to nearby private schools, but that tuition cannot be paid with state funds.
- Wisconsin has the nation's only state-sponsored voucher plan, but that program is limited to fewer than 1,000 families in Milwaukee. That plan provides vouchers worth about \$3,000 a year to students from low-income

New Book to Shed Light on Impact of Choice

While evaluations of the impact of school choice on student learning are hard to come by, a forthcoming book promises to shed new light on the subject. The book, *School Choice: The Cultural Logic of Families, the Political Rationality of Institutions*,¹ examines school choice programs in San Antonio, Tex., and Milwaukee, Wis., and a magnet schools program in Montgomery County, Md.

Bruce Fuller, associate professor of education at Harvard University, is an editor of the book and the author of a July 1995 National Conference of State Legislatures policy brief on the topic. Among the findings Fuller mentions are these:²

- The public schools in San Antonio—in the face of a private school-choice effort—were able to attract large numbers of Hispanic children into multilingual alternative schools. There was a statistically significant impact on student achievement compared to students who remained in the traditional public schools. Part—but not all—of the higher achievement could be explained by more motivated students being attracted into the alternative schools.

- Inner-city African-American and Hispanic students, given the option through a choice program, flocked to private schools in Milwaukee, and new schools sprung up to meet the demand. There was little or no impact on learning, but parents were more satisfied.

- Magnet schools in Montgomery County drew few students, apparently because too little was done to distinguish the course offerings from those offered at other public schools. Researchers expressed a fear that more educated and affluent parents would have greater access to information about the magnet schools, thus creating inequities in opportunities for students.

Fuller cautions that research into the school choice movement is still in its early stages. He notes that the school choice movement can expand educational options for low-income families and increase parental satisfaction. But school choice may increase racial segregation in schools. That's because people of similar cultural backgrounds are more likely to be attracted to schools where those cultures are practiced.

Less-educated, low-income parents and those with lower educational expectations for their children also are less likely to choose, Fuller notes. This creates the risk of poor children of less-involved parents falling further behind.

—Mike McLaughlin

FOOTNOTES

¹ Bruce Fuller, et al., *School Choice: The Cultural Logic of Families, The Political Rationality of Institutions*, Teachers College Press, Columbia University, New York, N.Y., forthcoming.

² Bruce Fuller, "Who Gains, Who Loses from School Choice: A Research Summary," National Conference of State Legislatures Policy Brief, Denver, Colo., pp. 1-8.

Mike McLaughlin is editor of North Carolina Insight



Karen Tam

families who attend private, *non-religious* schools of their choice. In July, the Wisconsin legislation expanded the program to include religious schools—even though a federal court had ruled in March 1995 that the voucher program could not apply to religious schools without violating the constitutional First Amendment guarantee of separation between church and state.³⁶ In addition, a recent survey of Wisconsin residents found that a solid majority (56 percent) opposed expanding the voucher program to religious schools.³⁷

- Puerto Rico adopted a voucher program in 1993 that provided \$1,500 grants that low-income families could use to send their children to any public or private school, including religious institutions. But in November 1994, the Puerto Rico Supreme Court struck down, on constitutional grounds, portions of the law dealing with private-school vouchers.³⁸

Despite the lack of any statewide, comprehensive voucher programs in the United States, such proposals have come up for votes in recent years in a number of state legislatures and referendums. But so far, at least, no statewide voucher proposals have been enacted into law. During the past five years, for instance, voters in three states have turned down

ballot initiatives that would have established statewide voucher systems:

- In 1990, Oregon voters defeated by a 2-to-1 margin a ballot proposal called “Measure 11” that would have given parents vouchers worth \$1,200 a year to pay for their children’s education in public, private, or home schools.³⁹
- In 1992, Colorado voters defeated by a 62- to 37-percent margin a ballot initiative called “Choice School Reform” that would have provided vouchers worth up to \$2,500 that parents could use to send their children to public, private, or religious schools.⁴⁰
- In 1993, California voters defeated by a 70- to 30-percent margin a ballot initiative called “Proposition 174” that would have given parents vouchers worth \$2,600 a year to pay for their children’s education at public, private, or religious schools.⁴¹

Voucher proposals have fared no better in state legislatures. Bills that would establish school voucher systems were introduced in at least 30 states from 1990 to 1994, but none of those bills were enacted during that period, according to The Heritage Foundation.⁴² However, many observers predict that vouchers and other private-school

"Vouchers, tuition grants, and tax credits would drain already precious funds away from public schools and divert them to private schools."

