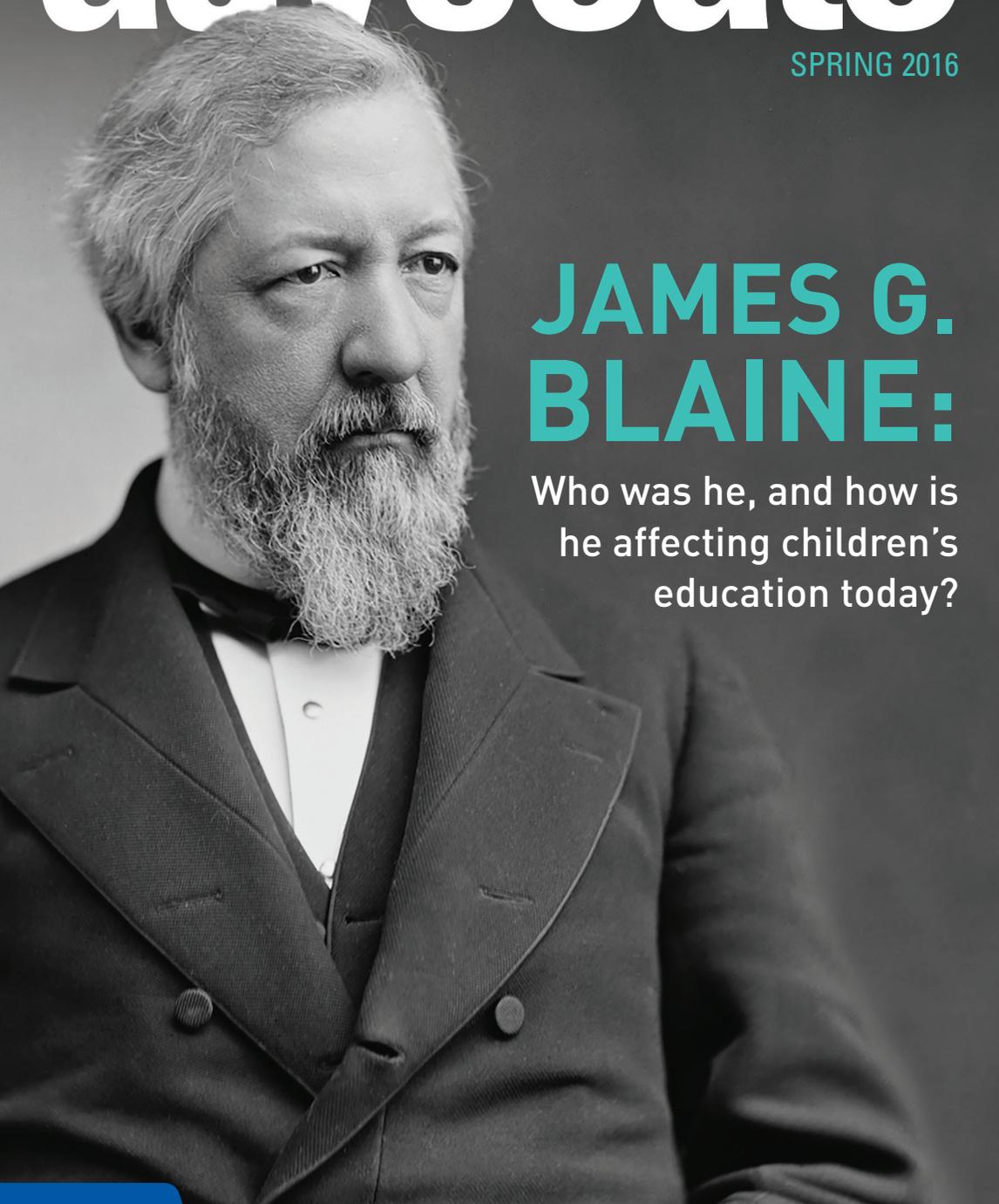


The School Choice advocate

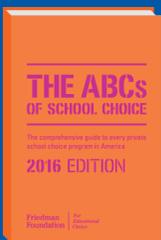
SPRING 2016



JAMES G. BLAINE:

Who was he, and how is
he affecting children's
education today?

