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# The next civil rights battle

*"I don't ever want you to forget that there are millions of God's children who ... cannot get a good education, and I don't want you feeling that you are better than they are. For you will never be what you ought to be until they are what they ought to be."*

*Dr. Martin Luther King Jr., January 1968*

by Candi Cushman

Virginia Ford still remembers the fear that gripped her when, as a 14-year-old, she watched the flames shoot from a cross in her front yard.

The year was 1964, and her father had just landed a job as one of the first black assistant superintendents in a major public school system in the area.

"My dad was a gentle man," Ford recalled. "He was very quiet, very kind. It's the only time I ever saw him angry. ... Daddy had a shotgun ... and just as we were getting really terrified, a big rock came through the back window. ... Daddy ran out and shot into the air. .... Then my

parents wrapped their arms around us so it wouldn't traumatize us. But I do remember that fear."

The burning cross was just one of many heart-rending trials that Ford and her family endured as they fought for equal education opportunities in Little Rock, Ark. And those battles impacted who she has become today — one of the most respected leaders of a new kind of civil rights battle sweeping the nation, the school-choice movement.

"Sometimes you have to stand up and tell somebody that you'll no longer stand for substandard education for your

children," she told *Citizen*. "I have said that over and over again to anybody who would listen."

Her words reflect the passion behind a burgeoning movement across the nation — not just in the inner cities, but also in suburban areas. To

Ford and other national leaders, "school choice" means empowering every parent with the ability to choose the best possible educational environment for his or her children. It means parents won't have to send their kids to failing schools just because they don't have extra income. In means urban children won't be imprisoned in gang-in-



Virginia Walden Ford is one of the most respected leaders of the school-choice movement.

fested and drug-ridden schools just because those are the only options in their ZIP code.

“School choice” comes in many shapes and forms. (See Glossary.) But the most important idea driving this movement is that taxpayer money should follow the children, and benefit them, instead of a bureaucracy.

“With school choice comes a fundamental transfer of power from bureaucrats to parents. In fact, what happens is that every parent, every child, becomes an empowered consumer ... and that means the school system has to pay attention to their interests,” explained Clint Bolick, a lawyer with the Goldwater Institute who has argued and won several landmark school choice cases

To Ford, school choice is nothing less than “the biggest civil rights issue of the decade” because it can help rescue children of all races who fall into lower-income brackets.

U.S. Secretary of Education Arne Duncan summarized the education crisis this way: “When 25 percent of our students — and almost 40 percent of our black and Hispanic students — fail to graduate high school on time, we know that too many of our schools are failing to offer their students a world-class education.”

Yet U.S. taxpayers now invest more than \$500 billion annually into K-12 public schools — with little to show for it. Public school spending has more than doubled since 1970 while achievement scores have stagnated over the last few decades. (See chart on Page 20.)

“People often ask me how I got started in this fight,” Ford said. “It started in the 10th grade.” That was the year Ford and her sisters were asked to leave their all-black high school and go to school alongside white children as part of the federal government’s desegregation efforts. (They entered Central High — the same school into which the famous “Little Rock Nine” had previously been escorted by federal troops.)

## Race to the Top ... or return to the status quo?

**W**hen it was first introduced, Race to the Top — the largest, competitive education grant program in U.S. history — generated plenty of excitement in liberal and conservative camps. Education Secretary Arne Duncan announced that the \$4.35 billion initiative would “drive reform” and “reward excellence.”

The initial results seemed encouraging: Within months, a rash of states began proposing legislation to lift caps on charter schools and make it easier to fire bad teachers. Forty states applied during the first grant round.

But in March, there was a rude awakening: Only two winners were announced for the first round — Delaware and Tennessee — which happen to have some of the weakest charter-school laws in the nation. But they do have another thing going for them: nearly universal support from local unions. The Obama administration publicly praised them for the “statewide buy-in.”

Meanwhile, Florida — known for its dramatic school-choice and teacher-accountability reforms — was criticized by a Race to the Top reviewer because only 8 percent of “local collective bargaining leaders endorsed the

To their shock, they discovered they were academically behind their white classmates. “We hadn’t been privileged to have the up-to-date books,” Ford said. And in the new school, “teachers were not necessarily happy to have us in the classrooms.”

