

## SCHOOL ISSUE

# The Voucher: 18th-Century Idea Revived

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*Times Education Writer*

Ten years ago, when the social ferment of the 1960s was spawning education reforms in rapid fire, an idea that goes back at least to economist Adam Smith in the 18th century suddenly resurfaced.

It was really quite simple: Give families public money to pay tuition at any school of their choice, and this would generate the diversity, creativity and quality that the bureaucracy-ridden public schools could not, or would not, furnish to a clientele hungry for good schooling.

The idea is called school vouchers. But this particular form turned out to be too radical even for the 1960s, and it died aborning. Although they were solidly against the concept, professional education groups didn't really consider vouchers a serious threat then.

Now, however, the voucher idea is alive again, but not just as a theory or a pilot experiment.

A statewide initiative is being proposed to make California the first state to establish an entire system of voucher schools, including public, private nonsectarian and religious.

This time, no one seems to be taking the idea lightly, even though the proposed initiative is not planned to go on the ballot until June, 1980.

California's educational establishment is alarmed as perhaps never before. Top leaders realize that the success of Proposition 13—and the fact it has not produced the disaster that was predicted by opponents—may mean the public is willing to take a chance on another "radical" governmental reform.

The voucher initiative could reconfigure public education in a way that goes far beyond what Proposition 13 did to the tax structure of state and local governments. The initiative would alter the structure of education as it has existed for at least 100 years.

The distinction between public and private schools would be blurred, if not erased. Every school-aged youngster would be eligible for a state-funded voucher that would entitle the student to admission to any voucher school.

Any school, public or private, would become eligible to receive voucher-carrying students if the school were qualified to do so under standards laid down by the state.

The scheme would open the door of publicly financed schools to the 450,000 pupils now attending private schools in California.

Few expect students to switch from private to voucher schools all at once. Initiative backers believe any conversion would be phased in on a gradual basis. And some private schools would probably not want to be subjected to state regulations and would not join the voucher system.

But eventually, vouchers could add up to a significant state expense as more and more public and private-school students opted for voucher schools.

To make certain that vouchers did not cost taxpayers more money, the initiative would place a ceiling on state spending for schools, public and voucher, covering kindergarten

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**SECOND AUTHOR** -John Coons helped write initiative to set up system of voucher schools.

Photo by Marty Wolfe

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through 12th grade.

That means all voucher costs would come from total funds spent on public education, the end result being less money for public schools in order to pay for vouchers and still keep within the spending limit.

Word of the voucher scheme has just begun to filter through the educational community, already touching off the first skirmishes in what is likely to become the biggest and most bitter fight over schools in many years.

State Superintendent of Public Instruction Wilson Riles said he isn't waiting until 1980 to start attacking the initiative. "The idea is crazy . . . I see chaos," he stormed in an interview.

Ralph Flynn, executive secretary of the California Teachers Assn., labeled the initiative "social dynamite" because, he predicted, the public schools would become the dumping ground for the poor.

Riles talks of organizing a state-wide campaign against the proposed initiative, and his top political aide, Marion Joseph, has been holding meetings of Riles' supporters throughout the state to begin drumming up backing for such an anti-voucher drive.

Flynn, whose CTA is a big donor to political campaigns, said his powerful group will be out to defeat the initiative "whatever the cost."

Within the next year, virtually all school groups in California are expected to join such an antivoucher campaign in a rare show of unity.

The authors of the initiative, however, see vouchers as anything but a danger to public education.

John Coons and Stephen Sugarman, two UC Berkeley law professors with impeccable liberal and civil rights credentials, say they want to "save" the public schools through vouchers, not destroy them as Riles, Flynn and others would have it. The public schools are faced with declining public support and an impending middle-class exodus, they argue, because the existing system does not allow families a choice in education.

The initiative, they say, would make it possible to incorporate new and existing private schools as well as

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**ONE SPONSOR**—Stephen Sugarman, voucher proponent.

Photo by Eloise Schmidt

public schools—on a voluntary basis—into a new kind of broader publicly regulated voucher school system.

If that range of choice in schooling were provided to parents, public willingness to support more tax dollars for education would be recaptured, Coons and Sugarman insist.

At the same time, they say, competition would likely spur the public schools to improve the quality of their own product in order to retain students who would otherwise be free to choose voucher schools.

Coons and Sugarman, incidentally, are not new to educational reform. Their research and writings provided much of the theoretical foundation of the California Supreme Court's decision several years ago in the landmark Serrano case. The decision held unconstitutional the state's school financing system because of the inequality in revenue received by school districts due to heavy reliance on local property taxes.