INSIDE



New Resource

Check out the fresh new features of our flagship hand guide, *The ABCs of School Choice*



Two-Minute Talk

Our director of state research and policy analysis shares data-gathering secrets and school choice states to watch

What keeps the edchoice movement fresh

The dictionary defines ennui as a feeling of listlessness and dissatisfaction arising from a lack of occupation or excitement. We have all experienced it: Jobs get boring; issues get stale.

With educational choice, the opposite is true. In my 20 years with the Friedman Foundation for Educational Choice, I can honestly say that the fight for parental freedom in education is still the most exciting and fun fight around, even if sometimes challenging.

This issue of *The School Choice Advocate* proves my point.

Our centerspread story is about the dramatic and ongoing impact of what are known as “Blaine amendments.” These amendments, pushed by James G. Blaine (1830–1893) and born out of the anti-Catholic bigotry of the mid-19th century, are present in more than 35 state constitutions. Over the years, public funds have flown to private and religious colleges through the GI Bill and Pell Grants, while the courts and opponents have used Blaine amendments as a way to deny K–12 parents the freedom to attend private schools with taxpayer support. Though, with a recent school choice ruling in Colorado, the nation’s highest court might finally take up these old and bigoted amendments.

Exciting times lie ahead.

The Foundation’s most recent research has also stirred excitement in the educational choice movement. In *Private School Pioneers*, the Foundation challenges the private school sector to think differently about growth and suggests that, to achieve sustainability, some private schools could adopt a network model through private school management organizations. In *The Integration Anomaly*, Friedman Foundation Senior Fellow Dr. Ben Scafidi found that neighborhoods are becoming more integrated, while public schools are becoming more segregated. He also found that existing empirical evidence shows school choice increases integration in U.S. schools.

One way to judge the effectiveness of research is to gauge the responses of both proponents and opponents of school choice. By this measure, both studies were highly effective. *Private School Pioneers* led to much discussion among advocates, while *The Integration Anomaly* was the number one target of the union-supported anti-school choice group called the National Education Policy Center.

The most exciting story, as always, is this issue’s parent story. We shine a spotlight on a parent from Arizona who is participating in the Grand Canyon state’s groundbreaking education savings account (ESA) program. Holland Hines, whose child EJ is on the autism spectrum, actually moved to Arizona to take advantage of all the options the state had to offer. First, she chose a state-run school, but when that did not work, she signed up for an ESA, which has made all the difference for her child.

Seeing parents engaging in, and even flocking to, states with robust educational choice environments is what is truly exciting. It is the purpose behind our fight and the reason that educational choice will never get old.



Robert C. Enlow
President and CEO



Dr. Milton Friedman

Nobel Laureate and Founder



Dr. Rose D. Friedman

Noted Economist and Founder

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Katie Brooks
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Drew Vessely
Art Editor

Lack of options inspires family to move to state with robust choice environment

When EJ Hines was 10 months old, his mother Holland sensed something “wasn’t right.” Even before EJ’s official diagnosis of autism, his healthcare providers referred him to their local Michigan special education services.

The Hines family’s struggle with the local school system began when district-assigned experts refused to place EJ in an inclusive classroom that Holland felt was more appropriate for his needs. Holland’s fight to make choices for her own son within the public school system lasted several years and took its toll on the family.

On the verge of a due process hearing, the school district finally agreed to a plan that would meet EJ’s needs. But, exhausted from the fight and renewed by the promise of new options and educational freedom in Arizona, Holland determined moving to a new state was best for her son’s future.

EJ’s preschool and early elementary years in Arizona public schools weren’t ideal, so



Holland opted to try an alternative schooling approach using Arizona’s Empowerment Savings Account (ESA) program.

Holland said the ESA has been a dream come true. She can now afford to custom-tailor EJ’s learning experience, and he is thriving. Today, EJ’s educational routine includes part-time private schooling in a flexible, supportive environment, homeschooling, private tutoring, therapy, and music lessons.

