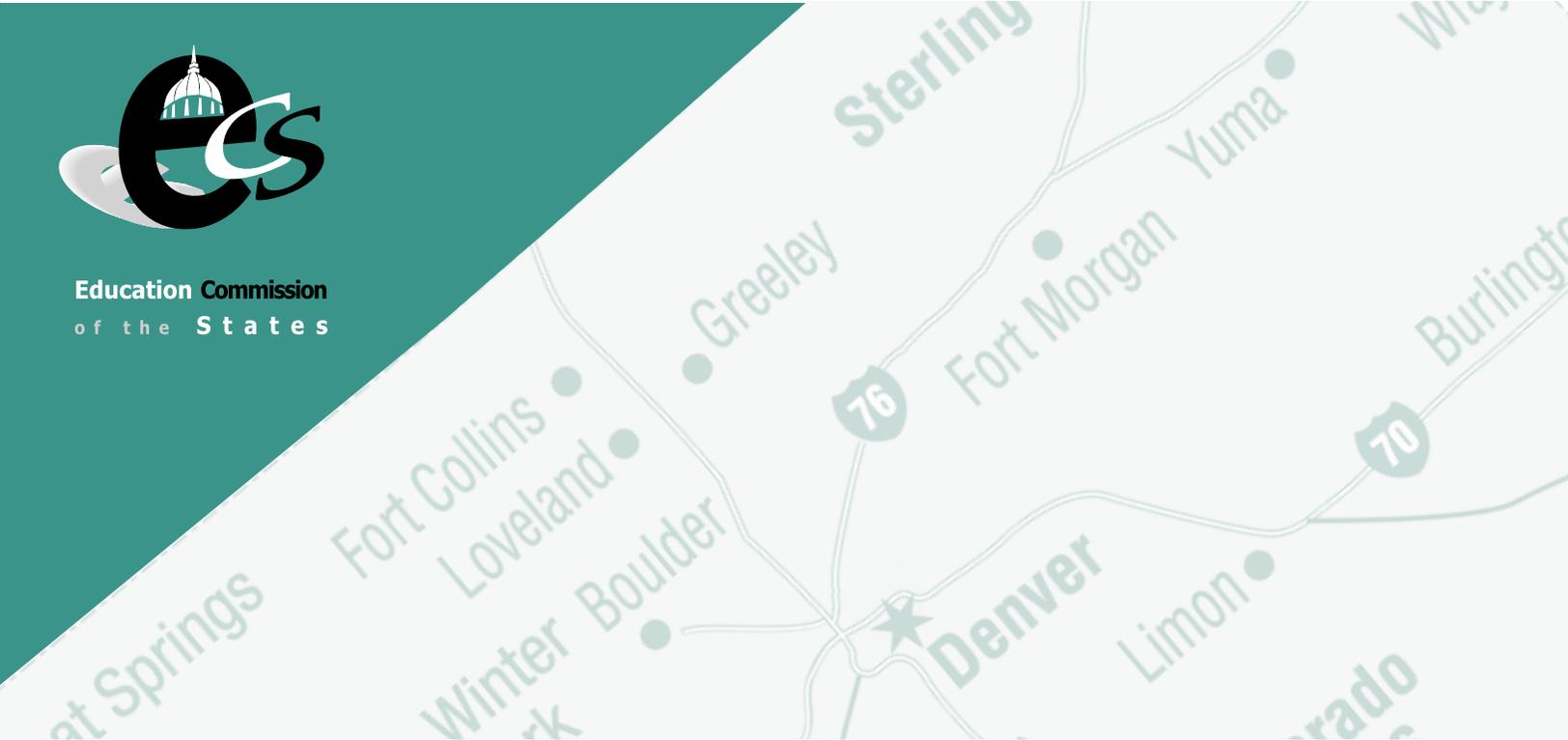




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## Early Lessons from Colorado's Voucher Experience



EDUCATION COMMISSION OF THE STATES — *Helping State Leaders Shape Education Policy*





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# EXECUTIVE SUMMARY

In April 2003, Colorado passed H.B. 1160, thus becoming the first state to enact a school voucher law in the wake of the landmark ruling in favor of school vouchers by the U.S. Supreme Court in June 2002. As expected, the Colorado law was immediately challenged in court. In December 2003, a state court declared the voucher program unconstitutional and, shortly thereafter, halted its implementation. While appeals have been filed, the legal status of the law remains unresolved as of this writing. Nonetheless, there are certain aspects about the creation, implementation and evaluation of this fledgling effort worth sharing with policymakers in other states that consider voucher laws.

H.B. 1160 creates the Colorado Opportunity Contract Pilot Program. This program focuses on students from disadvantaged backgrounds who are enrolled in a low-performing school (in one of the state's 11 lowest-performing school districts) and who are themselves performing poorly on state tests. To participate in the program, an eligible student must first apply to his or her school district. After being accepted, he or she must then apply to a non-public school that has chosen to participate in the program.