Aware of the powerful opposition the initiative faces, Coons is busy organizing a \$2 million-plus petition-gathering drive to put the initiative on the ballot. (Sugarman is currently on sabbatical leave in England.)

Coons and supporters have already formed a Northern California citizens committee headed by San Francisco Supervisor Carol Silver and are now organizing a Southern California group. Together these committees plan to conduct a grass-roots campaign much like the Proposition 13 initiative effort.

In fact, Coons and Sugarman got their idea for the voucher initiative from Proposition 13 and decided to start their scheme just after Proposition 13's rousing success last June.

They will try in 1979 to have the Legislature place the required state constitutional amendment on the June, 1980, ballot rather than engage in the costly initiative process. But they realize the influence of the California Teachers Assn. and other education groups who will almost assuredly block the legislative effort in Sacramento.

Even more than the opposition of the school professionals, the biggest obstacle that the initiative may face is its own uncertainties—how it will work, how much it will cost and what its impact will be.

While vouchers do represent an attractively simple idea that idea becomes complex when Coons and Sugarman propose controls to prevent abuse and discrimination.

As of now, it is not completely clear how a system of voucher schools would actually operate and whether the questions it raises can be resolved. For example, how would vouchers affect a school system such as in Los Angeles, which is undergoing court-ordered desegregation? Would it make it easier for families to avoid integration by putting their youngsters in voucher schools?

In an interview, Coons conceded it would be possible to start up all-white voucher schools, but open access guaranteed by the initiative, he said, would permit integrated enrollments soon afterwards.

The initiative also provides transportation for voucher students—within limits. But would the limits be such that voucher enrollments become parochial in much the same way that residential segregation produced segregated Los Angeles public schools?

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Further, it is virtually impossible to calculate the costs of running a voucher school system or to determine approximately how much revenue will be lost by the public schools.

As a constitutional amendment, the initiative must contain fairly general language. Answers to many of these questions would have to come from the Legislature, which is charged by the initiative with setting up standards under which the voucher system would operate.

On another question, the courts would have to rule on whether allowing families to use voucher funds for enrollment of their children in religious schools violates the constitutional separation of church and state. A suit on this issue is a virtual certainty.

Coons insisted it would likely be held constitutional because the money is not going directly to churches and their schools but to private citizens.

Other lawyers disagree, but since the issue of voucher money going to religious schools has never been tested in court, no one can be even reasonably sure.

If involvement of religious schools is held unconstitutional, however, the initiative contains a provision providing for the rest of the voucher apparatus to remain intact.

In any case, here is what other provisions of the initiative would do:

—Mandate the Legislature to assure that voucher schools are established in sufficient number to accommodate students wishing to enroll according to a phased-in time schedule.

—Require the Legislature to adopt school standards, including specific guarantees of open access to all children, prohibitions of racial discrimination in admissions and other requirements involving curriculum, health and safety that are not now imposed on private schools in California.

—Require establishment of a "system of information" to help parents to select voucher schools for their children. Families would receive separate grants to buy the services of "education counselors" to assist them in making choices.

—Permit the state to grant higher-value vouchers to youngsters with special needs, such as those of handicapped pupils, and for special purposes, such as to encourage racial integration of schools.

—Allow parents to "purchase" so-called supplementary vouchers for tuition at expensive private schools or high-cost public voucher schools. The cost of the supplementary vouchers would be determined by financial means, with poor parents paying much less than wealthy parents.

—Grant teachers collective bargaining rights in voucher schools, except that the bargaining unit could not be larger than the individual school. The question of tenure and seniority rights of teachers in voucher schools is not addressed by the initiative and would be left up to the Legislature.

—Allow the Legislature to repeal the initiative after June 1, 1999, by a two-thirds vote of both the Assembly and Senate.

—Grant certain powers to the state to oversee administration of the voucher system. Although the initiative is non-explicit, the authors contend the Legislature would be required to set up monitoring and enforcement procedures to assure compliance of voucher schools to state standards.

If implemented, opponents charge, this kind of system would simply serve to widen class divisions within society at a time when reducing social stratification should be the target.

It would, they add, undermine the major institution—the public schools—that helps build the cohesiveness needed among a polyglot, democratic people.

Voucher schools, they continue, would inevitably produce segregation of students by race, by class, by family

## Teachers see the initiative as a threat to collective bargaining.

income, and by curriculum. No matter how controls are designed, Riles said, "there are always escape hatches for those who have the money."

The CTA's Flynn said it would result in a "permanently institutionalized drone class" of the poor, unfortunate or less competitive students being left in the public schools.

Controls aimed at avoiding such an outcome, they say, would create an "administrative nightmare" for those trying to make a voucher system work equitably.

