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"Diversity. Pluralism. Variety... We cherish these values, and I do not believe it excessive to ask that they be embodied in our national policies for education."
- Daniel Patrick Moynihan

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Private schools with public students need oversight

by [Jon East](#) on 06. Dec, 2010 in [General](#), [Private Schools](#), [Testing and Accountability](#)

A new [report](#) from Andrew Coulson helps bring context to one of the most bedeviling issues we face when sending public school students to otherwise private schools: What's the right way to hold these schools accountable?

Let's respect that Coulson, the astute director of Cato Institute's Educational Freedom Center and a free-market advocate, is focused on what he views as the potential for "regulatory suffocation" of tax credit scholarship and voucher schools in 15 states. His report nonetheless presents an intriguing contrast between the levels of regulation. He finds that voucher regulations in places such as Ohio, Louisiana, and D.C., are multiple orders of magnitude more strenuous than those for tax credit scholarship programs in states such as Georgia, Arizona and Pennsylvania.

Coulson controlled for enough variables that he can plausibly make the case that "tax credits seem significantly less likely than vouchers to suffer the Catch-22 described in the introduction – less likely to suffocate the markets to which they aim to expand access." But let's leave aside the question of whether there is a genuinely different political impulse for accountability between these two programs, and address the responsibility for advocates of private choice.

Coulson is right that regulating private schools in precisely the same way as public schools tends to undermine their uniqueness and defeat the purpose of offering them as alternatives. But it is simply untenable in a public education world that is being measured and forced to account for student outcomes to suggest that private options are exempt. If tax money is being spent, directly or indirectly, then the schools need to answer for it.

The real question, then, is how. In Florida, which has the largest tax credit scholarship program in the country, the Step Up For Students scholarship organization has supported a [list of legislative measures](#) that speak to academic, financial and regulatory protections. But it is also clear that, in the arena of regulation, one size does not fit all.

A prime example is the important requirement that each scholarship student take a nationally norm-referenced test. The test score gains are reported at the state level and, starting next year, at the school level. But critics say these students don't take the same public-school test, a criterion-based exam called the FCAT, and that few schools will have their test score gains disclosed. They are absolutely right, but this is where accountability gets complicated.

First, private schools are prohibited from administering the FCAT, due to test security concerns. This means that a scholarship student would have to find a public school at which to take the FCAT, and then take another set of standardized tests at the private school.

Second, the threshold for reporting individual school gain scores is the same as that of public schools – 30 students with current and prior-year test scores – and is considered the minimum for statistical reliability. But 30 also happens to be the current average number of scholarship students in each of the 1,093 schools, and a disproportionate share are in grades K-3, which are not counted in test gain scores by public or private schools. So, at least for now, fewer than 10 percent of the schools will fall under this reporting requirement.

The point is that there are no simple answers here, and last year's Thomas B. Fordham Institute report, [When Private Schools Take Public Dollars: What's the Place of Accountability in School Voucher Programs?](#), is a good start. Fordham admonished its friends in the choice arena: "For both substantive and strategic reasons, we believe it's time for school choice supporters to embrace accountability, done right." It then laid out a reasonable framework that recognizes both the potent accountability of the private market and the extent to which public dollars can change the equation.

Fordham reasoned that the more a private school begins through its percentage of voucher or tax credit scholarship students to

look like a public school, the more it needs to be regulated like one. That seems fair enough as a working guideline. In Florida, where we have 33,000 tax credit scholarship students who make up on average only 17 percent of the total enrollment in their private schools, the sliding scale approach seems entirely reasonable.

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