Once a student is chosen to participate in the program and is accepted by a nonpublic school, the student's parents must enter into a contract with the school district covering the terms and procedures of payment made by the district to the parents. Students also must take the statewide assessments each year, at the nonpublic school's expense. H.B. 1160 places a participation cap on the voucher program, with no more than 6% of a school district's student enrollment for the previous school year allowed to participate at the height of the program. H.B. 1160 includes a sunset provision that repeals the law in 2008, unless the legislature decides to renew it.

State policymakers hope the program will improve the achievement of at-risk students who attend nonpublic schools, increase the satisfaction of at-risk students and their parents, stimulate public schools to improve the performance of remaining students, and increase support for public funding of schools. State policymakers also have several fears about the program, including that it will lead to a decrease in the achievement of at-risk students who attend nonpublic schools, fail to provide opportunities to targeted students, and have a negative impact on public schools as well as on society and democracy. Some of these attitudes are shared broadly, while others are not.

According to several state and local leaders in Colorado, H.B. 1160's delegation of authority for implementing and evaluating the voucher program is relatively weak. In some of the most interesting developments since the passage of the voucher law, such weaknesses have motivated state, local and private leaders to start three notable implementation and evaluation efforts. In one effort, the state board of education formed the Colorado Opportunity Contract Pilot Program Advisory Committee. This 16-member body is a diverse group of public, private and religious school representatives, some of whom support and some of whom oppose vouchers. Advisory committee members worked together to identify and solve practical implementation problems.

In another effort, the Colorado Association of School Boards (CASB), instead of joining the legal challenge to the law, worked to help the 11 participating school districts address common problems involved in implementing it. CASB also worked in partnership with the above-mentioned advisory committee to develop various documents, including the applications that nonpublic schools are required to submit to school districts in order to participate in the program.

Although H.B. 1160 contains some reporting requirements, many state, local and private leaders felt they were insufficient. In a particularly notable move, a coalition of voucher proponents and opponents – the Bighorn Institute for Public Policy, CASB and the



*Colorado's voucher law was created as a pilot program, and this report takes that into account.*

Colorado Alliance for Reform in Education (CARE) – formed a partnership to create an evaluation design that will provide transparent data about the voucher program.

As one of this partnership's first activities, it invited a panel of the nation's top voucher evaluators to provide advice on how to evaluate the newly enacted voucher program to a group of state, local and private leaders in Colorado. As a result of this meeting, and acting on a suggestion by the researchers, the Bighorn Institute, CASB and CARE, along with Colorado Commissioner of Education William Moloney, agreed to move forward together in creating the evaluation design.

Whatever evaluations are produced through this and other efforts, they are sure to play some role in future debates over the state's voucher program – assuming, of course, that it is eventually ruled constitutional. In the interviews conducted for this report, policymakers listed indicators that reflect all of the hopes and fears discussed above as data that will help inform future decisions. Several expressed skepticism, however, as to the ability or willingness of some policymakers – whether they support vouchers or oppose them – to change their position, regardless of the data such evaluations yield.

The policymakers interviewed also emphasized the importance of test scores, including baseline information on student performance before they enter nonpublic schools. Determining whether to expand or even continue the voucher program, they said, should depend largely on evidence of improved test scores for participants, or neutral test scores combined with increased parent and student satisfaction.

Surprisingly, several pro-voucher policymakers expressed opposition to expanding the program down the road, even with hard evidence of its success. Other voucher supporters can imagine supporting only a limited expansion, such as raising minimum income thresholds for participants or increasing the caps on the percentage of a district's students that can participate in the voucher program while using the same eligibility standards. Still others described circumstances that might lead them to favor ending or scaling the program. These included major mismanagement and fraud, a degeneration of local politics in which choice was “fracturing communities” or a general lack of interest on the part of parents and students.

Colorado's voucher law was created as a pilot program, and this report takes that into account. To understand how the program will ultimately be judged to have succeeded or have failed, questions explored are about what the program should achieve, how that achievement should be measured and what mechanisms are in place to provide necessary information.

This report begins by describing Colorado's voucher program, and then takes a look at what state leaders on either side of the issue hope it will accomplish – or fear it will lead to. The report also examines the implementation and evaluation processes that are being put into place for the Colorado program, and concludes with a look at how evaluations might converge with voucher debates in the future.

**Strengthening the role of evaluations in future voucher programs will require crafting policies that call for:**

- *Ensuring researchers have access to schools and students*
- *Involving a variety of researchers reflecting different ideological and methodological viewpoints*
- *Establishing an advisory board to provide continuity and long-term support for this research agenda.*

Doing so will improve the likelihood that policymakers ask important questions and that researchers provide credible answers, as well as generate a pool of information that all parties agree constitutes “what we know” about a given voucher program.

