

Council for American Private Education

CAPE outlook

Voice of America's private schools

Education Secretary DeVos Meets with CAPE Leaders

Meeting for the first time with CAPE's board of directors and representatives of its state affiliates, U.S. Secretary of Education Betsy DeVos reaffirmed her commitment to expanding educational opportunities for children and parents.

"We have to stay focused on what's right for kids," said Mrs. DeVos, sounding a recurring theme in her young administration. "If we can keep asking ourselves the question about what is right for individual children, I think we're going to come to a good and reasonable answer."

Meeting March 20 at the Lyndon Baines Johnson Education Building with more than 50 leaders of the religious and independent school community, Mrs.

DeVos said one of her priorities was to advance parental choice in education in a significant way that would "help parents and children who are trapped all too often in places that don't work for them." But she also said her immediate goals are to successfully steer the implementation of the *Every Student Succeeds Act* and to get her team of senior officials on board. Beyond that, she wants to advance the public policy conversation about higher education and lifelong learning.

\$250 Million for Choice

In response to a question about steps that might be taken to flesh out the \$250 million private school choice earmark included in President Trump's 2018 budget, Secretary DeVos said she expected there would be consultation with Congress and

stakeholders, and she invited the CAPE community to offer advice. She added, however, that she doesn't want the federal government to dictate to states whether or how to create a school choice program.

Passionate Commitment

The Rev. Daniel Heischman, president of CAPE's board and executive director of the National Association of Episcopal Schools, set the stage for the session by recognizing the secretary's "passionate commitment to advancing educational opportunities for young people, particularly young people in need." Calling CAPE the "portal to private education," Heischman emphasized the wide variety of positions and educational philosophies represented by CAPE's member organizations, which, despite their diversity, proclaim with a unified voice that private schools are good for America.

Various members of the CAPE community then proceeded to cover particular topics with Secretary DeVos.

Unique Missions

CAPE Executive Director Joe McTighe conveyed the message that private schools must be free to carry out their unique missions, saying such freedom provides parents with distinctive options and real choice when it comes to educating their children.

Dr. Dan Egeler, president and CEO of the Association of Christian Schools International, reviewed principles relating to parental choice in education that had been approved by CAPE's board to preserve and

promote educational pluralism.

Turning to the implementation of the recently amended *Elementary and Secondary Education Act* (ESEA), Sr. John Mary Fleming, executive director of the Secretariat of Catholic Education at the U.S. Conference of Catholic Bishops, thanked Secretary DeVos for her department's diligence in making sure that state officials explicitly commit to meeting the equitable services provisions under ESEA when submitting their state plans. On the other hand, Fleming expressed CAPE's disappointment about the proposed elimination of Title II-A in President Trump's proposed budget for FY 2018. She then went on to offer suggestions about how the department could help the newly established state ombudsmen carry out their responsibilities in connection with equitable services for private school students under ESEA.

Early Education

On the topic of early childhood, Richard Ungerer, executive director of the American Montessori Society, talked about how research shows that investments in high quality early education lead to better outcomes for students later in life. Ungerer went on to review some principles from CAPE's issue paper on early childhood development, including the caution that regulations in this policy area should not seek program uniformity, but should allow parents to choose from a variety of truly distinctive options.

Special Education

Rabbi David Zwiebel, executive vice president of Agudath Israel of America, contrasted the *Elementary and Secondary Education Act* with the *Individuals with Disabilities Education Act* (IDEA) noting that the latter does not provide equitable services for individual students with special



Education Secretary Betsy DeVos, flanked by Ebony Lee, a special assistant, and The Rev. Daniel R. Heischman, president of CAPE's board, meets with the CAPE community in Washington, D.C. [Photo courtesy of USDE, Joshua Hoover]

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CAPE

CAPE member organizations:

Agudath Israel of America
American Montessori Society
Association Montessori International—USA
Association of Christian Schools International
Association of Christian Teachers and Schools
Association of Waldorf Schools of N.A.
Christian Schools International
Council of Islamic Schools in North America
Council on Educational Standards and Accountability
Evangelical Lutheran Church in America
Friends Council on Education
Jesuit Schools Network
Lutheran Church—Missouri Synod
National Association of Episcopal Schools
National Association of Independent Schools
National Catholic Educational Association
National Christian School Association
Oral Roberts University Educational Fellowship
Seventh-day Adventist Board of Education
United States Conference of Catholic Bishops
Wisconsin Evangelical Lutheran Synod Schools
Affiliated State Organizations

a coalition of national associations serving private schools K-12
Executive Director: Joe McTighe

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needs whose parents enroll them in religious and independent schools. Affirming that children with special needs deserve “every possible break that the system and society can give them,” Rabbi Zwiebel urged the secretary to support parallel participation of private school students under IDEA when the statute is reauthorized.

Addressing the upcoming reauthorization of the *Higher Education Act* (HEA), Dr. Gary Arnold, head of Little Rock Christian Academy in Arkansas, reviewed CAPE’s issue paper on the topic, which, among other things, calls for comparable treatment of teachers in private schools

matter what type of school a student attends, so long as the school is the right fit for that student.”

Mrs. DeVos also made the case for driving decisions about choice programs away from Washington, D.C. “State and local leaders are best equipped to address the unique challenges and opportunities they face, not the federal government,” she said. “Locally driven innovation and customization are far more likely to generate meaningful results than are top-down mandates.”

Agnostic About Form

The secretary professed agnosticism about the



Education Secretary Betsy DeVos surrounded by CAPE’s board and state representatives at Education Department headquarters in Washington, D.C. [Photo courtesy of USDE, Joshua Hoover]

when it comes to college loan forgiveness programs for educators.

In connection with higher education, Secretary DeVos indicated that there are multiple paths to productive adulthood besides a four-year college and that a policy strategy addressing lifelong learning might be appropriate for an era in which individuals change their pursuits and careers with greater frequency. She said the upcoming conversation about the reauthorization of higher education offers an opportunity to look at new ways to meet the needs of young people in light of new realities.

Brookings Institution

Just a week after she met with the CAPE group, Mrs. DeVos gave a major address on school choice at the Brookings Institution, in which she expounded on her commitment to empower parents and focus on children. Increasing educational options for parents and children is “something I view as a fundamental right too long denied to too many kids,” she said.

“Parents know what is best for their kids,” said Mrs. DeVos. “No parent should be denied the opportunity to send his or her son or daughter to a school with confidence that he or she can learn, grow, and be safe.” She added: “I’m opposed to any parents feeling trapped or, worse yet, feeling that they can’t offer their child the education they wish they could. It shouldn’t

form that school choice should take. “I am in favor of increased choice, but I’m not in favor of any one form of choice over another. I’m simply in favor of giving parents more and better options to find an environment that will set their child up for success.”

Elaborating on this point, Mrs. DeVos told the audience at Brookings: “Open enrollment, tax credits, home schools, magnets, charters, virtual schools, education savings accounts, and choices not yet developed all have their place, but no single one of these is always the right delivery method for each child.”

Student Centric

Repeating a theme she struck at the CAPE meeting, Mrs. DeVos again spoke of the need to center on children. “We must shift the paradigm to think of education funding as investments made in individual children, not in institutions or buildings.” She said policymakers should “put aside the politics of the adults and actually focus on what will best serve kids.”

The concern, she said, “shouldn’t be on whether we have a ‘public’ system, ‘private’ system, ‘charter’ system, ‘virtual’ system: It should be about the child, and about what is best for each individual student.”

To drive home the point with particular emphasis, she added: “The education debate needs to be student-centric. Period.”

House Education Chairwoman Foxx Meets with CAPE

Representative Virginia Foxx (R-NC), in her first address to the nation's private school community since being named chairwoman of the House Committee on Education and the Workforce, explored the progress of parental choice in education and the role of the federal government in supporting it.

"We've seen tremendous growth in state educational choice programs, and frankly, I think we need more work at that level because that's where the real hope is for making the revolutionary changes that we need to make in this country," Dr. Foxx said in her remarks March 20 at the annual luncheon of CAPE's board of directors and state representatives in Washington, D.C.