“We used to go home and say, ‘Daddy, we don’t want to go here. We want to go back to the black high school.’ ... My dad would say,



“We know that too many of our schools are failing to offer their students a world-class education,” says Education Secretary Arne Duncan, right, with the Rev. Al Sharpton.

application,” according to a report from The Center for Education Reform. California, Michigan and Wisconsin were also dinged for not having enough union support.

The coincidence didn’t go unnoticed by national news outlets. The contest “seemed to favor states with union buy-in,” which in turn “seems to have emboldened state union efforts to block reform,” concluded a *Washington Post* editorial.

In short, the Obama administration appears to have given unions veto power over school-choice reform.

It begs the question, will this administration ever really buck the teachers unions’ long-held monopoly — or will Race to the Top, in the end, just turn out to be more business as usual? ●

“You have the responsibility to stay there and do your best.”

“So we stayed, we fought and we worked hard — and we graduated.” It was a lesson she never forgot.

### Washington, D.C.

“I really proved them wrong.”

— Ronald Holassie,  
11th-grader

Today, Ford is the executive direc-

tor of the D.C. Parents for School Choice and a visiting fellow at The Heritage Foundation. She's been on the front lines of the battle to win and retain the first federally funded "opportunity scholarships" for D.C. children trapped in dangerous and poorly performing schools.

"The (D.C.) system ranks near the very bottom in academic achievement on every measure in the U.S., but ranks first in violence," said Lindsey Burke, an education analyst at Heritage. "One in eight kids reports being threatened with a deadly weapon." Ironically, D.C. public schools are among the nation's costliest, spending about \$16,000 per pupil per year.

Contrast that with the D.C. Opportunity Scholarship Program (OSP), which was passed by Congress in 2003 and allows impoverished students to compete for private-school scholarships worth up to \$7,500.

And there are academic gains to show for it. A federally mandated evaluation of the program, released in 2009, found that students who used the scholarships were nearly four months ahead of their public school peers in reading. A final study of the program found that stu-

dents who used an OSP scholarship had graduation rates 21 points higher than their public school peers.

Ronald Holassie, a D.C.-area student, has lived on both sides of the spectrum.

He described public schools where fighting was often more common than learning. By the sixth grade, Ronald was failing most of his classes. He has a natural gift for composing music, but was so far behind in reading that he struggled to write lyrics.

Ronald's mom, Carmen, didn't see a way out: She was a single mom without a high school degree, making ends meet with housekeeping and babysitting jobs. One day, she spotted a bus ad for an opportunity scholarship. That enabled her to send Ronald to a Catholic high school, Archbishop Carroll.

"The teachers actually cared and wanted you to do your work," Ronald told *Citizen*. He graduates next year and has started recording his own music.

"I never thought I would be doing what I'm doing now. Some people kind of doubted me, that I could make it to this point," he said. "But I really proved them wrong."

When Ronald learned last year that Congress was considering cutting OSP, he was terrified he would lose everything he had worked for — and that his younger brother also would lose out on a quality education.

So when Ford asked Ronald if he would testify at a congressional hearing, he readily agreed. He also joined Ford and hundreds of other D.C. residents at a rally. Ronald delivered a passionate message straight to the president:

As I stand here in front of our nation's Capitol, I say to President Barack Obama: "You say that getting an education is the key to success. But why do you sit there and let my education and others' be taken away? You send your



Thanks to the D.C. Opportunity Scholarship Program, Ronald Holassie will graduate next year from Archbishop Carroll High School.

children to one of the most prestigious schools in the district and make sure they have a high quality education ... but we deserve that same equal opportunity as well."

President Obama, who at age 10 used a scholarship to attend a private school in Hawaii, isn't the only one practicing school choice while letting others' opportunities be taken away. According to an annual survey of Congress conducted by The Heritage Foundation, approximately 44 percent of senators and 36 percent of representatives with school-age children have at some point sent their kids to private school. Only about 11 percent of American students attend private school.

Ford and Heritage have launched a campaign to address the hypocrisy in Congress. Posters appeared on the sides of D.C. buses and in the Metro Union Station portraying the faces of children in the OSP alongside the words "Let Me Rise!"

Congress and the Obama administration have offered a token compromise: Students in the program can continue in it until graduation, but no new enrollees are allowed.