# THE COLORADO VOUCHER PROGRAM

In April 2003, Colorado passed H.B. 1160, thus becoming the first state to enact a school voucher law in the wake of the landmark ruling in favor of school vouchers by the U.S. Supreme Court in June 2002. As expected, the law was immediately challenged in court. In December 2003, a state court declared the voucher program unconstitutional and, shortly thereafter, halted its implementation. While appeals have been filed, the legal status of the law remains unresolved as of this writing. Nonetheless, there are certain aspects about the creation, implementation and evaluation of this fledgling effort worth sharing with policy-makers in other states that consider voucher laws.

H.B. 1160 creates the Colorado Opportunity Contract Pilot Program, which builds upon several school reform initiatives in the state over the past decade, including standards, assessments, accountability, open enrollment and charter schools. As one voucher supporter put it, the voucher law is one piece in the larger puzzle of school reform in Colorado, rather than a separate effort.

H.B. 1160 applies to 11 school districts that had at least eight schools categorized by the state's accountability system as "low" or "unsatisfactory" in the 2001-02 school year. It also allows a district to participate voluntarily in the program if its school board adopts a resolution stating its desire to do so.

To receive a voucher in these 11 school districts, a student must be eligible to receive a free or reduced-cost lunch. There are also other requirements, depending on a student's grade level:

- **Students entering or enrolled in kindergarten** must lack overall learning readiness attributable to at least three significant family risk factors or their neighborhood school must be categorized as "low" or "unsatisfactory" in the state's accountability system.
- **Students entering or enrolled in grades 1-3** must have been continuously enrolled in and attended a public school during the previous school year and must lack overall learning readiness attributable to at least three significant risk factors. Their neighborhood school also must be categorized as "low" or "unsatisfactory" in the state's accountability system.
- **Students entering or enrolled in grades 4-12** must have been continuously enrolled in and attended a public school during the previous school year. They also must have performed at the "unsatisfactory" level in at least one academic area on the most recent statewide assessment, or in reading, writing or mathematics on the most recent college entrance exams.

To participate in the program, an eligible student must first apply to his or her school district. Nonpublic schools that choose to participate in the program also must apply to a school district. After a student is accepted into the program, he or she must then apply to a participating nonpublic school.

Once a student is chosen to participate in the program and is accepted by a nonpublic school, the student's parents must enter into a contract with the school district covering the terms and procedures of payment made by the school district to the parents. Students also must take the statewide assessments each year, at the nonpublic school's expense.

**School districts must pay parents the lesser of either the nonpublic school's per-pupil cost or:**

- 37.5% of the school district's per-pupil operating revenues (PPOR) if the eligible child is enrolled in kindergarten
- 75% of the school district's PPOR if the eligible child is enrolled in grades 1-8
- 85% of the school district's PPOR if the eligible child is enrolled in grades 9-12.



*Colorado's  
program...  
focuses on  
students from  
low-income  
families  
enrolled in  
low-performing  
schools.*

H.B. 1160 places a participation cap on the voucher program. For the 2004-05 school year, no more than 1% of a school district's student enrollment for the previous school year may participate. The cap increases to 2% in 2005-06, 4% in 2006-07 and 6% for each school year thereafter.

H.B. 1160 includes a sunset provision that repeals the law in 2008 – unless the legislature chooses to renew it. It requires the state auditor to produce a performance and financial audit of the program by January 1, 2008. It also requires participating school districts to provide a report to state policymakers by January 1, 2008. Finally, H.B. 1160 requires school districts to report the voucher program's financial impact on them.

With the passage of H.B. 1160, there are now six states that have enacted publicly funded voucher programs across the country – Colorado, Florida, Maine, Ohio, Vermont and Wisconsin. In addition, the U.S. Congress recently enacted a publicly funded voucher program for the District of Columbia. In reviewing the similarities and differences between Colorado's program and the previously existing programs, several things stand out.

First, Colorado's program targets students differently from the other voucher programs. Florida targets students in low-performing schools across the state as identified by the state's accountability system. Ohio and Wisconsin target students from low-income families in one struggling school district (Cleveland and Milwaukee, respectively). And Maine and Vermont target students in communities without a public school, across the state. Like Florida's voucher program, Colorado's is part of the state's accountability system. Colorado's program, however, focuses on students from low-income families enrolled in low-performing schools – in one of the state's 11 lowest-performing districts – or who are themselves performing poorly on state tests.

Second, H.B. 1160 is the first voucher law to be enacted since the federal government passed the No Child Left Behind (NCLB) Act in 2002. While NCLB requires school districts to provide students in low-performing schools with the opportunity to attend a higher-performing public school, it is apparent in Colorado – and elsewhere – that the potential population of students eligible for these opportunities in low-performing schools far exceeds the supply of seats in high-performing public schools. Although NCLB is silent on nonpublic-school choice, H.B. 1160 is the first attempt in light of NCLB to expand the supply of opportunities for these students to include seats in nonpublic schools.