No Roadblocks

Pointing to the parent choice initiatives in her home state of North Carolina, which has a scholarship program for low-income students and one for students with special needs, Dr. Foxx said, "It appears to me, from a distance, that North Carolina is doing it right." But pivoting to the federal role, she said, "What federal policies need to be doing is supporting, and not discouraging, innovative parental choices—that's where Congress comes in. We do not want to put in policies that put road blocks in your way."

Unwinding Federal Involvement

A firm believer in local control and a smaller federal footprint, Dr. Foxx told the group, "The federal government has wrapped itself around many issues—healthcare and education. What we're trying to do is unwind that involvement and that control. That's going to take a while. It's difficult to do."

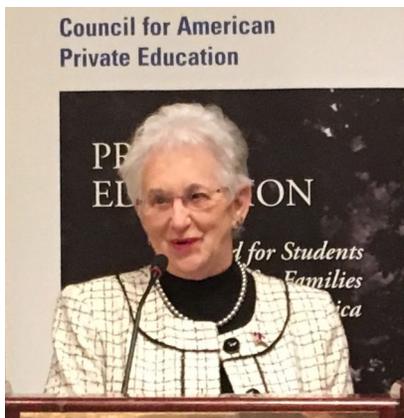
Dr. Foxx requested patience and advice as Congress tackles its ambitious agenda: "We've got an opportunity now—a new Congress, a new administration—to make things different from the way they have been the last eight years. Be patient with us as we work through this. Offer us your constructive criticism."

Winning Hearts

Winning the hearts of the CAPE community with her down-to-earth style, straightforward talk, and passionate commitment, Dr. Foxx expressed appreciation to the group "for what you

all are doing to promote education—an excellent education for all students."

She outlined a host of issues on the docket for both Congress in general and her particular committee. Her Congressional outlook included reference to *A Better Way*, a Republican vision for wholesale reform published last June. "We spelled this out for the American people that these were the things we were going to do," she said. "And we're going to keep coming back to that and saying, 'Folks, this was our agenda. We published it. You've elected us. Now we're moving in that direction.'" One specific prediction she offered related to education was that the reauthorization of the D.C. Opportunity Scholarship Program would pass the House "fairly soon."



Rep. Virginia Foxx (R-NC), chairwoman of the House Committee on Education and the Workforce, speaks to the CAPE community March 20 in Washington, D.C.

Committee Projects

Dr. Foxx said forthcoming projects within the Committee on Education and the Workforce would likely include legislation relating to juvenile justice, career and technical education, and higher education, including simplifying and improving student aid.

She also emphasized the committee's oversight role with the Department of Education. "We take our oversight responsibilities very seriously," she said. "We're just as concerned that a department headed by a Republican does the things it's supposed to do as we are a department headed by a Democrat." Congress wants "legislation implemented as we have passed it."

Education Tax Credits

In a Q & A session that followed her remarks, Dr. Foxx was asked about the prospects of using the tax code to incentivize choice in education. While she believed there was a lot of sentiment among Republicans in the House for doing so, she said it would be "very difficult to get that kind of legislation passed in the Senate."

Only If Absolutely Necessary

At the conclusion of her formal remarks, Dr. Foxx urged private school leaders to work on their policy initiatives and concerns at the state and local level "and only come to us if it's absolutely necessary, because you don't want the federal government in your business if you can avoid it." To punctuate that message, she added: "That's what I tell people all the time."

Change at the Top

One of CAPE's enduring strengths is the quality of its board and the leadership thereof. For nearly 50 years, the CAPE board has been led by individuals with vision, grace, and a determination to discover points of unity within diversity.

The Rev. Daniel R. Heischman, president of the National Association of Episcopal Schools, has served as CAPE's president for the past four years.

Dan's style is a study in board leadership. He listens well; allows all positions to surface; synthesizes ideas; searches for consensus; move things along. He is steady and sure, and his inner peace is palpable.