—HELEN HEAVNER,
board member,
N.C. Association of Educators



choice options will fare much better in state legislatures in the wake of the Republican sweep at the polls in 1994.

"I do think there is a climate change of sorts," says Chester E. Finn Jr., a senior fellow at the Hudson Institute and former assistant secretary of education in the Reagan Administration.⁴³ Nevertheless, only two states had enacted voucher legislation as of August—even though more than 20 states were considering voucher bills in 1995.⁴⁴ (See Table 5 on p. 26.) In addition to the Wisconsin bill that expanded The Milwaukee voucher program, the Ohio legislature enacted a bill that would provide vouchers worth up to \$2,500 to low-income families in the Cleveland school district.⁴⁵

N.C. Legislature Considering Several Private-School Choice Bills

North Carolina is one of the states that considered private-school choice legislation in 1995, with three competing bills introduced by early May. (See Table 1 on p. 7.) All three bills would have provided financial support to parents who send their children to private and religious schools. The primary difference between the bills is in how they would reimburse parents for tuition costs:

- House Bill 190, introduced by Rep. Ken Miller (R-Alamance), would provide tax credits worth \$3,100 for students enrolled in private schools and \$2,480 for students taught at home.
- House Bill 781, introduced by Rep. Larry Linney (R-Buncombe), would provide tuition grants worth about \$2,050 for students from low-income families and \$1,400 for others.
- House Bill 954, introduced by Rep. Steve Wood (R-Guilford), the chair of the House Education Committee, would provide tax credits worth

\$3,100 for private schools and \$2,480 for home schools (the same as H.B. 190), plus vouchers worth \$1,500 per student.

In June, the House Finance Committee passed a committee substitute for H.B. 954 that dropped the voucher proposal and decreased the tax credits. Under the substitute bill, which is pending in the House Appropriations Committee, parents who send their children to private or religious schools would be eligible for refundable tax credits worth \$200 in 1996 and \$1,000 in 1997. The bill also would allow open enrollment in North Carolina public schools, while providing the same tax credits to parents who pay tuition to send their children to public schools outside their districts of residence.

Rep. Wood says he anticipated tough going in the legislature, as well as stiff opposition from groups representing teachers and school administrators. "This is benchmark legislation," Wood says. "They [critics] are going to fight us all the way. But we intend to engage them fully."

Wood wasn't overestimating the opposition. Citizens for Public Schools, the bipartisan coalition that released the letter in June opposing the tax-credit bill (H.B. 954), is made up of 28 organizations representing more than 300,000 citizens in North Carolina. Those groups include most of the major players in the state's education establishment, as well as many business organizations, including: the N.C. Association of Chamber of Commerce Executives; the N.C. Business Committee for Education; N.C. Citizens for Business and Industry; the Public School Forum of N.C.; the State Board of Education; the State Department of Public Instruction; the N.C. Congress of Parents and Teachers (PTA); the N.C. Association of Educators; the N.C.

"There is a need for choice. You can see what is happening in the public schools, compared to the private schools.... We don't have to worry about discipline because it's taught as part of the curriculum."

—MARGARET ROSE MURRAY,
director, Vital Link private schools,
Raleigh and Durham



**Table 5. Private-School Choice Legislation
in State Legislatures, 1995.**

| State | Choice Options | Scope | Status of Bill |
|------------------------------|---|---|---|
| 1. Arizona ¹ | Vouchers | Pilot and phased in statewide, private schools | Several competing bills introduced; none advanced |
| 2. Connecticut ² | Vouchers | Would let local systems adopt public or private-school choice plans | Governor postponed efforts to pass bill this year |
| 3. Florida | Vouchers | | Bill failed |
| 4. Illinois ³ | Vouchers for low-income families | Pilot program in Chicago, private and religious schools | Bill passed state Senate, pending in House |
| 5. Minnesota ⁴ | Vouchers | Targeted for at-risk students | Bill failed |
| 6. North Carolina | Vouchers, tuition grants, and tax credits | Statewide, private and religious schools | Bills pending |
| 7. Ohio ⁵ | Vouchers | Pilot program in Cleveland, private and religious schools | Bill passed |
| 8. Oregon ⁶ | Vouchers | Statewide | Bill referred to committee for study |
| 9. Pennsylvania ⁷ | Vouchers | Statewide, private and religious schools | Bill failed |
| 10. Texas ⁸ | Vouchers | Statewide | Bill failed |
| 11. Wisconsin ⁹ | Vouchers | Would expand existing Milwaukee program to religious schools | Bill passed ¹⁰ |

¹ Drew Lindsay, "Grassroots Lobbying Kills Ariz. Voucher Proposals," *Education Week*, Vol. XIV, No. 31 (April 26, 1995), p. 13.