Third, a key component of accountability in any voucher program is expressed by parents "voting with their feet." Beyond this, though, there is scant accountability for student performance in most of the previously existing voucher programs. Perhaps in recognition of the increasing demands for accountability for student results in NCLB, Colorado's voucher program, like Florida's and Vermont's, requires students to take the statewide assessments each year. In Colorado, though, these assessments will be taken at the nonpublic school's expense.

Fourth, while many states claim to be "local control states," there is state constitutional language in Colorado, as there is in Florida, that provides a legal basis for such a statement. According to Colorado's constitution, local school boards "shall have control of instruction in the public schools of their respective districts." This provision has been cited in several court cases over the years as a legal foundation for preserving the power of local school boards in several areas (including the recent state court decision that halted the voucher program).

Given the legal context in Colorado, H.B. 1160 requires the direct involvement of school districts in ways that do not exist in voucher programs in other states. The law grants a considerable role to school districts in the student and nonpublic-school application processes. In addition, once a student is admitted into a nonpublic school, the law requires his or her parents to enter into a contract with the school district that covers the terms and procedures of payment made by the school district to the parents.

# HOPES AND FEARS

To understand how a pilot program and its evaluations should be designed to inform subsequent debates about the program, this section discusses the most significant hopes and fears that policymakers have for voucher programs, which encompass both direct and indirect effects of either a positive or harmful nature. This section also looks at the ways in which program evaluations may seek to measure the extent to which these hopes and fears are realized.

## HOPES

### Improve Student Achievement for At-risk Students Who Attend Nonpublic Schools

The primary hope for the voucher program is that it will improve student achievement for at-risk students who attend nonpublic schools as part of the program. A related hope is it will decrease the achievement gap between higher- and lower-performing students.

Based on the interviews with policymakers, it is apparent they hold a variety of definitions of the at-risk students that the program should target. While some see vouchers directly helping low-income children, others hope to target Colorado's minority population. Most policymakers, though, describe the target population as children who are currently doing poorly in school. This last point is often couched in terms of students who are enrolled in schools where the performance is low, regardless of the individual voucher recipient's previous performance. In the aggregate, these student characteristics often overlap, which means that student performance is strongly correlated with family income, race and ethnicity, and the concentration of low-income, minority and low-performing students in a particular school.

The desired measures of student achievement for the voucher program are as multi-layered as its target population. In the current climate of expanding testing and accountability, almost all policymakers interviewed believe performance on state assessments must be the primary measure of student achievement for voucher recipients. But a number of alternatives also are supported, including multiple measures of student achievement (e.g., grades or private schools' standardized tests that are different than the state tests), measures of life outcomes for older students (e.g., college attendance and college graduation) and measures of student engagement (e.g., attendance or participation in school activities). These measures include raw gains by the targeted population as well as decreases in the performance gaps between targeted populations and other groups.

Based upon the interviews, it seems that opponents look for a greater number of measures of a voucher program's success, which leads some voucher supporters to question whether they are looking not just for information on how a program is implemented, but also hunting for ammunition for later political fights. Regardless of the intention, as one person opposed to vouchers explained, policymakers need "more than test scores, like how did the kids get there... how were they transported, if they were eligible for free and reduced-price lunch, did they eat lunch, and how did they eat it, and who paid for it, and who bought books, and paid other fees – a whole bunch more than simply state tests."

### Increase the Satisfaction of At-risk Students and Families

Some voucher advocates argue the only necessary measure of the voucher program's direct impact is the satisfaction of the parents of children receiving vouchers. Other observers



believe that measures of student and family satisfaction are a necessary addition to student performance measures. Still others contend the best measure of a voucher program's success will be the continued demand of families for vouchers. Thus initial rates of participation, the rates of continued participation by families once they enter the program and the number of families that seek vouchers over and above the limits established by law are all posited as measures of program success.

Regardless of whether measures of satisfaction are sufficient, one voucher supporter believes parental satisfaction is the best indicator of success: "The most important evaluator is the parent of the student. There can be positive outcomes for families and kids whether or not there is an increase in test scores." These hopes for higher degrees of satisfaction tie into a philosophical belief that choice is a good worth pursuing for its own sake. Within this framework, the results of those choices for student performance are secondary to the benefit that comes from providing families with choice.

### Stimulate Public Schools To Improve Performance of Remaining Students

The primary indirect hope for the voucher program is it will create competition between public and nonpublic schools, and thus stimulate public schools to enact reforms to improve the performance of the students that do not receive vouchers, or at least provide services and an environment that attracts parents back to public schools. In addition, some hope this increased "responsiveness" by public schools will discourage families from seeking vouchers in the first place. As one voucher supporter put it: "The more students they lose, the more money they lose. So they'll be motivated to increase (performance)."

