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“Washington Doesn't Know Best: The Perils of Federal Control of Education”

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In order to appreciate the full dangers of the Obama administration's attempt to centralize education policymaking and decisionmaking in Washington, it is important to understand the historical context of the provision of education in this country.

According to Nancy Beadie of the University of Washington in her essay “Balancing Local Control and State Responsibility for K-12 Education,” in the colonial and early national period the responsibility for educating children belonged with parents and other legal guardians, and it was successful for its time: “As a result of such parental responsibility, common schooling and basic literacy were already widespread through many parts of the colonies by the 1740s and 1750s century, one hundred years before publicly supported state systems of schooling were in place.”ⁱ

These schools were mainly a product of local initiative and demand. Beadie noted that they included, “(a) entrepreneurial or independent pay schools, in which individual master teachers and mistresses taught basic reading, writing and arithmetic and some higher subjects on a fee per subject basis, usually in their homes; and (b) subscription or rate schools, in which parents effectively pooled their resources to hire someone to teach the common subjects to their children and wards in a school, church, or other community setting.”ⁱⁱ

Beadie observed that the two main exceptions to parental responsibility for education in the colonial era lay at the ends of the spectrum of social class, where parental responsibility was insufficient to support educational services regarded as having public value. “For the urban poor, who could not afford the school fees or rate bills necessary to carry out their educational responsibilities as parents, “charity schools” provided basic education for large groups of students at the same time. Generally funded by churches or missionary societies, these schools also sometimes received municipal subsidies and/or state funds.”ⁱⁱⁱ

In contrast, Beadie pointed out that at the other end of the spectrum, for the small proportion of children who sought to enter politics and the professions, grammar schools provided education in Latin and Greek and other subjects of the classical curriculum. Because grammar schools were more expensive to staff than common schools, and because the full cost of such schooling was regarded as too great to be borne entirely by

the parents, grammar schools were often supported by public funds. These included town and municipal taxes, but also some colonial land grants and/or proceeds from excise taxes and licensing fees.^{iv}

When the United States ratified the federal constitution in 1789, it omitted mention of public education, thus leaving that responsibility “to the states or the to the people,” under the 10th Amendment, which says that any power not enumerated in the Constitution and not prohibited by it are the province of the states and the public.

Most of the original thirteen states moved immediately to assume their responsibility for the provision of education. Yet, for much of our history, states delegated executive power and many legislative powers, such as the power to tax property, to local school boards.

So why was there no federal role in education during the founding period? According to Neil Theobald and Jeffrey Bardzell of Indiana University, our non-centralized, federal system of government is based on the Founding Fathers’ unwillingness to trust central government with the supervision of people’s liberties. Local people believed they knew their community and their children best. Further, they noted that, “High levels of local funding for schools kept locals . . . as the primary decisionmakers with regard to their children’s education.”^v

Similarly, the Education Commission of the States (ECS), citing Terry Astuto and David Clark’s writings in the *Encyclopedia of Educational Research*, has observed that education has remained the domain of state and local governments throughout most of the history of the United States for three key reasons: 1) the Founding Fathers did not trust centralized government, 2) a tradition of local control of schools has been established, and 3) until recently, persons elected to executive and legislative offices did not succeed in reversing the passive federal role in education established in the Constitution.^{vi}

However, the federal government’s role in education policymaking has grown in the last 50 years. This development, say Astuto and Clark, has come about as a result of new interpretations of portions of the Constitution, an increase in Supreme Court rulings on education, and circumstances in national history, such as the increased interest in math and science education resulting from competitiveness concerns during the Cold War.^{vii}

Here is a non-exhaustive list, compiled by the ECS, of the most well-known and influential federal education programs enacted in the last few decades:

- The Elementary and Secondary Education Act, (ESEA) was most recently reauthorized in December 2001. First enacted in 1965 as part of President Johnson’s War on Poverty, its initial emphasis on initiatives to assist poor students (known today as Title I) has expanded to include a wide variety of programs such as bilingual education, violence prevention, and safe and drug-free schools. The 2001 reauthorization, which became the No Child Left Behind Act (NCLB), adds mandates regarding assessment and accountability, teacher quality and

reading/literacy. These mandates were to be determined based upon state standards, testing teacher ratings, etc. So, while NCLB included federal mandates, it used state tools to meet them.