“My son isn’t under a desk anymore holding his head and rocking back and forth,” Holland said. “He’s happy. He’s open to new experiences. He tries new things. He’s learning. He’s making progress. He’s playing instruments. He’s playing sports. He’s participating in social groups. He has just blossomed.”

FOUNDATION NEWS

Flurries of activity in key states drive national conversation

Colorado – The Foundation filed an amicus brief in Douglas County, Colorado’s potential U.S. Supreme Court case. *The Daily Signal* published an op-ed by State Programs and Government Relations Director Brittany Corona about the potential effects the case might have on school choice across the nation.

Indiana – In January, the Foundation released its *Indiana K–12 & School Choice Survey*, which shows broad support for Indiana’s Choice Scholarship Program. Indianapolis television news station CBS4 WTTV highlighted some of the poll results, and *The Indianapolis Star* featured a Friedman Foundation op-ed about the poll.

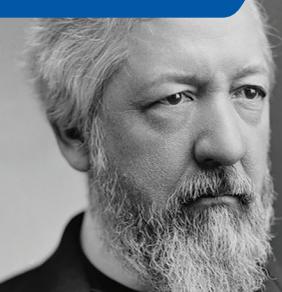
Nevada – Program administrators began sending acceptance letters to qualifying education savings account families in November. In January, a state court judge placed the program under temporary injunction. In response, the *Las Vegas Review-Journal* featured an op-ed by Foundation president and CEO Robert Enlow. Mary

Kissel welcomed State Programs and Government Relations Director Michael Chartier as a guest expert to talk about Nevada’s ESAs and the injunction on her video series, which is produced by the *Wall Street Journal* editorial board. Finally, *The Washington Post* published a letter by Enlow arguing that universal programs like Nevada’s benefit low-income students the most.

National – Dr. Ben Scafidi presented findings from his new study, *The Integration Anomaly*, at the American Enterprise Institute’s November event celebrating the 60th anniversary of Brown v. Board of Education II.

The Foundation released its 2016 version of *The ABCs of School Choice* during National School Choice Week in January. During that week, Enlow discussed school choice and the much publicized school system meltdowns in Chicago and Detroit on the *Wall Street Journal’s* Opinion Journal video series.

Foundation – The Foundation welcomed two new team members: Vice President of Communications Jennifer Wagner and Production Artist Jacob Vinson. Find out more about them at edchoice.org/Team.



JAMES G. BLAINE:

Who was he, and how is he affecting children's education today?

Maine legislator and presidential hopeful James G. Blaine (1830–1893) was a member of Congress in the mid- to late 1800s, a time when Catholic immigrants were flooding into the country and public schools were overwhelmingly protestant.

Catholic immigrant students were encouraged to assimilate in public schools. Desiring an educational option that was consistent with their community's religious convictions, Catholic leaders sought to open their own schools and pursued the same access to public funds that common schools enjoyed.

Their proposals might have seemed reasonable to Blaine and the rest of the nation's leaders at the time had anti-Catholic sentiment in America not been at its peak.

For instance, newspapers and magazines in the mid-1800s regularly published cartoons depicting Irish Catholic immigrants as apes and subhuman creatures. A Harper's Weekly cartoon by famed cartoonist Thomas Nast even portrayed bishops as crocodiles, crawling from the Atlantic with their mitres ready to devour students in the U.S. public schools.

On December 14, 1875, then-Congressman Blaine introduced an amendment to the U.S. Constitution which would have had the effect of prohibiting Catholic schools from receiving the public funds they requested. Blaine's proposal would have prevented states from allowing any taxpayer money to flow to any "religious sects"—a term that was well-known code for "Catholic." His proposal passed overwhelmingly in the House and failed in the Senate by just four votes; however, others in the states and Congressional territories joined his effort.

By 1890, 29 states had restrictions in their state constitutions that blocked public funds from sectarian schools. Many referred to the provisions as Blaine's amendments in respect to his federal effort. Blaine amendments were even strong-armed into state constitutions as a precondition for new states to join the Union.