To aid these school improvement efforts, a few voucher supporters hope the voucher program will increase the amount of money available per child in public schools. For example, if a district's PPOR is \$4,000, according to this line of reasoning, the value of the voucher for a 4th grader – \$3,000 (i.e., 75% of the district's PPOR of \$4,000) – is less than the costs of teaching the average child in most public schools. Thus if the students receiving vouchers are average students, their departure will leave the traditional public schools better off financially than if they had stayed – in this example, by \$1,000 per student. A basic premise of this argument is if districts do not release or fire teachers as voucher recipients leave, the exit of voucher students will produce smaller class sizes for the remaining students.

Discerning the direct and/or indirect impact of vouchers will be an extremely difficult enterprise. First, researchers will have to determine whether the voucher program pressures districts to improve. If districts actually "gain" money when they lose students through vouchers, and thus have no incentive to improve, the districts' responsiveness will be undercut. Researchers will have to examine the extent to which districts and schools gain or lose money, as well as perceptions to any gain or loss on the part of leaders, administrators and teachers.

If there is a sense among districts that vouchers provide an impetus for improvement, questions will emerge about whether the districts and their schools have the resources or capacity to improve after losing students to the voucher program. There also will be debate about how or whether aspects of public school administration or governance interfere with schools' ability to make the changes they believe will facilitate their self-improvement. Finally, with the broad range of education reforms already underway (beyond vouchers), if public schools do improve, researchers and policymakers will still have a difficult time determining which reforms are responsible for the public schools' improved performance.

*"The more students they lose, the more money they lose. So they'll be motivated to increase (performance)."*

One interviewee expressed the concern that basic data on the presence of pressures on districts to improve is not enough. The important question is whether districts respond to these pressures by performing better or worse. “[I need] to know the hard data,” he said. “Whether kids are learning, and not just learning, but they’re doing better than they would have in public schools and that the provision of services for children in the traditional public schools has not been negatively impacted.”

## Increase Public Support for Public Funding of Schools

A final set of hopes for the voucher program involves the assertion that it will increase public support for public funding of schools. While this may appear paradoxical for those accustomed to arguments that vouchers will undermine public institutions, several observers, including those outside the voucher advocacy community, hope the provision of public funding for families to attend private schools will increase the population that has an interest in the public funding available to all schools – both public and nonpublic.

According to one state-level official, “Not only will voucher recipients’ families want more money for public education, but parents of nonvoucher kids in private schools will also see the benefit of public dollars going to their children’s school, even if it comes through more voucher kids, and will become invested in public education.”

## FEARS

### Decrease Student Achievement for At-risk Students Who Attend Nonpublic Schools

Fears about the Colorado voucher program include both direct and indirect harm that some believe it may generate. The primary fear is students receiving vouchers might not improve their achievement. This fear is exacerbated by anxieties that the private schools receiving voucher students will be lower in quality than the public schools that students leave, and that the value of the vouchers will not be enough to compensate private schools for the full costs of educating the new students.

On a related note, some voucher proponents and opponents express concern that a disproportionate focus on parental satisfaction will limit information on other program measures such as student achievement. While acknowledging the importance of parental satisfaction, these individuals do not want to lose sight of the program’s effect on student performance.

### Fail To Provide Opportunities To Targeted Students

Some individuals fear that students receiving vouchers, regardless of their performance, will not be the student population that policymakers had targeted to participate in the program. These concerns about whether voucher recipients will be the “right” students are shaped by fears of discrimination by private schools, as well as the inability, or unwillingness, of private schools to provide all the services that particular students may need to succeed.

In particular, voucher opponents fear that students with disabilities or those who do not speak English will be denied access to private schools – or, if private schools enroll them, these students will not be provided with the level of service to which they are entitled in traditional public schools. Eventually, if students with special needs do not get the necessary

*The primary fear is that students receiving vouchers might not improve their achievement.*



services, they may struggle and be encouraged to leave the private schools. Additional concerns over equitable access are based on broader fears of discrimination based on student characteristics like race, religion, income, performance or sexual orientation.

## Negatively Impact Public Schools

Many voucher opponents argue public schools losing children to private schools will be unable to achieve any cost savings because of the difficulty of adjusting staffing patterns or otherwise reducing fixed costs. The fear is public schools will be so overwhelmed by such losses they will be irrevocably damaged, and unable to improve as a result. A related concern involves the extent to which existing governance arrangements and rules and regulations that constrain public institutions limit the ability of school districts to respond effectively to parental desires. With these obstacles still in place, the absence of resources could become more of a hindrance to success than a stimulus to improvement.

Opponents also fear that the students receiving vouchers likely will be those with highly engaged parents, and that the students remaining in public schools will be those whose parents are less engaged in their education (or else they would have applied for vouchers themselves). This could leave the public schools with a student population that is more difficult to teach than was the case before the voucher program.