In his book, *What Schools Teach Us About Religious Life*, Dan wrote that the schools he visited and studied "take the life of the soul seriously," and such focus carries profound consequences. "Souls become gentle when attention is paid to them, and in turn, gentle souls come to recognize and appreciate the souls of their peers."

Dan, indeed, is a gentle soul who takes the life of the soul seriously, and that makes for an outstanding leader who recognizes and appreciates the souls of his peers.

Dan's successor as board president is yet another Dan: Dr. Dan Egeler, president and CEO of the Association of Christian Schools International (ACSI).

The two Dan's share a remarkably similar temperament, depth, and respect for others. Both believe that in unity there is strength, and both regard leadership as service.

"I'm honored and humbled to follow in a long line of distinguished leaders that have served as the president of the CAPE board," said Dr. Egeler. "My desire is to build on the model of collaboration and unity that CAPE has exemplified during its history. We are truly 'stronger together!'"

CAPE notes

★ CAPE welcomes its newest member, the Jesuit Schools Network, which, according to its mission statement, “initiates programs and provides services that enable its member schools to sustain their Ignatian vision and Jesuit mission of educational excellence in the formation of young men and women of competence, conscience, and compassion.” With member schools throughout North America, the network encourages “collaborative partnership within and among JSN member schools”; prepares and supports “current and future leadership in Jesuit education”; and works “with Jesuit leadership on planning and caring for the apostolate of Jesuit education.”

CAPE now has 21 national member organizations, up from 13 in 1996 and eight when it was first established in 1971.

★ The Supreme Court of the United States (SCOTUS) last month ruled unanimously in favor of a family that (a) rejected as inadequate a school district’s individualized education program (IEP) for their autistic child, (b) enrolled the child in a specialized private school, where he made better progress, and then (c) sought reimbursement from the district for the cost of the private school tuition.

The high court vacated, or overruled, a lower court decision that said the school district had met its obligations under the *Individuals with Disabilities Education Act* (IDEA) by providing an education benefit to the child that was merely “more than *de*

minimis.” SCOTUS determined that an IEP must be “appropriately ambitious” in light of the child’s circumstances.

“When all is said and done, a student offered an educational program providing ‘merely more than *de minimis*’ progress from year to year can hardly be said to have been offered an education at all,” wrote Chief Justice John G. Roberts, Jr. “The IDEA demands more. It requires an educational program reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”

SCOTUS remanded the case to the lower court for reconsideration using the “appropriately ambitious” standard.

The court’s ruling in *Endrew F. v. Douglas County School District* is available at: <https://www.supremecourt.gov/opinions/16pdf/15-827_0pm1.pdf>.

★ President Trump visited St. Andrew Catholic School in Orlando, FL, March 3, which he said “represents one of the many parochial schools dedicated to the education of some of our nation’s most disadvantaged children.” In remarks during the visit, the president acknowledged “how much the students benefit from full education, one that enriches both the mind and the soul.”

Calling education “the civil rights issue of our time,” Mr. Trump said that was why he was asking Congress “to support a school choice bill.”

Accompanying the president on the visit were Education Secretary Betsy DeVos,

Florida Senator Marco Rubio, and Florida Governor Rick Scott.

★ The U.S. Department of Education last month issued a template for states to use in applying for funds under the *Elementary and Secondary Education Act* (ESEA). The “consolidated state plan” template was designed to ensure that states meet the “absolutely necessary” requirements of the statute. Fortunately for the private school community, the plan requires state officials to explicitly assure that they will meet the requirements of ESEA regarding the participation of private school children and teachers.

★ On March 16, President Trump issued a blueprint for federal spending in FY 2018. As with all budget proposals from presidents, this one is the starting point of a long journey subject to many changes before it is finally approved by Congress.

Of note to the private school community, the budget calls for the proposed elimination of Title II-A of the Elementary and Secondary Education Act (ESEA), which provides professional development for educators in public and private schools.

The budget also includes a new \$250 million private school choice program, part of a \$1.4 billion investment in choice that includes \$1 billion for Title I portability to follow students to public schools and \$168 million in more funds for charter schools. The \$1.4 billion is supposed to ramp up eventually to \$20 billion.