² "Choice Debate Postponed," *Education Week*, Vol. XIV, No. 38 (June 14, 1995), p. 17.

³ Lonnie Harp, "Revolutionary School-Voucher Measure Falls Short in Ill. House," *Education Week*, Vol. XIV, No. 35 (May 24, 1995), p. 13.

⁴ Joanna Richardson, "Minn. Abolishes Education Department, Merges State Services in New Agency," *Education Week*, Vol. XIV, No. 37 (June 7, 1995), p. 11.

⁵ Drew Lindsay, "Wisconsin, Ohio Back Vouchers for Religious Schools," *Education Week*, Vol. XIV, No. 40 (July 12, 1995), p. 1.

⁶ "No Voucher Vote," *Education Week*, Vol. XIV, No. 37 (June 7, 1995), p. 13.

⁷ Drew Lindsay, "In Wake of Defeat, Pa. Governor Vows to Revive Education Plan," *Education Week*, Vol. XIV, No. 40 (July 12, 1995), p. 14.

⁸ Lonnie Harp, "Tex. Lawmakers Reach Accord on Overhaul of Education Laws," *Education Week*, Vol. XIV, No. 36 (May 31, 1995), p. 19.

⁹ Lindsay, note 5 above.

¹⁰ In late August, the Wisconsin Supreme Court issued an injunction halting the use of state money for vouchers at religious schools. See *Thompson v. Warner Jackson, et al.*, No. 95-2153-OA (S. Ct. Wisconsin, filed Aug. 25, 1995).

School Boards Association; the American Civil Liberties Union of N.C.; and the N.C. Child Advocacy Institute.

Such concerns were apparent at a public hearing the House Education Committee conducted on May 4, 1995, when a number of those groups voiced strong opposition to vouchers and other private-school choice options. "Vouchers, tuition grants, and tax credits would drain already precious funds away from public schools and divert them to private schools," said Helen Heavner, a board member with the N.C. Association of Educators. Another speaker, Sandy Carmany, president of the N.C. PTA, said: "How would these schools, under private control, be accountable to me, the taxpayer? We would rather see our money spent on improving the public schools."

Nevertheless, hundreds of people showed up at the public hearing to voice their support for private-school choice. Those proponents included a number of parents and teachers representing African-

American churches and private schools.⁴⁶ One of those speakers, Margaret Rose Murray, says many African Americans are turning to private schools because the public schools have failed to provide a safe, disciplined educational environment for inner-city children.

"There is a need for choice," says Murray, the director of Vital Link, a private school with branches in Raleigh and Durham. "You can see what is happening in the public schools, compared to the private schools. . . . We don't have to worry about discipline because it's taught as part of the curriculum."

Conclusion

At the simplest level, school choice seems as American as apple pie. After all, we are free to choose our leaders, our jobs, the communities we live in, and the products we buy. But freedom of choice, like most liberties, is not limitless. In reality, choice is merely the opportunity to select from a limited set of options. We can't vote for anyone we want, but usually must choose between the two candidates nominated by the Democratic and Republican parties. We're free to apply for any job, but our chances for success are limited by such factors as our education, experience, connections, inherent drive, and intelligence. We can live anywhere we want, as long as we can qualify for a loan and afford the house payments. We can buy any product we choose, as long as we can find it in nearby stores at a price we can afford.

In that sense, it could be argued that most Americans already have school choice. They can choose to enroll their children in any private school, if they can afford the tuition and meet the standards. They can choose to send their children to virtually any public school, if they can move to a neighborhood in its designated district.