Today, more than one-third of the United States

is affected by these antiquated and historically bigoted amendments, and even more states are affected by variations on its restrictions. All too often, opponents of educational freedom cite these laws beyond their original intent in an attempt to thwart families seeking learning alternatives outside the education establishment.

To date, more than two dozen legal challenges to school choice have been filed in state courts using Blaine amendments and other similar provisions, with mixed rulings.

Though a state's Blaine amendment might present challenges for educational choice, many states have prevailed despite them. Indiana, Oklahoma, and Wisconsin are examples of states with strict Blaine amendments that have passed, and whose courts have upheld, strongly funded school voucher programs, all of which have gone on to help tens of thousands of children access the schooling options they need to succeed.

Currently, Montana, Nevada, Florida, Georgia and Douglas County, Colorado are in the midst of Blaine-related litigation in state and federal courts. Colorado's case is awaiting a decision by the U.S. Supreme Court on whether they will accept the case or allow the lower court decision (Colorado Supreme Court) blocking the Douglas County voucher to stand. This is a case that could affect the validity of Blaine amendments in all other states.

In the words of Justice Clarence Thomas, "This doctrine, born of bigotry, should be buried now." If the courts follow Justice Thomas's wisdom, more states may grant students the freedom to choose the best educational options that meet their learning needs, and opens the door to a happy and successful future.

The Friedman Foundation is on the front lines fighting for educational freedom, having filed amicus briefs in several school choice cases. For more information about Blaine amendments and current litigation, contact us at info@edchoice.org.

States with Blaine Amendments, Compelled Support Clauses

State	Blaine Amendment	Compelled Support Clause	Both
ALABAMA	YES	YES	X
ALASKA	YES	NO	
ARIZONA	YES	NO	
ARKANSAS	NO	YES	
CALIFORNIA	YES	NO	
COLORADO	YES	YES	X
CONNECTICUT	NO	YES	
DELAWARE	YES	YES	X
FLORIDA	YES	NO	
GEORGIA	YES	NO	
HAWAII	YES	NO	
IDAHO	YES	YES	X
ILLINOIS	YES	YES	X
INDIANA	YES	YES	X
IOWA	NO	YES	
KANSAS	YES	YES	X
KENTUCKY	YES	YES	X
LOUISIANA	NO	NO	
MAINE	NO	NO	
MARYLAND	NO	YES	
MASSACHUSETTS	YES	NO	
MICHIGAN	YES	YES	X
MINNESOTA	YES	YES	X
MISSISSIPPI	YES	NO	
MISSOURI	YES	YES	X
MONTANA	YES	NO	
NEBRASKA	YES	YES	X
NEVADA	YES	NO	
NEW HAMPSHIRE	YES	YES	X
NEW JERSEY	NO	YES	
NEW MEXICO	YES	YES	X
NEW YORK	YES	NO	
NORTH CAROLINA	NO	NO	
NORTH DAKOTA	YES	NO	
OHIO	YES	YES	X
OKLAHOMA	YES	NO	
OREGON	YES	NO	
PENNSYLVANIA	YES	YES	X
RHODE ISLAND	NO	YES	
SOUTH CAROLINA	YES	NO	
SOUTH DAKOTA	YES	YES	X
TENNESSEE	NO	YES	
TEXAS	YES	YES	X
UTAH	YES	NO	
VERMONT	NO	YES	
VIRGINIA	YES	YES	X
WASHINGTON	YES	NO	
WEST VIRGINIA	NO	YES	
WISCONSIN	YES	YES	X
WYOMING	YES	NO	

Source: Lindsey M. Burke and Jarrett Stepman, "Breaking Down Blaine Amendments' Indefensible Barrier to Education Choice," *Journal of School Choice: International Research and Reform* 8, no. 4 (2014), table 1, p. 642, doi:10.1080/15582159.2014.973783.