But Ford is optimistic the program can be rescued — especially considering polls showing that seven out of 10 District residents support it. "I can't afford to be discouraged. I have to continue the fight because



Florida's tax-credit scholarship program serves about 28,000 low-income students in more than 1,000 private schools.

it is the right thing to do,” she said.

## New Jersey

*“It’s like our children don’t matter.”*  
— Angel Cordero,  
school-choice activist

Desperation often creates fertile ground for the seeds of school choice. Take Camden, N.J. An Internet search for Camden pulls up headlines like “Most Dangerous City” and pictures of graffiti-filled walls and boarded-up windows.

And yet some of the most powerful voices for school choice are arising from this broken-down city — and they are influencing the Legislature.

Angel Cordero, a Puerto Rican activist, and Tim Merrill, an African-American pastor, teamed up to form what amounts to an educational triage center for Camden students who are either failing or physically



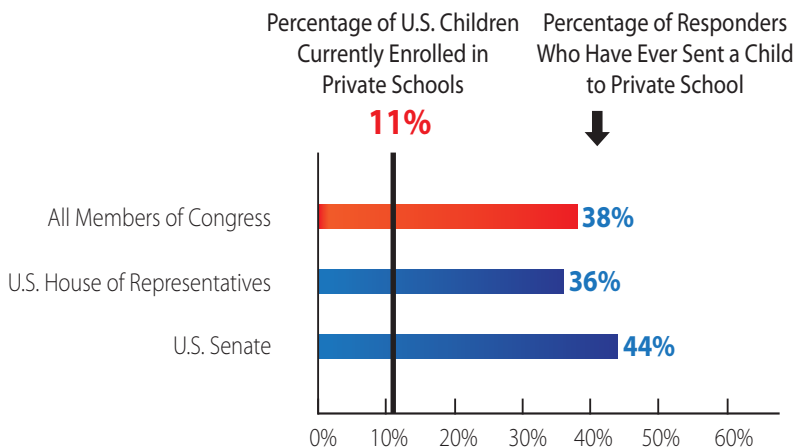
President Barack Obama sends his daughters, Malia, right, and Sasha, to Sidwell Friends School. Tuition runs nearly \$30,000 a year per student.

endangered in the public schools. CERN, the Community Educational Resource Network, is housed in Merrill’s church, Bethel United Methodist.

But in a community where barely half the residents have high school diplomas and the per-capita income is about \$10,000, it isn’t enough. Independent schooling endeavors

## Choosy lawmakers choose private school

Nearly 4 in 10 members of Congress with school-age children have sent a child to private school.



SOURCES: Heritage Foundation telephone and e-mail survey conducted February 13 to March 13, 2009; previous Heritage Foundation surveys on Members of Congress and school choice.

The Heritage Foundation

like this one are constantly threatened by lack of funds and can’t possibly meet the vast need. That’s why Cordero gets flat-out angry with political leaders who don’t understand the dire demand for school choice.

“It’s like they are numb to the issue. It’s like our children don’t matter,” he said. “If we don’t fix the crisis in education in our community ... we will be condemned to a life of poverty.”

And Cordero knows what he’s talking about. He dropped out of Camden High School in the 11<sup>th</sup> grade without knowing how to read or write. The older you get, “the worse it gets,” he said. “So when you get to high school, all you want to do is act up so nobody knows you can’t read. Then teachers give up on you. You are lost.” Sadly, it wasn’t until he landed in prison that he learned to read.

There is strong evidence that school choice can help at-risk students.

In February, for instance, the University of Minnesota released a study showing that the graduation rate for Milwaukee school-choice scholarship recipients was 18 percent higher than their peers in public schools.

That complements findings from

John D. Merrifield, a professor of economics at the University of Texas at San Antonio, who studied a 10-year endowment-funded program that provided scholarships — regardless of family income — to children in the low-performing Edgewood (Texas) School District. The children used the vouchers to attend private, religious or public schools of their choice. He and other researchers found an approximately 17 percentage-point increase in Edgewood’s public school graduation rates that could be attributable to the voucher program. Such improvements appeared to be a response to increased competition, according to Merrifield’s report.

Bottom line: Competition helps everyone. Students “benefit from having a choice in the school they attend,” concluded Merrifield, “even if they remain in public schools.”