Karen Tani

The reality, however, is that many people are not willing or able to pay the tuition at private schools. Likewise, many people cannot relocate in order to attend the public school of their choice. Thus, what the school choice debate is about is *lowering or easing* the barriers that prevent or discourage some families from attending the school of their choice. The following pro/con discussions debate that issue.

FOOTNOTES

¹In the 1994–95 fiscal year, \$4.132 billion of the total \$16.589 billion state budget went to support public education (not including community colleges and the university system), according to the State Budget Office. This \$16.589 billion budget includes the General Fund, Highway Fund, and federal funds received by the state for appropriation by the General Assembly.

²Ann and John Coble are of no relation to Ran Coble, executive director of the N.C. Center for Public Policy Research.

³Rep. Linney made his remarks at a news conference concerning the introduction of his bill (H.B. 781) on April 4, 1995, at the Legislative Building in Raleigh.

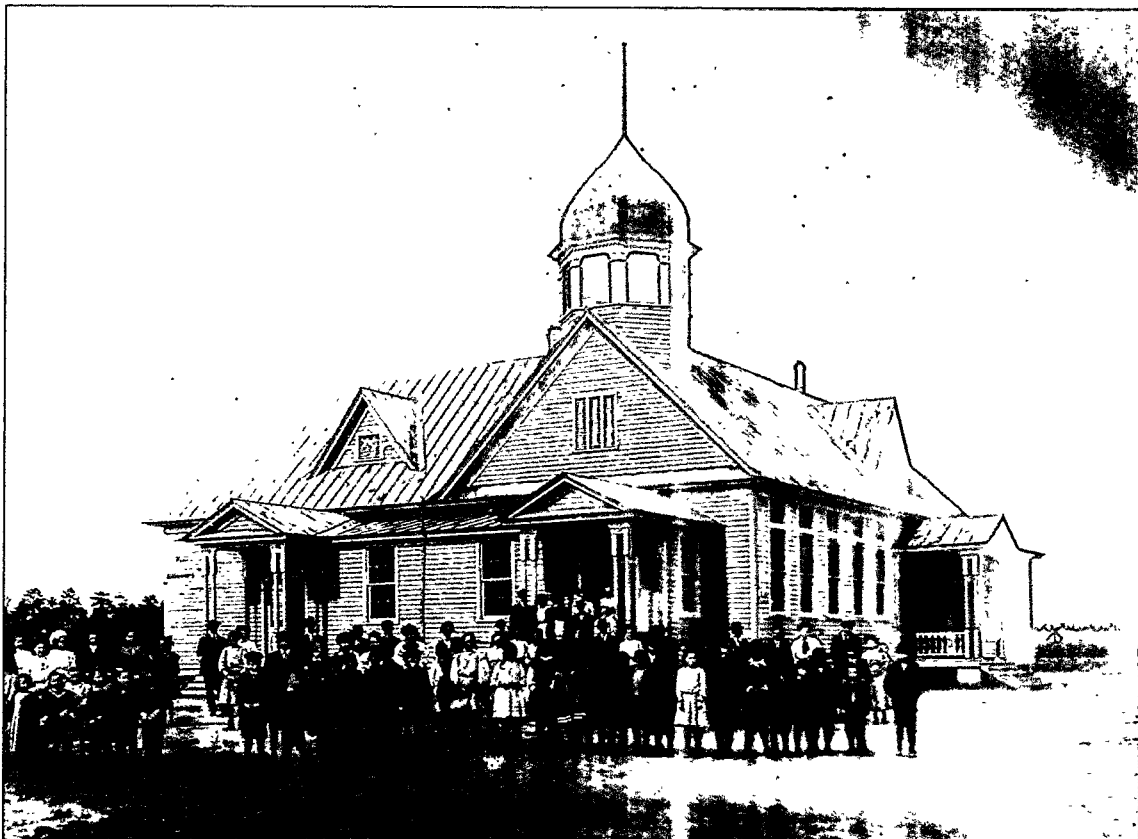
“Education and religion are two subjects on which everybody considers himself an expert . . .”

