



DATE: October 22, 2001

TO: School Choice Media

FROM: Clint Bolick, Vice President, Institute for Justice

RE: A Warning About School Choice Misinformation

Now that the U.S. Supreme Court has agreed to hear the case challenging Cleveland's school choice program, I want to alert you that misinformation may be coming your way from some opponents of school choice.

After more than a decade defending school choice, including defending Cleveland's Scholarship and Tutoring Program in both the Ohio State Supreme Court and the U.S. Sixth Circuit Court of Appeals, I have seen time and again how school choice opponents provide reporters with misleading information and sometimes outright falsehoods. (To show how bad things sometimes get, *The Milwaukee Journal Sentinel* ran a 1999 page-one story headlined, "School choice attacks often fail accuracy test." A subsequent *Wisconsin State Journal* editorial stated, "Whether you're for or against [school choice], you've got to deplore the lies that opponents are telling—lies that get national attention Scrutiny is one thing. Lies are another.")

In anticipation that this will unfortunately continue, I am sharing with you a two-page document illustrating some common misstatements that have appeared repeatedly over the years. I also have attached one page of recent misstatements I have seen school choice opponents promote in the context of the Cleveland plan.

To ensure that journalists have factual and up-to-date information about the Cleveland school choice program, the Institute for Justice and other organizations have created a media kit available online at www.schoolchoiceinfo.org. In addition to accurate information about the size and composition of the Cleveland school choice program, this kit includes a [school choice legal primer](#) and information on other publicly funded choice programs across the nation.

I appreciate your time in considering this information. I encourage you to contact me (602-324-5440) with any questions or to direct them to John Kramer, IJ's vice president for communications at (202) 955-1300 ext. 205.

I also encourage you to bring questions to the attention of Howard Fuller, former superintendent of the Milwaukee Public Schools (414-288-5774) or Lawrence Patrick III, president of the Black Alliance for Educational Options (202-544-9870).

Best regards.

Four Common Misstatements About School Choice

1) Who Chooses: Parents or Schools?

Misstatement: Private schools in voucher programs “can pick and choose [students and] do not have to take the kids who are the most expensive to educate.” *Tom Brokaw, “Dateline NBC” (October 29, 2000).*

Misstatement: “[T]he schools do the selecting of the children... There were lots of private schools [in Milwaukee] that just wouldn’t take children, or children started school and ended up getting kicked out.” *Sandra Feldman, American Federation of Teachers, on National Public Radio’s “Talk of the Nation,” (January 8, 2001).*

Truth: Voucher programs in Milwaukee, Cleveland and Florida serve students from low-income families and those attending low-performing public schools. Thousands of students in these programs have learning disabilities. Random selection methods are used, effectively prohibiting the kind of screening that Brokaw and Feldman claimed was happening. Further, Feldman provided no evidence — because there is none — about expulsions of voucher students from private schools. What is known is that the expulsion rate in public schools substantially exceeds that in private schools.

2) The Fiscal Impact of School Choice

Misstatement: “In areas where vouchers have been introduced, public schools have had their budgets drastically cut.” National Education Association (*November 1999*).

Truth: Since the inception of the Cleveland program, general operating expenditures for education have risen from \$559.6 million to \$662.6 million. Per-pupil spending in Cleveland is up from \$7,970 to \$8,814 (*Ohio Dept. of Education*). In Milwaukee, home of the oldest and largest school choice program for low-income families, public school spending has grown from \$604.5 million to \$968 million. Per-pupil spending is up from \$6,064 to \$9,417 (*Milwaukee Public Schools*). When *The New York Times* visited public schools affected by Florida’s A+ Opportunity Scholarship program, it reported that the schools had “hired more teachers, reduced class size, stretched the school year by 30 days and added afternoon tutoring,” (*The New York Times, March 14, 2000*).

3) The Impact of School Choice on Integration

Misstatement: “Voucher programs would allow for splintering along racial and ethnic lines...[V]oucher programs could end up resembling the ethnic cleansing occurring in Kosovo.” *David Berliner, Dean of Education, Arizona State University (May 8, 1999).*

Truth: In the nation’s two largest choice programs for low-income students, racial integration in private schools has increased and is greater than in public schools. This is because the Cleveland and Milwaukee programs enable children, mostly of color, to attend private schools that often have large white enrollment (*Jay Greene, The Manhattan Institute, and Howard Fuller, Marquette University, 2000*). In contrast, America’s public schools “remain largely segregated and are becoming more so... More than 70% of the nation’s black students now attend predominantly minority [public] schools,” (*Harvard University’s Civil Rights Project, 2001*).

