

## **Public Education and Independent Schools:**

### *Why There's A Conflict*

*This white paper examines the growing cultural divide between the public and private education sectors. It is a perspective from a veteran public school administrator who has had the opportunity to manage services for students with special needs attending secondary schools in rural Vermont. It is a unique context for a school district to offer a choice of independent secondary schools to families. And, it is also a challenging context for the public school district to meet the federal guidelines that ensure students with special needs are being adequately served in the independent school setting.*

I am an unabashed supporter of public education. I believe public education is the cornerstone of our democracy whereby an educated electorate sustains the freedoms necessary to enforce our constitutional rights. Philosopher, Psychologist and Education Reformer, John Dewey was a staunch advocate for democratic principles and public education. He believed all citizens needed to understand these principles for democracy to be sustainable. For decades, public education has fulfilled this role successfully, however, for the last three decades, public education has been under assault.

In 1983, Ronald Reagan's **Commission on Educational Excellence** published *A Nation At Risk*, a document that became the roll-out campaign to discredit and disempower public education. Through its depiction of a country lacking in reading, math and science discipline, this report created fear in the republic that our children were not going to legitimately compete in the global arena. Achievement scores from NAEP and other assessments were directly compared to other countries that showed a low-ranking for the US. Little attention was placed on a couple facts. Every other country used to compare had a unified and national curriculum. The U.S. had no such structure. In fact within the 50 states, there were school districts using different curricula that had little relationship to the assessments used. The second fact involves the student diversity regarding nationality, ethnicity, socioeconomic status and learning abilities public schools address. Many of our global neighbors use selection and tracking in their

schools. In short, these unfair assessment comparisons paved the way for the conservative movement to complain about public education.

This political sentiment increased throughout the 1980's and was adopted by the arch-conservative movement backed by the religious-right, who had their own agenda for education. Later in the decade, the idea of "faith-based" education became the next iteration of those complaining about public education. They would later become known as the tea-party a decade later. In the 1990's, we began to read about "Charter Schools" or those schools funded by the public, but did not need to follow the onerous regulations. This was always curious to me. If advocates of charter schools thought this was the answer, why didn't we eliminate the onerous regulations for public schools? The fact was, politics, aligned with religion, set about to disempower public schools.

In 2001, this political paradigm was escalated through the adoption of the "No Child Left Behind Act." This national legislation required all students to reach proficiency by 2014. That would mean all students. As a special education administrator, I embraced the egalitarian sentiment of high expectations and proficiency for all students, including those with special needs. But the fact remains, this was an unattainable goal, and despite support from Senator Ted Kennedy, I believe was the first legislative attempt to hold public education in contempt by setting an unattainable goal. Meanwhile, congress has tweaked certain special ed and federal funding formulae to provide some minimal funding to independent and faith-based schools through IDEA and Titles "Riders". Ironically, research that began at this time and continues today has shown charter schools are no more effective in delivering student achievement than public schools.

This leads us to the current political status, one of recent amplified anti-public school discourse. The 45th president of the United States appointed a Secretary of Education with only charter school experience (through funding only) who appeared to have a disdain for public education. Her leadership (or lack thereof) showed little advocacy for public schools and ignorance to the work of "leaving no child behind." I respectfully submit that independent schools have limited capacity to serve all students regardless of socio-economic status, ethnicity, and learning capacity without significant resources. It is those tax-based resources on which public education is held to such high accountability standards.

Since my career background has centered on special education, I will outline the accountability systems public schools face in meeting federal requirements that ensure students with special needs receive a fair and appropriate public education. Do these systems ensure that 100% of students receive a fair and appropriate education? No, it is far from perfect but the evidence is clear since 1974, students with disabilities have benefitted immensely from the dark days of being taught down in the basement of schools.

Given the accountability systems public schools are required to follow, the following sample is a sample of responsibilities and mandates that public schools are required to follow in accounting for the tax dollars expended. From student evaluations to school systems of support, I will briefly define requirements imposed on public schools:

- Evaluation and eligibility for special education: Federal and state laws set firm requirements to ensure there are reliable and valid data not only substantiating a special need but providing direction and a blueprint for a program if eligibility requirements are met. Here are three central questions that are required to be answered:
  - a) Is there a disability?
  - b) If so, does the disability result in an adverse effect on the child's learning?
  - c) Can the adverse effect be managed by those supports a school typically provides to all students?

Commentary: For answering a) there is usually less of an issue answering this, with the exception of learning disabilities, which does rely on curriculum based measures. What curriculum does the independent school follow? Do they have the latitude to choose? For b) the adverse effect question, this may be problematic for an independent school as it requires consistent access to classroom and teacher data which may not be readily attainable. Finally, c) examining the typical supports a school provides. This could also be problematic for independent schools as they may lack the systems for expending resources that respond quickly when students are not

achieving expectations. (What are those expectations?). They often rely on resources within each teacher's capacity to provide student support.

- Admissions- Public schools are required and usually implement a process for including all students for admission. Public schools must accept and in most cases implement the recommendations of the evaluations and the goals of the Individualized Education Program (IEP) For those small percentage of students with intensive academic, social, behavioral or emotional needs, the process is to assess and determine what supports a student needs and the IEP team decides whether the school has the capacity to serve the student educational and FAPE requirements. This process takes coordination and advocacy between and among special educators, classroom teachers, parents, administration and related services personnel.

Commentary: Independent secondary schools that I have worked with in the past have only a small part of the system called the “admissions process.” The process often lacks the IEP coordination, transition and advocacy to reasonably provide modification and accommodations to this population to ensure a successful placement. In my experience, there was little evidence of the ethos that drives fundamental special education concepts such as *inclusion or least restrictive environment, instructional modification or accommodation*.

- Student Progress Monitoring: Similar to #2, it takes a fair amount of coordination among all educators within IEP teams to measure what we call *rate of improvement* (ROI). It is still a challenging endeavor for public schools but progress has been made in using achievement data to measure progress.

Commentary: In general terms, unless they charge extraordinarily high tuition, independent schools often lack this system of coordination and collaboration among school teams. ROI usually consists of narrative progress reports with anecdotal data representing student progress.

- Educational Systems of Support (ESS): This is quite possibly the most notable deficiency is the independent schools' lack of capacity to adequately support students with different learning styles. Since the late 1980's, public schools have been required to provide a system of support that mitigates the effects of reluctant or under-achieving learners. The latest iteration of which is the Multi-Tiered Systems of Support which requires and articulates a timely and tangible response by educators and support staff when students do not meet expectations. Key to this process is student assessment that is embedded in the instruction and the management of data and pedagogies that go beyond the initial or universal instruction.

Commentary: An ESS is a systems approach that attempts to ensure access quality instruction for supporting struggling learners before they fall too far behind in meeting curriculum standards. It relies on diligent teachers who effectively assess and monitor the progress of their students.

In summary, a reader may think this is just a public school advocate with a perspective to resist change. In reality, it is my hope that parents and learners have choices even among independent schools that provide a quality education. However, I cannot accept the use of public funding that is only going to benefit learners with resources and allow an independent school to pick and choose who can attend. I embrace any change that benefits all students but in particular, those who need the playing field leveled. Is there room for compromise and collaboration between public and independent schools? Absolutely. It will take innovation, good collaboration and student-centered systems that will use resources wisely, fairly and comprehensively. I believe the real soldiers in this battle are the parents of those students who have the very real challenge of understanding how all of this relates to their child's education; and their child's future.

Submitted by:

Brian F. Carroll, Ed.D