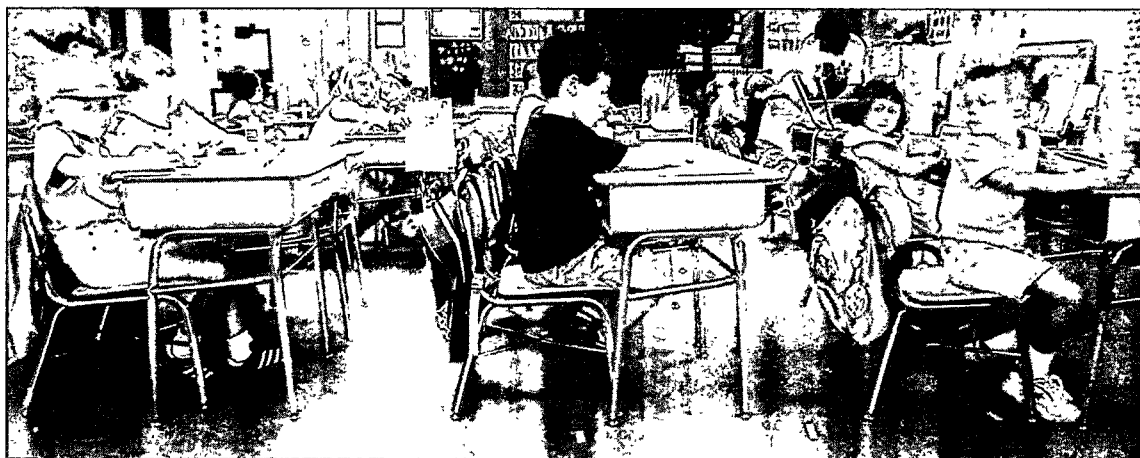
—ROBERTSON DAVIES
IN *THE REBEL ANGELS*

⁴Gov. Jim Hunt’s office released the letter on June 19, 1995. In addition to Gov. Hunt and former Gov. Jim Martin, it was signed by: Jay Robinson, chair of the State Board of Education; Bob Etheridge, State Superintendent of Public Instruction; Howard Haworth, former chair of the State Board of Education; William R. Friday of the Kenan Charitable Trust; and Bill Lee, Chairman Emeritus of Duke Power Co.

⁵Citizens for Public Schools estimated the cost of the bill by multiplying the proposed tax credit (\$1,000) times the projected private-school enrollment in 1997 (77,000). Other analysts, however, note that this cost estimate does not take into account the savings that would result from public-school students who transferred to private schools, thus saving the state \$3,565 per student allotment. The N.C. Budget and Tax Center, a private group in Raleigh, estimates that the tax credit would cost the state more money, but not as much as projected by Citizens for Public Schools. See Dan Gerlach, “Is This the Time for Education Tax Credits and Other Tax Relief Proposals?” *BTC Reports*, Vol. 1, No. 8 (June 1995). “For the General Fund to break even over the next four years, at least five percent of the children who would otherwise be attending public schools (or approximately 60,000 students) would have to transfer to nonpublic schools,” Gerlach writes. “It is unlikely that the State’s nonpublic schools would have either the opera-

Eureka School in Moore County, circa 1915





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tional or facility capacity to accommodate such an increase in students."

⁶ Albert Shanker, "Vouchers: The Devil is in the Details," advertisement in *State Legislatures* magazine, National Conference of State Legislatures, Denver, Colo., January 1995, p. 26.

⁷ Allyson Tucker and William Lauber, *School Choice Programs: What's Happening in the States*, The Heritage Foundation, Washington, D.C., 1995, p. 2. In 1993, 33 states were considering some type of school-choice legislation, according to the 1994 edition of Tucker and Lauber's report.

⁸ *Ibid.*

⁹ Kathleen Sylvester, "The Charter School Experiment," *Governing* magazine, Washington, D.C., June 1993, p. 39.

¹⁰ Ernest L. Boyer, ed., *School Choice*, The Carnegie Foundation for the Advancement of Teaching, Princeton, N.J., 1992, pp. 38-46. Also, David Kirp, "What School Choice Really Means," *The Atlantic Monthly*, November 1992, pp. 119-132.

¹¹ *Ibid.*, pp. 47-55.

¹² *Ibid.*, pp. 99-112. Also, Tucker and Lauber, note 7 above, pp. 9-55.

¹³ *Ibid.*, p. 1.

¹⁴ Todd Silberman, "Wake magnets turn away 3,000," *The News & Observer*, Raleigh, N.C., May 2, 1995, p. 3B.

¹⁵ Although free from most educational regulations dealing with matters such as curricula, instruction, budgets, and personnel policies, charter schools generally must still abide by state and local health, safety, and civil rights laws.