- Another piece of significant federal legislation, now known as the Individuals with Disabilities Education Act (IDEA), began as an amendment to ESEA in 1966, and was later separated and enacted in 1975 as the Education for All Handicapped Children Act. It requires all states to enact and implement legislation providing disabled children with a “free appropriate public education” in order to receive federal funds for provision of special education services.
- Title IX (1972) prohibits schools that receive federal funding from discriminating in academics or sports on the basis of gender. This legislation pertains to both K-12 and postsecondary schools.
- The U.S. Department of Education and the office of Secretary of Education were established by the Carter administration in 1978. Much of the initial emphasis of the department was on research.
- The Office of Educational Research and Improvement (OERI), the research and development arm of the department, examines educational programs, sponsors demonstration projects and provides technical assistance to the states in implementation of education initiatives through 10 regional labs.
- The National Center for Education Statistics (NCES), created by Congressional mandate and housed within the OERI, is mandated to compile and disseminate statistics about education in the United States, as well as to conduct and publish research on educational programs internationally.^{viii}

So what has happened since this expansion of federal involvement in education? Spending has gone up, but results have not.

Since 1965, the federal government has invested over \$2 trillion in American education.^{ix} According to Eric Hanushek at the Hoover Institution at Stanford University, who is one of the nation’s leading education economists, per pupil spending at the K-12 level, *after* accounting for inflation, has more than quadrupled since 1960 and more than doubled since 1970. Yet, outcomes have not improved. Since 1970, long-term scores in reading and math have remained largely flat.^x

The U.S. Department of Education budget has grown from \$14 billion to \$107 billion this fiscal year, which does not include the nearly \$120 billion dollars in public debt the agency will issue to supply federal students loans this year.^{xi}

The workforce of educators has increased from more than 22 pupils per teacher in 1970 to less than 16 in 2005 – a 30 percent decrease in the number of students per teacher – with no discernible benefit.^{xii}

Remedial education rates are shockingly high. At the California State University, which is supposed to take the top one-third of California high school graduates, 50 to 60 percent of entering freshmen need remedial instruction in math or English.^{xiii}

Ten years ago, in 2000, the House Education and Workforce Committee reported that there were more than 760 education-related programs spread across 39 federal agencies costing taxpayers \$120 billion per year.^{xiv} That amount has increased substantially since then.

U.S. Senator Tom Coburn, who is a member of the Senate Education Committee, has said: “Parents were promised no child would be left behind by increased federal involvement in education. Yet, there is little evidence the dramatic interference in the classroom by Washington politicians and bureaucrats during recent decades has done anything to improve student scores or enhance their education.”^{xv} Is this true?

The answer is “yes,” and there is no better poster child for Sen. Coburn’s argument than Head Start. Head Start is one of the biggest, most expensive, and longest running federal programs in existence, and is a case study in the ineffectiveness of federal education programming.

The federal government spends approximately \$25 billion annually on 69 preschool and child-care programs. The Head Start program, which serves approximately 900,000 students, is the largest of the federal preschool and child-care programs.^{xvi}

Created as part of the War on Poverty in 1965, Head Start is a preschool community-based program, which provides education, nutrition and health services to disadvantaged children and is intended to assist these children before they enter elementary school. Its goal is to help disadvantaged children catch up to children living in more fortunate circumstances.^{xvii}

From 1965 to 2009, Washington spent \$167.5 billion in 2009 dollars on Head Start. From 2000 to 2009, the average annual appropriation for Head Start was \$7.6 billion.^{xviii} Despite the big goals and the big spending, the federal government never conducted a rigorous evaluation of Head Start’s effectiveness for almost 45 years, until the release of a national evaluation earlier this year.