For some opponents, these concerns add up to fears about the long-term viability of public education. In their view, if public schools are unable to respond to vouchers by improving their performance, a cycle of disengagement and accelerating failure will emerge. The worse the public schools perform, the more the public will support further privatization, which in turn will lead to even fewer resources.

Other fears are based not so much on the possible negative impacts of a targeted program as on the potential for expanding the program to a much larger, perhaps universal, scale. These fears are fueled by a suspicion that the initial program is a mechanism for beginning a process that will only end when a universal program is implemented. According to one voucher opponent, vouchers are “politically motivated to destroy the education system by showing that the public system is doing a bad job and people want vouchers. And this pilot program is designed to make vouchers palatable to people so they’ll accept a broader voucher program.”

## Negatively Impact Society and Democracy

Some fear that vouchers will undermine the traditional concept of the public schools as protectors of a common heritage and a socialization process in which children of all backgrounds learn to work and live with other types of people – as opposed to a system in which parents choose schools where all the children are similar to their own and where diversity and community are limited.

One person interviewed summed up this fear. In her view, “Public education is this democracy’s greatest good. The public aspect will be harmed in a way that will greatly detract from public education’s opportunity to serve all kids.... “Education of children for and in a democracy – that is the public good that public education provides, and I’m not sure we can fulfill that if we have a fragmented system.”

*“Public education is this democracy’s greatest good.”*



# IMPLEMENTATION AND EVALUATION EFFORTS

According to several state and local leaders in Colorado, H.B. 1160's delegation of authority for implementing and evaluating the voucher program is relatively weak. Such weaknesses have motivated state, local and private leaders to undertake three notable implementation and evaluation efforts.

## Colorado Opportunity Contract Pilot Program Advisory Committee

For the most part, H.B. 1160 is silent on who administers the voucher program. This was a somewhat deliberate decision by legislators to leave the state department of education out of the bill to avoid a fiscal note. This silence created a leadership vacuum that the state board of education decided to fill. As one person said, "H.B. 1160 didn't say the state board can't administer the program, so we unanimously decided to do it." This decision partly grew out of the state board's desire to become more active in the state's school reform efforts.

After gaining informal approval for this decision from the governor and key legislators, the state board formed the Colorado Opportunity Contract Pilot Program Advisory Committee. This 16-member body is a diverse group of public, private and religious school representatives, some of whom support and some of whom oppose vouchers. As one person interviewed pointed out, the state board was inclusive in forming this group, but they kept it small enough to get work done.

Advisory committee members aired their opinions and concerns at the outset, and then worked together to identify and solve practical implementation problems. One of the first problems it tackled was the need to develop an application for nonpublic schools to submit to school districts in order to participate in the voucher program. Other issues came up, such as what attachments to include with the application and how to handle building inspections for nonpublic school applicants. Several individuals interviewed said that the work of the advisory committee helped depoliticize implementation issues and built trust among people who typically don't work together.

## Implementation Effort by the Colorado Association of School Boards

The Colorado Association of School Boards (CASB) was opposed to H.B. 1160. Once it passed, however, CASB decided to help the 11 participating school districts implement the law, instead of joining the lawsuit against it. In an interesting turn of events, some voucher supporters provided financial assistance to this effort. As part of this deal, both CASB and these voucher supporters agreed to work together on a major evaluation effort (see "Evaluation Partnership" below).

CASB's work with the 11 participating school districts focused on addressing common problems in implementing the voucher program. It also worked in partnership with the Colorado Opportunity Contract Pilot Program Advisory Committee to develop various documents, including nonpublic school applications to school districts.



## Evaluation Partnership (Bighorn Center for Public Policy, Colorado Association of School Boards, Colorado Alliance for Reform in Education)

H.B. 1160 contains some reporting requirements. It requires the state auditor to produce a performance and financial audit of the program by January 1, 2008. It also requires participating school districts to provide a report to state policymakers by January 1, 2008. The report must evaluate the academic performance of each eligible child who is enrolled in a nonpublic school, and include non-identifying individual student data on state tests and an analysis of individual student achievement, as well as similar data for those eligible children not selected in the lottery process to participate in the voucher program. Finally, H.B. 1160 requires school districts to report the voucher program's financial impact on them.

While these efforts will be helpful to enhancing people's understanding of the impacts of the voucher program, many state, local and private leaders felt they were insufficient. In a particularly notable move, a coalition of voucher proponents and opponent – the Bighorn Institute for Public Policy, CASB and the Colorado Alliance for Reform in Education (CARE) – formed a partnership to create an evaluation design that will provide transparent data about the voucher program.

As one of this partnership's first activities, it invited top voucher evaluators to provide state, local and private leaders advice on how to evaluate the new program. The evaluators were Paul Peterson and William Howell of Harvard University, Kim Metcalf of Indiana University, John Witte of the University of Wisconsin-Madison and William Sanders of the SAS Institute Inc.