¹⁶ U.S. General Accounting Office, "Charter Schools: New Model for Public Schools Provides Opportunities and Challenges," Report to Congress, GAO/HEHS-95-42, January 1995, p. 6.

¹⁷ Mark Walsh, "12 States Join Move To Pass Charter Laws," *Education Week*, Vol. XIV, No. 33 (May 10, 1995), p. 1. Walsh reported that 20 states were considering charter-school bills, but that number did not include North Carolina.

¹⁸ Drew Lindsay, "In States, G.O.P. Stymied in Push To Re-vamp Policy," *Education Week*, Vol. XIV, No. 39 (June 21, 1995), p. 14.

¹⁹ Joe Nathan, "Charter Public Schools: A Brief History and Preliminary Lessons," report from the Center for School Change, Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, Minneapolis, Minn., March 1995, p. 8.

²⁰ According to an editorial in the Greensboro, N.C., *News & Record* (April 18, 1995), p. A6, the charter school concept is not unprecedented in North Carolina: "The Curry School that was operated in Greensboro for many years by the old Women's College (now UNC-G) was, in effect, a charter school. It is fondly remembered as an outpost of first-rate education."

²¹ N.C. Constitution, Art. IX, Sec. 5.

²² Tim Simmons, "Charter schools proposed," *The News & Observer*, Raleigh, N.C., March 20, 1995, p. 1A.

²³ Tucker and Lauber, note 7 above, p. 7.

²⁴ Boyer, note 10 above, pp. 9-12.

²⁵ *Ibid.*, p. 12.

²⁶ *Ibid.*, p. 29.

²⁷ *Ibid.*, pp. 29-46.

²⁸ For more detailed discussions of pros and cons associated with statewide open enrollment programs, see Boyer, pp. 47-62. Also see Kathleen Sylvester, "School Choice And Reality," *Governing* magazine, Washington, D.C., June 1993, pp. 36-41; and John F. Witte, *Choice in American Education*, report from the La Follette Institute of Public Affairs, University of Wisconsin, Madison, Wis., 1990, 28 pp.

²⁹ Boyer, note 10 above, p. 49.

³⁰ *Ibid.*

³¹ *Ibid.*, p. 51.

³² *Ibid.*, pp. 52-60; also, Sylvester, note 29 above, pp. 38-40; and Witte, note 29 above, pp. 14-15.

³³ Sylvester, note 29 above, p. 38.

³⁴ Boyer, note 10 above, p. 62.

³⁵ *Miller v. Benson*, 878 F. Supp. 1209 (E.D. Wis. 1995). See Peter Schmidt, "Religious Schools Cannot Join Wis. Voucher Plan, Judge Rules," *Education Week*, Vol. XIV, No. 27 (March 29, 1995), p. 16. Also see Drew Lindsay, "Wisconsin, Ohio Back Vouchers for Religious Schools," *Education Week*, Vol. XIV, No. 40 (July 12, 1995), p. 1.

³⁶ "Voucher Plan Opposed," *Education Week*, Vol. XIV, No. 32 (May 3, 1995), p. 18. The survey of 410 adults by Wisconsin Public Radio found that 56 percent opposed expanding the Milwaukee voucher program to religious schools, 38 percent favored the proposal, and 6 percent were undecided.

³⁷ *Asociación de Maestros de Puerto Rico [Teachers Association of Puerto Rico] v. Torres*. Also see Mark Walsh, "Court Strikes Down Puerto Rico's Private-School Voucher Program," *Education Week*, Vol. XIV, No. 15 (Dec. 14, 1994), p. 17.

³⁸ Tucker and Lauber, note 7 above, p. 44.

³⁹ *Ibid.*, p. 14.

⁴⁰ *Ibid.*, pp. 12-13.

⁴¹ *Ibid.*, pp. 9-55.

⁴² Mark Walsh, "Prospects Improve for Voucher Proposals in Congress," *Education Week*, Vol. XIV, No. 28 (April 5, 1995), pp. 25 and 27.

⁴³ Lindsay, note 19 above, p. 14.

⁴⁴ Lindsay, note 36 above, pp. 1 and 14.

⁴⁵ Tim Simmons, "Black churches push for school vouchers," *The News & Observer*, Raleigh, N.C., May 7, 1995, p. 1B.