Overall, the evaluation found that the program largely failed to improve the cognitive, socio-emotional, health, and parenting outcomes of children who participated in Head Start compared to the outcomes of similar children who did not participate. According to the report, “the benefits of access to Head Start at age four are largely absent by 1st grade for the program population as a whole.”^{xix}

A Heritage Foundation report points out that, “While officials within the Department of Health and Human Services have known about the results of the national evaluation since the end of the Bush Administration, Congress still added \$1 billion to the original \$7.5 billion in 2009 funding for Head Start.”^{xx}

Congress is still in the midst of considering Obama's 2011 budget request, so it's hard to tell how the final numbers will play out. Compared to the 2010 fiscal year, Obama asked for an increase of \$989 million in funding for the Head Start program.

If Head Start and other federal education programs have failed to achieve their goals, bureaucratically, the U.S. Department of Education has been the greatest intrusion into what had been local decisionmaking.

When the Education Department was created in 1979, Rep. John Erlenborn (R-Ill.), wrote: "There would be interference in textbook choices, curricula, staffing, salaries, the make-up of student bodies, building designs, and all other irritants that the government has invented to harass the population. These decisions which are now made in the local school or school district will slowly but surely be transferred to Washington."^{xxi} Dissenting from the committee report that recommended establishing the department, Erlenborn and seven other Republicans charged that, "The Department of Education will end up being the Nation's super school board."^{xxii}

Such concerns were not limited to Republicans. A *Washington Post* editorial raised the fear that "by sheer bureaucratic momentum, [a department of education] would inevitably erode local and state control over public schools."^{xxiii}

Rep. Patricia Schroeder (D-Colo.), one of the liberal icons of her day, predicted: "No matter what anyone says, the Department of Education will not just write checks to local school boards. They will meddle in everything. I do not want that."^{xxiv} Schroeder was right. The increased federal involvement in education has not just been limited to writing checks, and President Obama's current crusade to require all states to adopt national academic content standards is a case in point.

The president is pushing states to adopt national academic-content standards, crafted by the National Governors Association and the Council of Chief State School Officers. These standards cover core subjects such as English and math and would replace the various state-adopted standards that now guide state education policies, and which inform educators, students and parents as to what students must learn and know at each grade level. While nominally voluntary, the president policy has been to strong-arm the states to adopt these standards. His biggest weapon is the carrot and stick of federal funding.

First, states had to commit to the national standards to compete for the administration's \$4.3 billion "Race to the Top" education funding program. Race to the Top is the administration's much publicized effort to get states to enact education reforms such as tougher teacher evaluation schemes and more expansive charter school laws. While many of these reforms are commendable individually, the price of unprecedented national control of education is too high.

For a state to be eligible for the second round of Race to the Top funding, it had to commit to adopt these standards by this past August 2nd, 2010. States that adopt these standards must also commit to implement at least 85 percent of the national standards.

Next, Mr. Obama informed the nation's governors that, if he has his way, states would have to adopt national standards to receive federal Title I funds for disadvantaged students.^{xxv} In 2010, the federal government will spend \$17 billion on Title I. and all states receive funding from this program.

Finally, in the president's recently released "blueprint" for education reform, a new national target of getting all students "college and career ready" by 2020 would be based, in one likely favored option, on national college-and-career-readiness standards.

There are two main problems with these national standards. First, there is a great deal of uncertainty whether these national standards will accomplish their goal of raising student achievement.

National standards advocates argue that common standards are necessary for keeping the nation competitive in a global economy. However, a recent joint report by the University of Colorado and Arizona State University points out that research does not support this oft-expressed rationale. The report points out that no studies support a true causal relationship between national standards and economic competitiveness, and at the most superficial level we know that nations with centralized standards generally tend to perform no better, or worse, on international tests than those without.^{xxvi}

Indeed, one just has to look across our border to Canada to see a country with a very different view on national control of education, with much better results than achieved here in the U.S. Not only does Canada have no national education standards, it has no federal Education Ministry or department and no federal Cabinet official for K-12 education.^{xxvii}

Indeed, at the federal level, Canada spends virtually nothing on K-12 education. All funding and policymaking takes place at the provincial and local levels.^{xxviii}