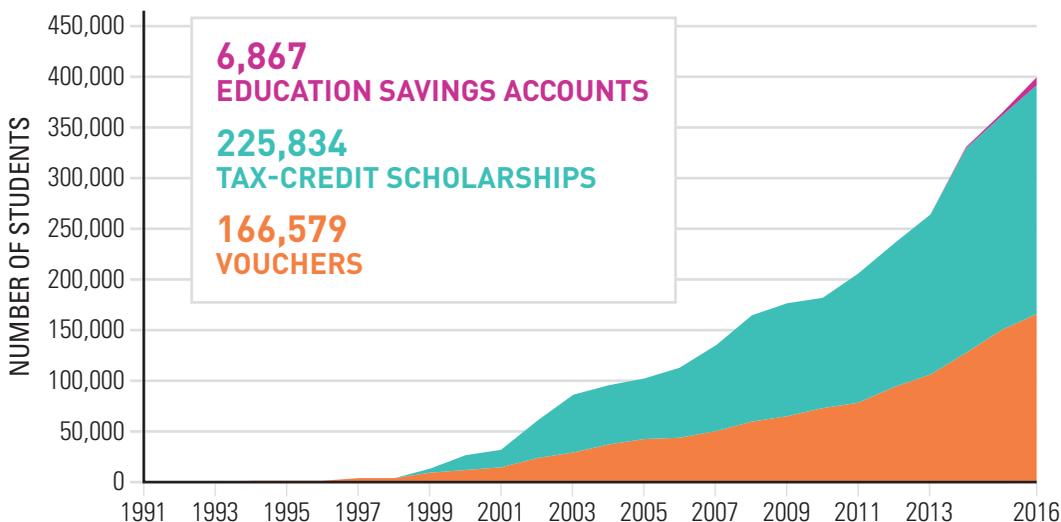
New features in the Foundation's 2016 ABCs of School Choice

This year's edition of *The ABCs of School Choice* includes all of the information you've come to expect for every school choice program in America, including program participation, eligibility estimates, funding details, governing statutes, regulations, legal histories, Friedman Feedback and more.

New features of the 2016 *ABCs of School Choice* start with bright new cover color combinations, but they don't stop there. Policymakers, journalists, and advocates can look forward to these handy additions:

National Snapshot of School Choice Over Time – On this spread, we graphed the growth of school choice programs in America as well as school choice program participation share over time.

Number of Students Receiving a Voucher, Tax-Credit Scholarship, or ESA



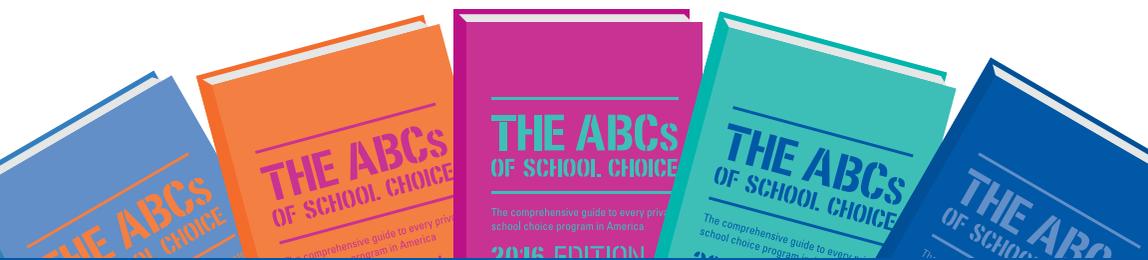
Color Coding – This edition uses the same color coding as our website to differentiate by program type. Magenta represents education savings account (ESA) programs; orange, school vouchers; teal, tax-credit scholarships; and blue, individual tax credits and deductions. It is a great at-a-glance feature to help make navigating America's educational choice programs easier.

Short Links to Virtual Program Pages – Every program profile in *The ABCs of School Choice* includes a short link to the corresponding program page on our website, making it quicker and easier to find the most up-to-date information, should program details change throughout the year.

How to Get Your Copy

This publication is available in PDF format on our website at www.edchoice.org/ABCs.