Additionally, critics maintain, the accountability that public schools have with locally elected school boards would be seriously undermined by voucher schools.

Riles also said he fears there would be a high rate of turnover among voucher schools, subjecting youngsters to instability in their schooling and to what he feels is the inevitable "hucksterism" growing out of such a scheme.

Riles, Flynn and others are convinced that if regulated properly, the voucher system would wind up being very costly—to the direct detriment of the public schools.

They argue that the public schools are underfunded now as a result of the cutbacks brought on by Proposition 13, and that further cuts caused by the voucher initiative would produce serious deterioration of the public schools and feed into public support for vouchers as an attractive alternative.

Teachers see the initiative as a threat for other reasons. While it would permit collective bargaining for teachers at voucher schools, the initiative would restrict the bargaining unit to employees of an individual school. This restriction would deny teachers the collective strength they have enjoyed through bargaining units covering employees in entire school districts.

Other factors involve teacher pay. In general, private schools pay teachers much less than do the public schools, and if such schools were included in the same system, it could tend to depress teachers' salaries overall.

Also, a ceiling on state school spending combined with anticipated reductions in funds for public schools to pay for vouchers would mean less money for teachers' salaries in public schools and a possible decline in their standard of living, Flynn said.

Unlike critics who see vouchers threatening so much that is good about the public schools, the voucher advo-

cates are more impressed by the shortcomings of these same schools. They see vouchers as a remedy.

Coons and Sugarman agree the desire for social cohesiveness and national consensus is legitimate, but they don't think the public schools are doing a good job of instilling such qualities.

Values such as loyalty and tolerance would be strengthened, they believe, if the parents, children and teachers were voluntarily linked in a system of educational choice that encouraged diversity.

A voucher system, Coons said, "is likely to produce more consensus in society (since) people who are treated by the society with respect and given support by society for their own choices are likely to feel good about that society."

Coons added that "far from creating divisiveness, which has often been attributed to systems of choice, they would in fact give us a much greater cementing of social relationships."

Neither did Coons and Sugarman believe that segregation of various kinds would result.

Certainly there would likely be specialization of school programs, particularly at the high school level, they said. Schools specializing in art, music or science training could pop up.

But regulations could be designed to avoid segregation resulting from school selection and exclusion, they insisted.

For example, voucher schools could be required to take all students regardless of academic ability. Or schools could be allowed some discretion in selection but a mini-

## Proponents say the voucher system should simplify school administration.

mum percentage of minority students could be mandated, depending on locale. Or the state could give integration bonuses through voucher add-ons as an incentive to form integrated student bodies.

Coons and Sugarman said they personally would prefer allowing voucher schools to select "a small portion" of their students based on "talent, interest and possibly values," but for the most part the schools would be open to anyone.

Not only the middle class would benefit, they said. The poor, too, would be able to select schools of their choice in a way denied to them now. For the first time, low-income parents would have not only financial access but free transportation and available information to help make informed choices.

Coons indicated he is not really worried about vouchers furthering school segregation. He believes segregation is already bad and he is convinced that court-ordered busing will not achieve much desegregation because of public antipathy. The only hope is through voluntary schemes carefully regulated with incentives, he said.

Coons said the California Supreme Court decision ordering in desegregation of the Los Angeles City Schools encouraged such voluntary approaches and said the court ultimately will recognize that such an approach is the only feasible alternative for achieving lasting integration.

Rather than a nightmare to administer, the voucher system should help simplify school administration, Coons and Sugarman believe.

"We want to reduce control," Coons said, and with the reduction of state direction of schools would come less need for bureaucracy.

Basically, parent choice would act as a quality-control mechanism over voucher schools in many instances. "I assume the remedy (to a problem) will be people will cease to go to a school," Coons said, and would simply transfer to another voucher school.

Processing of vouchers and enrollments by the state, Coons said, "can be handled in a very mechanistic, computerized way." Monitoring and enforcement can be carried out by county superintendents or possibly new regional agencies.

Money for these administrative functions could come in part from savings realized through reduced public-school enrollments, as some students move to voucher schools, they contend.

The state and its local arms (county or regional agencies) would hold voucher schools accountable to standards set up by the Legislature, they said.

As far as shoddy education being foisted upon families, Coons and Sugarman said they are willing to trust the judgments of

parents as the best protection against poor quality. Now, they added, families are a "captive audience" when they receive inferior education in the public schools.

Coons does not think vouchers would draw a great deal of money from the public schools in the near future. For one thing, the 450,000 students in private schools represent only 10% of the 4.1 million public school enrollment in California. His guess is private and public school students would transfer to voucher schools only gradually because of widespread preference for neighborhood schools.