Despite the lack of federal involvement in education, Canadian students outperform U.S. students on most international tests, such as the Program for International Student Assessment (PISA), the Progress in International Reading Literacy (PIRLS) exam, and the Trends in International Math and Science Study (TIMSS) exam.^{xxix}

It should be noted that Canada achieves its higher results despite spending considerably less than the U.S. In 2006, the United States spent 3.9% of its economy (GDP) on K-12 education, or \$10,692 per student. In contrast, Canada spent only 3.4% of its GDP on K-12 education, or \$8,169 per student. In other words, the United States spent a greater share of its economy and about 31% more per student on K-12 education than Canada, but Canada got better results.^{xxx}

In addition to the international comparisons, the new national standards have been found to be weaker than strong standards in strong-standard states. Take California, for example.

California's rigorous academic content standards are one of the few bright spots on the state's otherwise dismal education landscape. Created in the late 1990s, California's math and English standards have received top marks from the Fordham Foundation and other respected grading organizations. Despite these accolades, the state agreed to replace its standards when it went after Race to the Top funding, which it eventually did not receive.

The Pacific Research Institute, and the Boston-based Pioneer Institute co-published a series of white papers earlier in 2010 that compared the new national standards to key elements of both the California and Massachusetts standards. The latest white paper, co-authored by Massachusetts state board of education member Dr. Sandra Stotsky and former U.S. Department of Education senior policy advisor Le'ev Wurman, found that the national standards' "preparation for Algebra I falls a year or two behind the standards in California and high-achieving nations."^{xxxix}

The white paper also found that the national high school standards fall well short of those in California in areas such as literary and cultural content, and weaken the demands on California students in language and literature.^{xxxix}

It is hard to imagine that weaker national standards could have a positive effect on the performance of students in strong-standard states.

Even more important than the issue of the impact of national standards on student achievement, however, is the impact of those standards on the issue of governance.

Up until now, high-stakes accountability systems have been based on state standards, state curricula and state testing. That will all change with the new national standards. The adoption of the new national standards by virtually all states means that national testing and a national curriculum are next in line.

The University of Colorado/Arizona State analysis cited earlier notes that the Obama administration plans to budget \$2.5 billion to align state curricula with the national standards. Another \$400 million is budgeted for developing related standardized tests and measures, resulting in a package of standards, curriculum and assessments based on the national standards.^{xxxix}

The report says that in applying the standards, "the administration would mandate specific 'turn-around' strategies for schools that failed to produce what it considers to be adequate standards-based results."^{xxxix}

The report concludes that, "Taken together, the proposed changes would give the federal government unprecedented influence over the curriculum, pedagogy and governance structure of the nation's schools."^{xxxix}

Given this looming expansion of federal control of education, it is no wonder that the National Conference of State Legislatures recently issued a report that warned, “The effects of federal policy are now grossly disproportionate to its contribution to the K-12 endeavor. If we continue on our current policy path, federal resources, which now account for slightly more than 7 percent of the enterprise, will drag the entire system into the rabbit-hole world where compliance with federal dictums masquerades as reform.”^{xxxvi}

During a House Education and Labor Committee hearing, Pennsylvania congressman Glen Thompson observed that the national standards were “being transformed from a voluntary, state-based initiative to a set of federal academic standards with corresponding federal tests.”^{xxxvii} Advocates of national standards do not see anything wrong with this development.

Some supporters of national standards argue that many of the special interests that dominate education policymaking are nested in state capitals. While that is true, these advocates usually have an idealistic vision of how Washington will make things better.

First, there are as many special interests in Washington as there are in any state capital. The National Education Association, the American Federation of Teachers, and the other alphabet soup organizations are just as strong or even stronger in Washington as in Boise, Austin, Columbus or Tallahassee.

Second, these advocates often believe that those who support strong standards will always be running the national standards-making show. However, given that the national standards do not match up against the standards of strong-standard states, that is not always going to be true.

