

## CONTINUED...

## Choice

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aration of church and state; we have too many types of religions," Woods said.

## Political hot potato

The Milwaukee school choice program, begun in 1990 for private nonreligious schools, was expanded in 1995 to include religious institutions. The move allowed for 15 percent of the public-school population in Milwaukee to attend, at no charge, the private school of their choice through state-funded vouchers.

The program was successfully challenged in the state court of appeals. But Wisconsin Supreme Court overturned the decision last June, ruling that the program constitutionally met the three-part "Lemon Test" set in 1971 by the U.S. Supreme Court in *Lemon vs. Kurtzman*. The state court maintained that the program:

- Serves a valid public purpose because it extends educational opportunities.
- Does not promote religion because the aid goes directly to the parents and only indirectly to schools.
- Does not create excessive entanglement between government and religion.

Public endorsement of school choice does appear to be growing in the United

States. According to a 1997 Gallup Poll, 48 percent of those interviewed favored "allowing students and parents to choose a private school to attend at government expense." This marks a sharp rise from 1993, when 24 percent supported such an arrangement.

The 1997 poll also showed that 49 percent of those interviewed were in favor of "allowing state governments to pay all or part of the tuition at any public, private or church-related school chosen by parents."

Though the concept of school choice is gaining momentum, it faces powerful opposition from teachers' unions as well as politicians citing separation of church and state. Such organizations as the American Civil Liberties Union, the American Federation of Teachers and the National Education Association staunchly oppose school choice.

A statement released Aug. 26, 1997,



St. John the Evangelist School teacher Barbara Scahill with her first-grade class.

from the American Federation of Teachers read:

"Elected officials take note: the public wants public schools fixed, not abandoned. Advocating vouchers and other experiments — instead of focusing on what works — amounts to swimming

against the tide."

In June 1998, the People for the American Way Foundation reacted harshly to Wisconsin Supreme Court approval of the Milwaukee Parental Choice Program:

"This disastrous decision opens the way for millions of everyone's taxes to be misused to promote someone else's religion," said Carole Shields, president of PFAWF, a 300,000-member organization.

But DeFiore of the NCEA felt that Milwaukee represented a victory for parents who simply don't wish to send their children to inner-city public schools.

"It ... shifts the burden of proof on the constitutionality issue to those who would

deny low-income parents the right to choose church-related schools for their children," DeFiore stated in *Columbia*. "Tax dollars support education because it is a public good. But we must differentiate between that and government monopoly."

More recently, PFAWF — along with the Milwaukee branch of the NAACP — charged that many of the voucher schools in Milwaukee are violating state law.

Their legal complaint, filed Feb. 2 with the Wisconsin Superintendent of Public Instruction, contended that archdiocesan schools are favoring Catholic children for admission, thereby violating the random selection process stipulated by state law.

"This new evidence that voucher schools are not obeying the law reinforces our strong belief that vouchers are the wrong choice for Milwaukee and throughout the United States," Shields remarked.

Maureen Gallagher, archdiocesan director of Catholic education, acknowledged that two archdiocesan schools have not fully applied the law. However, she said, this was due to unfamiliarity with the new law and was unintentional. The problem is being corrected, she added.

"I have been told there are organized groups who are trying to undermine the choice program ... we are all trying to follow the letter of the law, but there seems to be a concerted effort to prove that we are maliciously not applying the law," Gallagher remarked.

Mary Nicholson of Webster asserted that any tactics to discredit school choice can be traced back to one issue.

"I think it's an excuse not to give Catholic schools money. They'll use different arguments, but pretty much it's money," commented Nicholson, a former member of the defunct Rochester-area Federation of Catholic School Parents.

Nicholson's group was active in the early 1990s, but she said the federation disbanded due to lack of political backing.

"It was a very hot topic and a lot of legislators were scared of it," said the parishioner at Holy Trinity Church in Webster.

Cardinal Anthony Bevilacqua of Philadelphia remarked that a double standard seems to exist when political and public opposition to school choice arises.

"Why is it that religious institutions of all faiths are valid partners, valid vendors or valid providers of social services and medical services, yet we are viewed — by some — as suspect in the area of education?" Cardinal Bevilacqua said in November 1998 during an address on school choice in Philadelphia.

## Changing times

Why would school choice now be a relevant issue for families, when they have willingly paid both tuition and public-school taxes in the past?

For starters, Nicholson said, Catholic school tuition has shot up at far greater increments than the rate of inflation.

"People down the street from me say, 'Oh, when my kids were in Catholic school, it cost \$200, \$400,'" Nicholson remarked.

She noted that five of her six children will attend Catholic schools next year, at a total cost of \$13,000. Her Webster public school tax, she estimated, will be \$3,500.

Principal Fortunato pointed out that tuition has gone up sharply because parish school subsidies — not to mention the availability of women religious who have taught for little pay — have decreased.

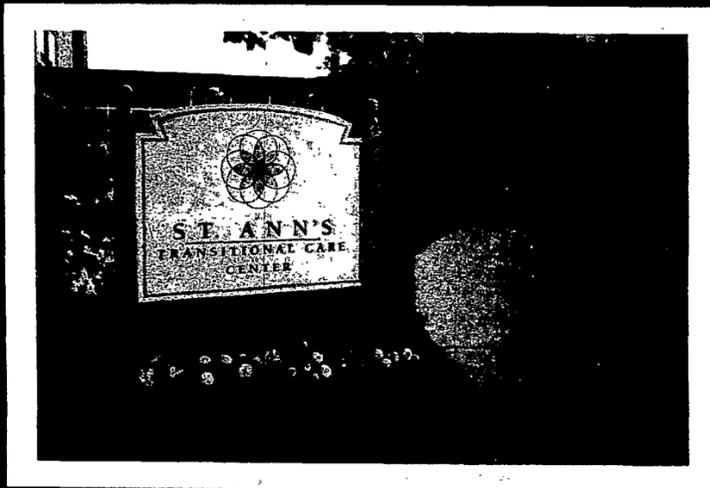
As is the case in other parts of the country, Dwyer said that diocesan schools located in cities will be most hurt by the lack of a school voucher program.

But if school choice does become more of the norm, he said, public school systems would be better to raise their standards than decry the perceived competition.

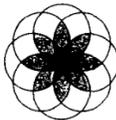
"Maybe the best thing that ever happened to the U.S. Postal Service is they got Federal Express and UPS. The competition forced them to get their act together," he commented. "In much the same way, the public schools have a virtual monopoly on the tax dollar. (With school choice), they'd be motivated to improve their program."

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