The consensus among the researchers was that the "gold standard" in education research – the randomized field trial – is probably impossible to use in evaluating Colorado's program because of certain aspects of the program's design. They agreed that the "silver standard" in education research – a comparison study – is probably the best evaluation model in this case.

The researchers also stressed the importance of providing evaluators with access to the private schools. For the evaluations of the Milwaukee, Wisconsin, and Cleveland, Ohio, voucher programs, such access was guaranteed in state policy. The researchers expressed concern about the impact of Colorado's failure to do the same. The researchers also provided advice on various issues and challenges involved in evaluating voucher programs in general, including suggested measures of program failure and success.

As a result of this meeting, and at the suggestion of the researchers, the Bighorn Institute, CASB and CARE, along with the Colorado commissioner of education, volunteered to move forward together in creating an evaluation design for the voucher program.

One positive aspect of the evaluation partnership is the bringing together of people with different viewpoints about the voucher program. In so doing, it has done a lot to take politics out of the evaluation design. The members of the evaluation partnership are listening to and working with people on both sides of the issue, not just their side. It will be interesting to see how the coalition continues to work together to support the evaluation without influencing it. If the evaluation design establishes fair and measurable indicators, and compares apples to apples, it may prove to be a beneficial effort.

*As one of this partnership's first activities, it invited top voucher evaluators to provide state, local and private leaders advice on how to evaluate the new program.*

# VOUCHER DEBATES AND EVALUATIONS: LOOKING AHEAD

Whatever evaluations are produced through this and other efforts, they are sure to play some role in future debates over Colorado’s voucher program – assuming, of course, that it is eventually ruled constitutional. This section examines that issue, and presents some ideas for how policymakers and other leaders might strengthen the role of evaluations in future voucher programs.

## Policymakers’ Views on the Role of Evaluations in Future Voucher Debates in Colorado

If a voucher program is enacted as a pilot program, as it was in Colorado, it stands to reason that eventually state leaders will examine the initial experience and decide whether to stop, continue or expand the program – based, ideally, on program evaluations. In the interviews, policymakers were asked to predict how these debates might play out in Colorado if the voucher program eventually is implemented. They were not asked to predict whether the program will succeed or fail. Instead, the information sought, regardless of their initial position on the law, was what outcomes or data will lead them to vote to stop, continue or expand the program if they revisit it five years later. Their responses reflect many of the challenges discussed earlier about evaluating such a complex program.

Policymakers listed indicators that reflect all of the hopes and fears discussed above as data that will help inform future decisions. Several of them voiced skepticism about the ability or willingness of some policymakers to change their positions on vouchers – regardless of what the evaluation data shows. One policymaker – who considered himself open-minded – said: “Most policymakers are biased. There aren’t that many policymakers willing to have [a substantive debate].... There’s no room for the formation of good science in the policymaking process.”

Policymakers emphasized the importance of test scores, including baseline information on the performance of students before they enter private schools. Many policymakers hope to base future decisions on performance by particular types of students. For example, one person suggested disaggregating results for the various “triggers” that make students eligible, such as performing poorly on particular state tests or being enrolled in a low-performing neighborhood school.

Determining whether to expand or even continue the voucher program, policymakers said, should depend largely on evidence of improved test scores for participants or neutral test scores combined with increased parent and student satisfaction. But some believe higher test scores for children with vouchers must be viewed within the larger context of overall student performance. If a handful of voucher recipients have higher scores, but many more students without vouchers perform worse, several state officials believed that would provide a reason to limit or end the program. Policymakers opposed to vouchers also said future decisions should be based on the performance of, support for and resources available to public schools generally.

Many pro-voucher policymakers believe high rates of participation and high levels of satisfaction for parents and students are enough reason to continue the program indefinitely, and that a level of demand that outpaces the availability of spots might justify expanding the program.





As previously discussed, Colorado leaders brought together a broad set of researchers, stakeholders and policymakers to talk about program evaluation a few months after the voucher law was enacted. The scholars included people with broad experience researching vouchers, several of whom had initially reached different conclusions about the impacts of vouchers in their research. They also included evaluators with credibility outside the voucher debates who are respected for their methods of measuring student progress.

While researchers may not be any more likely than policymakers to agree about all of the details of program evaluation, there are significant areas in which they will agree, as well as areas where their early involvement can strengthen later research.

**Form Evaluation Advisory Board:** While researchers are used to long-term evaluations of complex programs, policymakers can often give intense attention to complex problems only for brief periods of time. Specific reforms or problems usually receive episodic attention. As one policymaker explained, “We can’t babysit them after we pass them, and as much as I’m interested, I can’t monitor everything.”

Obviously, there is a conflict between the timeframe researchers will need to do a good job of answering policymakers’ questions and the attention span of the policymakers who both frame the questions and whose support is necessary to guarantee backing for the ongoing research work. To maintain support for difficult research, and to keep such efforts focused on the right questions, state, local and private leaders should form an evaluation advisory board. This group should include senior and respected policymakers with a variety of positions on vouchers. Reputable scholars with appropriate experience should either serve on such a board or participate regularly in an advisory role.