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The cost of running what would be a relatively small system would, therefore, likely be modest, he said.

But it could—and should—serve to put pressure on the public schools to economize by cutting unnecessary non-classroom costs, such as those of administration, Coons said.

Moreover, total state funds will continue to grow because under the initiative the Legislature would still be permitted to give schools more funds to keep pace with inflation.

Savings through economies encouraged by vouchers, Coons said, could go for higher salaries for good teachers, who would also be more in demand in a competitive educational system.

But Coons and Sugarman conceded that bargaining rights, negotiating power and union clout could be eroded under the voucher system.

They seem to feel, however, that given the influence the teachers have gained over school policy, they will be able to take care of themselves adequately and that no serious loss of power will result.

In any case, the voucher advocates are confident that the public is ready to embrace the idea in contrast to the 1960s when it failed to gain a following.

At that time, there seemed to be enough public faith left in public government—and in local school districts in particular—to warrant the unleashing of a revolutionary scheme with unknown consequences.

As Denis Doyle, a federal official who has worked with voucher proposals in both Sacramento and Washington, D.C., has said, "The story of vouchers is the history of an idea in search of a constituency."

Within the next 18 months, however, vouchers could finally find one in California.

Michigan voters in November turned down a voucher initiative that had virtually no controls. Connecticut has a state law authorizing a voucher system but it has never been implemented.

At the local level, there has been only one experiment with vouchers in the United States, and that was between

1972 and 1977 in the Alum Rock School District outside San Jose. That experiment was limited only to public schools in the district. No private schools were involved. In spite of offers of millions in federal funds, to other districts, only Alum Rock was willing to take a gamble on the idea.

But now the public's faith in government seems to have diminished significantly if Proposition 13 is any indication, and that is what worries voucher opponents.

Coons, for one, is admittedly counting heavily on that

public frame of mind to push the voucher initiative through. And just to make sure the initiative capitalizes on the "tax revolt" fever associated with Proposition 13, the cap on spending was inserted.

The message to voters will go like this: Here's your chance to shake up the complacent school bureaucrats with a healthy dose of private competition while at the

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same time clamping a lid on by far the biggest drain in the state Treasury--schools.

That sounds very much like the rhetoric that carried the day for Proposition 13.

So does the anti-voucher rhetoric sound like the campaign against Proposition 13. The public was warned that chaos and disaster would result and that hasn't happened, at least yet.

Thus the dire warnings may be even less persuasive next time than they were during the Proposition 13 campaign.

While the voucher concept clearly represents a major departure from historic public policy on education, the best guess may be that it won't have as much impact as either opponents or supporters claim.

Christopher Jencks of Harvard University, who designed the first controlled voucher scheme in 1970, said he thinks the "risks and benefits of vouchers are almost surely exaggerated."

Polls show parents are conservative in their educational preferences. Many would like to be able to move their children to another nearby public school if their youngsters don't get along at the neighborhood school. But that's about as far as their desires for reform go.

In the final analysis, no one can forecast the impact of vouchers with much confidence, and therein lies the risk.

Opponents will surely try to exploit the potential danger seemingly inherent in that risk.

For example, what happens if voucher schools spring up that emphasize black nationalism, white supremacy, Marxism, Maoism or other ideologies repugnant to the majority?

Another risk, the one that worries Harvard's Jencks the most, is the possibility that "you may set in motion a political process (vouchers) that no one can turn off."

In other words, if vouchers do become an avenue for escaping school desegregation or for obtaining an elitist education at public expense, the middle class may goad the Legislature into maintaining such a system in spite of outcries that it is socially destructive.

In response, Coons indicated that given the problems facing the public schools, vouchers are worth the risk and represent a better alternative than letting the public schools "go down the drain."

In spite of what their organization leaders say, some rank-and-file school people may find that a realistic and persuasive argument.

One educator who is ambivalent about vouchers is James Guthrie, a UC Berkeley professor of education and member of the Berkeley School Board. He believes that what happens in Sacramento during the next six to nine months may be crucial to the success or failure of the initiative.

Like many others, Guthrie believes California school boards have been placed in a straitjacket over the last 10 years largely by legislative "action."

Most of that power has shifted to Sacramento, he said, and what now looms in the Legislature are further serious cuts stemming from Proposition 13.

If those cuts materialize, many school districts, like Berkeley, will be forced to begin increasing class size, the surest way to erode instructional quality and hasten the departure of middle class families to private schools.

If that happens Guthrie said he has told Coons, "Please leave room for me in the front lines of (your) organization because I'll want to get in there and fight."