Those findings conflict with the main argument made by teachers unions: That school choice drains resources from public schools.

Yet New Jersey typically spends more on public schools than any other state in the nation. But only 39 percent of the state’s eighth-graders are proficient or advanced readers, and only 40 percent of its eighth-

graders are proficient or advanced in math, according to the website for *The Cartel*, a documentary exposing corruption in the New Jersey public schools.

That's why people like the Rev. Reginald Jackson no longer buy the unions' party line. "For a long time, I worked with the union," he told *Citizen*, until "finally it became clear to me that schools were not going to reform on their own and the unions would not make the education of children a No. 1 priority."

As executive director of the Black Ministers' Council of New Jersey, Jackson represents more than 600 churches statewide. Jackson, a "stalwart Democrat" and an Obama supporter, is now willing to ally with Republican leaders to support school choice and break the "monopoly" of the "education bureaucracy." "We believe that quality education is the next battleground in the civil rights movement," he said.

Bipartisan coalitions are key to the school-choice movement's success, explained Clint Bolick of the Goldwater Institute. These alliances are gaining steam, he said, because "public schools are imprisoning a generation of kids, particularly low-income kids, and that is intolerable to sincere liberals — and it is something for which conservatives who support school choice have a solution."

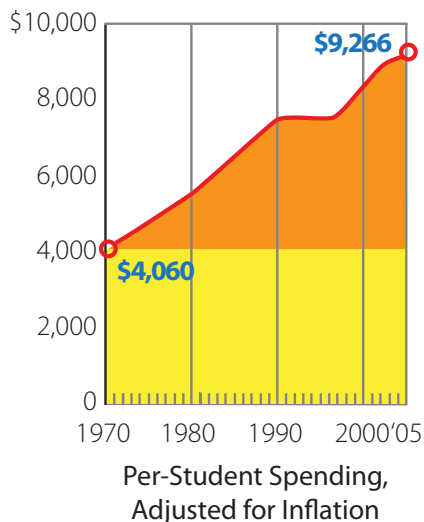
At press time, those unlikely alliances had succeeded in moving



Cesar Estien received a tax-credit scholarship to attend Central Baptist Christian in the Tampa, Fla., area.

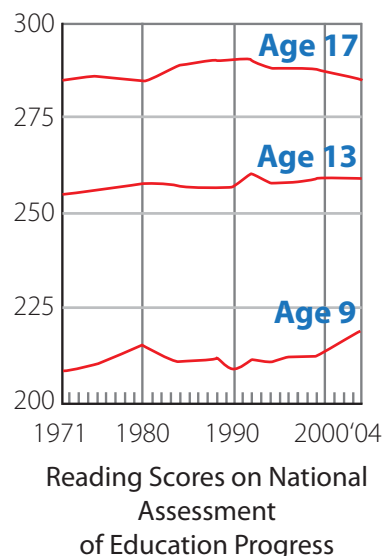
## Spending doubles, but kids still can't read

Annual education spending per child more than doubled in 35 years ...



SOURCES: U.S. Department of Education, National Center for Education Statistics

... but average reading scores in public schools stayed flat.



The Heritage Foundation

groundbreaking legislation — the Opportunity Scholarship Act — through a New Jersey Senate committee with unanimous support. The measure would allow tax credits for corporations that donate money for scholarships benefiting kids stuck in chronically failing schools.

### Florida

*"I'm planning to become an architect."*

— Cesar Estien, sixth-grader

Florida's Capitol was the site of what's been hailed as the nation's largest school-choice rally, drawing more than 5,500 parents, students and civic leaders. They took to the streets March 24, waving American flags and signs and pleading for the expansion of a tax-credit scholarship program.

"If you look at the video from the rally, imagine trying to take that choice away from those families," said Doug Tuthill, a former union leader who now runs a Florida school-choice scholarship program called Step Up For Students. "We've

gotten so big and gotten such diverse support."

Florida is a prime example of how small school-choice seeds develop into deep-rooted programs: Its tax-credit scholarship program, passed into law nine years ago, serves about 28,000 low-income students in more than 1,000 private schools. According to Tuthill, three-fifths of scholarship recipients live in single-parent households and three-fourths belong to a minority group.

That means that some of Florida's most disenfranchised families are getting a taste of educational empowerment, and they want more of it.