Need a print copy of *The ABCs of School Choice*? Email your full name, mailing address, and the number of copies you would like to receive to info@edchoice.org, or call us at 317-681-0745. We will mail your ABCs as soon as possible.





DREW CATT

Director of State Research
and Policy Analysis
Friedman Foundation for
Educational Choice

Describe your role at the Friedman Foundation and your work with *The ABCs of School Choice*.

As a director of state research and policy analysis, my main focus is developing, managing, and implementing school choice research projects. This mostly includes conducting parent surveys, producing the Foundation's School Survey Series, and gathering data for *The ABCs of School Choice*. Today, *The ABCs* has many new features, plus our team has created a one-stop shop for educational choice program data that can be continuously updated and downloaded—the School Choice in America dashboard. I hope the Foundation's web-based dashboard will be seen as the go-to school choice data source, and, to complement, *The ABCs of School Choice* will be the go-to program policy hand guide.

How do you go about collecting data?

In most cases, I am able to collect school choice program participation data directly from a state's department of education, department of revenue, or other agency. However, for some programs, these entities don't even have data available. Many states make data available efficiently through online reports. North Carolina, Arizona, Alabama, Wisconsin, and Florida are examples. Some states, such as Pennsylvania, have a de facto gatekeeper of the data that anyone looking for program data must go through. Other states, such as Indiana and Mississippi, have made the data-gathering process burdensome by requiring an official public records or FOIA request. Stay tuned to the Friedman Foundation blog for a full explanation of how I collect eligibility data, how the calculation has improved since last year, and why considering the size of eligible populations is important.

In terms of program participation growth, which would you say are the states to watch in 2016?

I was surprised to see that North Carolina had 271 percent growth in school choice participation since the 2015 edition of *The ABCs of School Choice*; however, that is based on only two programs that are in their second full year of operation. I think Arizona may be the most interesting state to watch when it comes to participation growth. Potential eligibility expansion of Arizona's ESA program would definitely put Arizona heads above any other state, especially since participation in that program nearly doubled since last school year.

Troubling trends and cross-sector solutions



Paul DiPerna
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The Foundation released several reports this past fall and winter. Four of those presented survey research that focused on school choice issues in Colorado, Indiana, and the national Latino community. Our three spotlight studies in this issue tackled the critical topic of neighborhood and public school segregation, established a new framework for thinking about private school growth and management, and examined how families are using innovative education savings accounts (ESAs) in Arizona.

The Integration Anomaly (released October 28, 2015): Foundation Senior Fellow Dr. Benjamin Scafidi examined the changing levels of segregation in public schools and neighborhoods and explored whether evidence supports school choice policies as a solution to spur more integration in schools. The anomaly? Neighborhoods are becoming more integrated, while public schools are becoming more segregated. Scafidi uses an analytical tool called the dissimilarity index (DI) to illustrate this finding. Furthermore, families today are twice as likely to live in an income-segregated neighborhood as they were in the 1970s, leading to more income segregation in schools. Check out the full report at www.edchoice.org/IntegrationAnomaly.

Private School Pioneers (released December 2, 2015): Juliet Squire and her colleagues examined the operations of existing private school management organizations (PSMOs) and further defined them. The authors also warn of potential pitfalls, suggest questions for future research, and recommend ways to engage with these fledgling organizations. They categorized PSMOs into the following three typologies: Redemptive PSMOs, Expansion PSMOs, and Hybrid PSMOs. Learn more at www.edchoice.org/PrivateSchoolPioneers.

The Education Debit Card II (released February 24, 2016): In this follow-up study, Jonathan Butcher and Lindsey Burke examine new data from Arizona's Empowerment Scholarship Accounts, an ESA program. The program allows families to spend their education dollars on a variety of options, including tuition, private tutoring, learning therapies, and more. Twenty-eight percent of parents are using the program's flexibility to customize their children's education, including saving for college. Those using ESAs for private school tuition are choosing a wide variety of options, such as parochial schools, Waldorf academies, college prep schools, Montessori schools, international schools, and schools for students with autism or hearing impairment. Find more on our website at www.edchoice.org/EdDebitCard2.

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