Four Common Misstatements About School Choice

(continued)

4) **Parents are NOT Inconsequential**

Misstatement: “The question starkly and indisputably presented [by the challenge to school choice in Cleveland is] whether the giving of state money to parochial schools, with parents as formal but inconsequential conduits, can pass constitutional muster.... This transparent attempt to ‘launder’ state funds through a *pro forma* involvement of the parents does not affect the underlying reality of the State payments.” *Reply brief of Plaintiffs’ Doris Simmons-Harris in Support of Plaintiffs’ Motion for Summary Judgment (June 14, 1996).*

Truth: Parents are NOT “inconsequential conduits” providing the raw materials of money and children to fuel the public education system. Parents are taxpayers and decision-makers raising their children. Cleveland’s school choice program empowers them to do so by allowing each choice parent to choose where the funding for their child’s education will be spent from among a range of schools—some religious, some secular. Public schools in adjacent districts were invited to participate—and receive a much higher per pupil expenditure—but all eligible public schools refused. Cleveland’s program is not a “money laundering scheme,” but an attempt to rescue children from inadequate and often dangerous public schools in Cleveland.

Three recent misstatements about Cleveland's program

1) School Choice For Cleveland's Low-Income Families

Misstatement: “Evidence from [Cleveland] calls into question the argument that the program’s purpose is to enable low-income students to enter a private school of their choice.” *National School Boards Association amicus curiae brief filed with the Supreme Court (June 2001).*

Misstatement: “Millions of dollars in vouchers have gone to families whose incomes are well above the poverty line.” *News Release to National Media, People for the American Way (September 21, 2001).*

Truth: It is preposterous to suggest that Cleveland’s program is not targeted at the poor or is not assisting poor families. Consider this from the program’s official evaluator: “The [Cleveland] program effectively serves the population of families and children for which it was intended and developed. The program was designed to serve low-income students...The majority of children who participate in the program are unlikely to have enrolled in a private school without a scholarship.” The mean annual income of families in the program in 1999 was \$18,750. Fully 70 percent of children were in families headed by a single mother. *Kim Metcalf, Ph.D., Indiana University Center for Evaluation (1999).*

2) School Choice & Academic Achievement

Misstatement: “[A]vailable studies demonstrate no significant educational advantage for students who receive vouchers.” *Report issued nationally by People for the American Way (September 21, 2001).*

Truth: To make this claim, PFAW cites a September 2001 report from Dr. Kim Metcalf, Ohio’s evaluator. But Dr. Metcalf’s report actually states, “Most studies have found that voucher programs, whether publicly or privately funded, tend to promote more positive parental or family attitudes toward school, increase parental involvement and result in increased parental satisfaction...[T]he limited, but statistically significant positive impact of the program on students’ academic achievement, particularly as they progress beyond the early primary grades, is consistent with work in Milwaukee, New York, Washington, D.C., and Dayton, Ohio.” Dr. Metcalf is not alone in this view. A new report from The Brookings Institution states, “Although controversial, research generally shows positive effects for students using vouchers to attend private schools.” *Tom Loveless, Ph.D., “How Well Are American Students Learning?” The Brookings Institution (September 2001).*

3) Kindergarten Funding

Misstatement: “[T]he same year that the voucher program was put in place, the funding for kindergarten was taken away from the Cleveland public schools.” *Sandra Feldman, American Federation of Teachers, National Public Radio (September 25, 2001).*

Truth: On October 4, a Marquette University research consultant called AFT seeking documentation. F. Howard Nelson, AFT’s Director of Publications and Technical Reports, disputed Feldman’s assertion, saying: “It would be impossible to argue that vouchers came along and [Cleveland] lost money and had to cut kindergarten...[T]here is no causal relationship.” *Telephone interview between Sharon Schmeling of the Marquette University Institute for the Transformation of Learning and Nelson (October 4, 2001).*

Indeed, every elementary school in the Cleveland district had half-day kindergarten in the year that the voucher program began, according to Alan Seifullah, Chief Communications Officer for the Cleveland Municipal School District. Since 1997-98, a year after school choice began, every public elementary school has offered all-day kindergarten, Seifullah said. As the Cleveland public schools website states: “State law now requires that children complete kindergarten before entering the first grade.”