Dahlia Estien, a 42-year-old single mom living in the Tampa area, received a tax-credit scholarship for her son, Cesar. "This is what I am fighting for," she told *Citizen*, "for my children not to be in the poverty level."

Estien received a list of 12 private-school options in her area. "I thought I had won the lotto," she said.

Cesar, a sixth-grade student

# Glossary of terms

## Parental-choice scholarships:

Often called “vouchers,” these programs direct publicly funded scholarships to children so they can attend a school of their parents’ choice — including public, private and/or religious schools.

## Public-school choice:

Charter schools represent the most popular form of public-school choice. At least 39 states are home to more than 5,000 charter schools serving about 1.5 million kids, according to the Center for Education

Reform. Charter schools are publicly funded, but they have more freedom from bureaucratic control.

## Special-needs scholarships:

Arizona, Georgia, Florida, Ohio and Utah have special-needs scholarship programs that benefit children with disabilities and/or those who are in foster care.

## Tax-credit scholarships:

These programs allow tax credits for corporations or individuals who donate to scholarship organiza-

tions. Scholarships are then awarded to children to attend private or faith-based schools.

## Education savings accounts:

Parents or guardians can elect to have the state deposit a percentage of their child’s per-pupil funding into a savings account, which they can then use for various education options, including distance learning, home schooling, private school tuition, tutoring, etc. ●

— Candi Cushman

at Central Baptist Christian, was overjoyed at being able to attend a school that offers Math Olympics. “I just like how math is kind of complicated,” he said, “Plus, I’m planning to become an architect, so I am going to need it.”

The power of the people was demonstrated the morning of the rally — when the state Senate passed a bill to expand Florida’s tax-credit scholarship program.

## Arizona

*“The stakes are incredibly high.”*  
— Cathi Herrod, Center for Arizona Policy Action

Despite the groundswell of support, school choice still faces formidable opposition — especially from legal attacks by Left-wing groups like the American Civil Liberties Union (ACLU).

In Arizona, the ACLU is working hand in hand with public school bureaucrats, filing lawsuit after lawsuit, eventually winning court decisions against scholarship programs for children with disabilities or who live in foster care.

Now it’s going after the state’s tax-credit scholarship program, which allows dollar-for-dollar tax deductions for individuals donating to scholarship organizations. The first

volley against the program failed in both a district court and state appeals court. But then the ACLU found a friend in the 9th Circuit.

The U.S. Supreme Court has announced it will review the case. This marks the second time in history that the high court will specifically rule on school-choice scholarships. Experts are optimistic the court will follow its own precedent.

The court previously has backed an even purer form of school choice: In *Zelman v. Simmons-Harris* (2002), it upheld an Ohio state program that awarded scholarships to needy children in poorly performing Cleveland public schools. In that case, the ACLU claimed that the scholarships violated the Establishment Clause because recipients were allowed to use them at religious schools. But the court found that the program did not violate the Establishment Clause because it was a parent-directed choice, not a government-directed one.

Writing for the majority, Justice William Rehnquist explained that because the parents’ decision to use the scholarships for religious schooling was “wholly as a result of their own genuine and independent private choice,” it did not meet the test for violating the Establishment Clause.

“The stakes are incredibly high,” said Cathi Herrod, president of the Center for Arizona Policy. Not only is school choice an important civil right for all families, but it also provides a safety net for families of faith. “When Christian parents run into problems in the public schools with an opposing worldview, they need the freedom to choose an alternative,” she explained.

There are at least 18 private school-choice programs across the nation, in addition to thousands of charter schools. Choice advocates are optimistic their idea has permanent currency. “There’s one number more numerous than the number of employees in the [public school] system — and that number is parents,” said Bob Bowdon, producer of *The Cartel*.

Clint Bolick of the Goldwater Institute said school choice will expand through multiple fronts, including online schools. “Choice begets more choice,” he said. ●

## FOR MORE INFORMATION

Visit [VoicesOfSchoolChoice.org](http://VoicesOfSchoolChoice.org) and [CitizenLink.org/fpc](http://CitizenLink.org/fpc).

*Candi Cushman is the education analyst for CitizenLink. Visit her blog and others at [CitizenLinkBlog.com/drivethru](http://CitizenLinkBlog.com/drivethru).*