Finally, and perhaps most important, as challenging as it is for local people to influence and change state standards, curricula and testing, it is virtually impossible for them to do so at a national level. Indeed, the University of Colorado/Arizona State report points out that the new national standards were developed on a fast track with little time and opportunity allotted to input by the general public. Much of the development, according to the report, was done behind closed doors.^{xxxviii}

In most state standards-setting processes, there is extensive public involvement, including public hearings, which typically last several years. In contrast, states were given two months to review and adopt the national standards or formally declare their intent prior to the Race to the Top application deadline.^{xxxix}

How can the average person, concerned parent, or the local school board member impact such a process? The answer: he or she can have no impact whatsoever. This state of affairs is diametrically opposed to what the founding fathers envisioned.

Going back to the argument that state and local control of education policymaking allows special interests like the teacher unions to dominate policy setting, there is truth to that argument.

In California, the highest spending special interest in the State Capitol is the California Teachers Association, which is the state affiliate of the National Education Association. The CTA is like a firewall against real education reform. And it's not just through undue influence in legislatures and executive offices that the unions wield power. Their power is felt most in local collective bargaining contracts.

For example, the Pacific Research Institute book *Not as Good as You Think: Why the Middle Class Needs School Choice* contained an analysis of a sample of teacher union contracts in middle-class areas in California. In one Southern California district, the teacher union contract prevents the principal from making unannounced visits to the classroom, and when he does make arrangements with the teacher to visit the classroom the visit is limited to four minutes.^{xl}

That is why, despite the hazards of federal intrusion into education policymaking, a simple reliance on the slogan of local control is not enough to either improve student achievement or to empower parents and their children.

Unless education consumers, parents and their children, are given the ability to choose the best school, public or private, that best meets their needs, then all the other actions of government will be fruitless.

One of the best and most succinct statements on why parents and their children need school choice comes from a recent Vatican letter issued by the Congregation for Catholic Education. The letter discusses "*freedom of choice of school*" by stating: "Parents who have the primary and inalienable right and duty to educate their children must enjoy true liberty in their choice of schools. Consequently, the public power, which has the obligation to protect and defend the rights of citizens, must see to it, in its concern for distributive justice, that public subsidies are paid out in such a way that parents are truly free to choose according to their conscience the schools they want for their children."^{xli}

Thus, if government is going to pay for education, then that payment must allow parents to choose the schools they want their children to attend. This "money follows the child" model is used in various countries.

In Sweden, that country's universal voucher system attaches funding to every child, which may then be used at the public or private schools of the parents choosing. For the Pacific Research Institute documentary film, which has aired more than 70 times on PBS, Per Unckel, the current governor of Stockholm County and the former education minister of Sweden, told PRI interviewers: "It is not only a school-choice program which opens up choice for kids, it's also a choice program that opens up competition for the benefit of quality."^{xlii}

Swedish and British researchers have found that Sweden's school-choice program has raised the achievement of students across the board.^{xliii}

In Canada, which has no centralized control of education, a number of provinces have widespread school-choice programs. Several Canadian provinces provide direct per-student grants, similar to vouchers, to private independent and religious schools.

In British Columbia, the provincial government funds children attending eligible private independent schools through per-student grants to those schools, with the amount dependent on the operating costs of the receiving school.^{xliv}

In Alberta, private independent and religious schools can receive per-student grants that are a percentage of the per-pupil funding for the public schools. In addition to empowering parents of all income levels, provinces with school-choice programs have seen higher student achievement.^{xlv}

According to a study by the Vancouver-based Fraser Institute, "achievement scores are not only higher generally in the provinces that fund independent schools, but also higher particularly among students from less advantaged backgrounds."^{xlvi} The study also found that in these provinces the competition fostered by the choice programs correlated with improved public schools and higher achievement by public-school students.

The main point is that school choice, by empowering parents and their children, harkens back to original vision of education at America's founding.

The decades-long drive by various administrations to federalize education, which seems to be hitting its peak under President Obama's effort to require national standards, is wrong-headed for a myriad of empirical and governance reasons. It is likely to be a costly failure, with the cost measured not just in terms of dollars, but in the wasted lives of our children.

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xviii *Ibid.*

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xxxv *Ibid.*

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