One state leader offered two recommendations. First, the board’s leaders should be senior politicians, preferably retired, to ensure board members do not use the board as a position from which to posture for later office. Another way to ensure open-mindedness is to include policymakers who previously voted in ways that were at odds with their party on vouchers.

Second, an evaluation advisory board should include community leaders whose voices are valued in the state. These voices can include representatives of the business sector, as well as leaders from the Denver area’s minority communities.

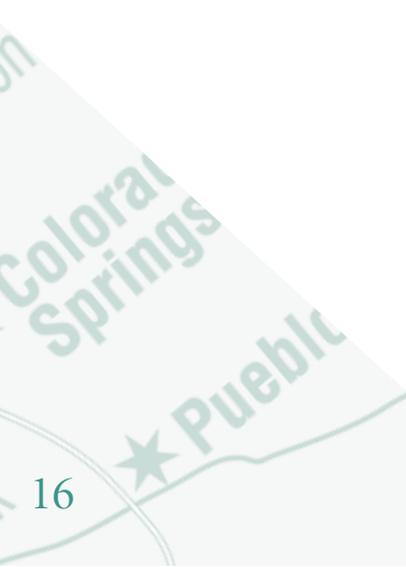
Colorado’s two efforts to convene diverse stakeholders around the voucher program were well-received. But it is unclear at this point whether either the implementation advisory committee or the evaluation partnership will have staying power, or whether they might wind up competing with each other. Still, both efforts are strong steps in the right direction.



# CONCLUSION

When the U.S. Supreme Court ruled in favor of the Cleveland voucher program, it cleared away a federal constitutional cloud that had hovered over voucher debates for a long time. Uncertainties remain, though, over whether vouchers will pass muster under individual state constitutions, as is currently occurring in Colorado.

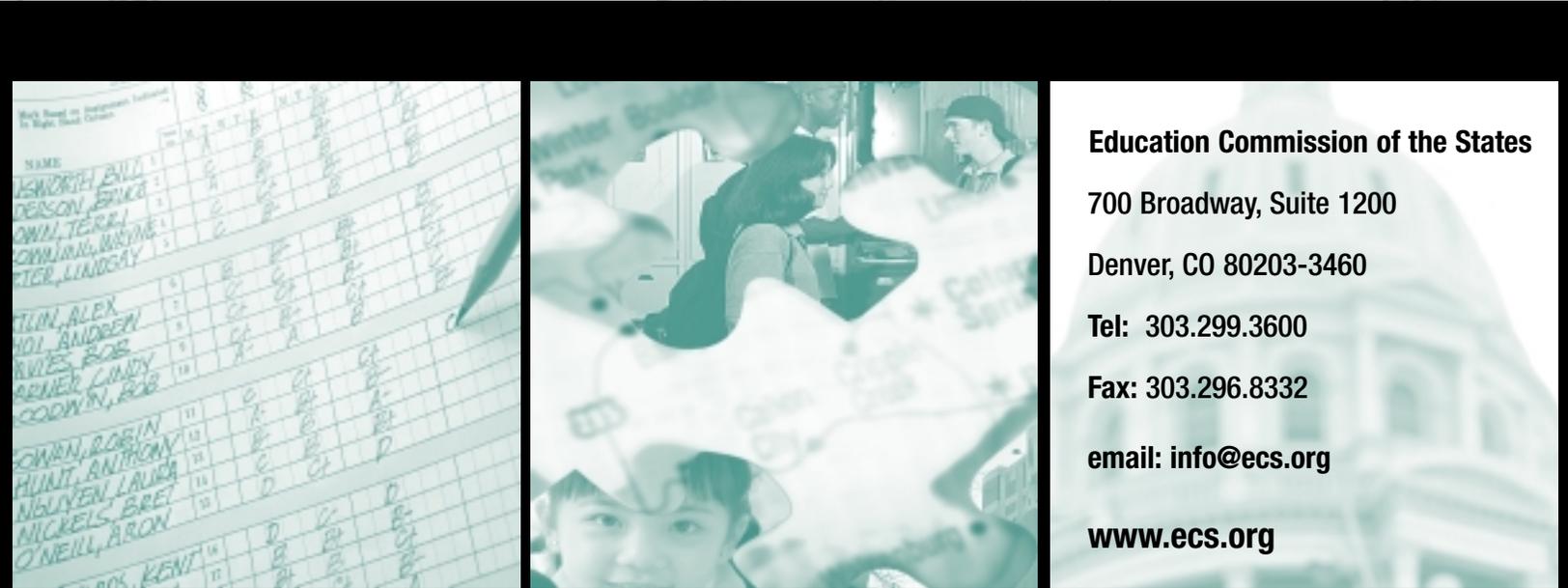
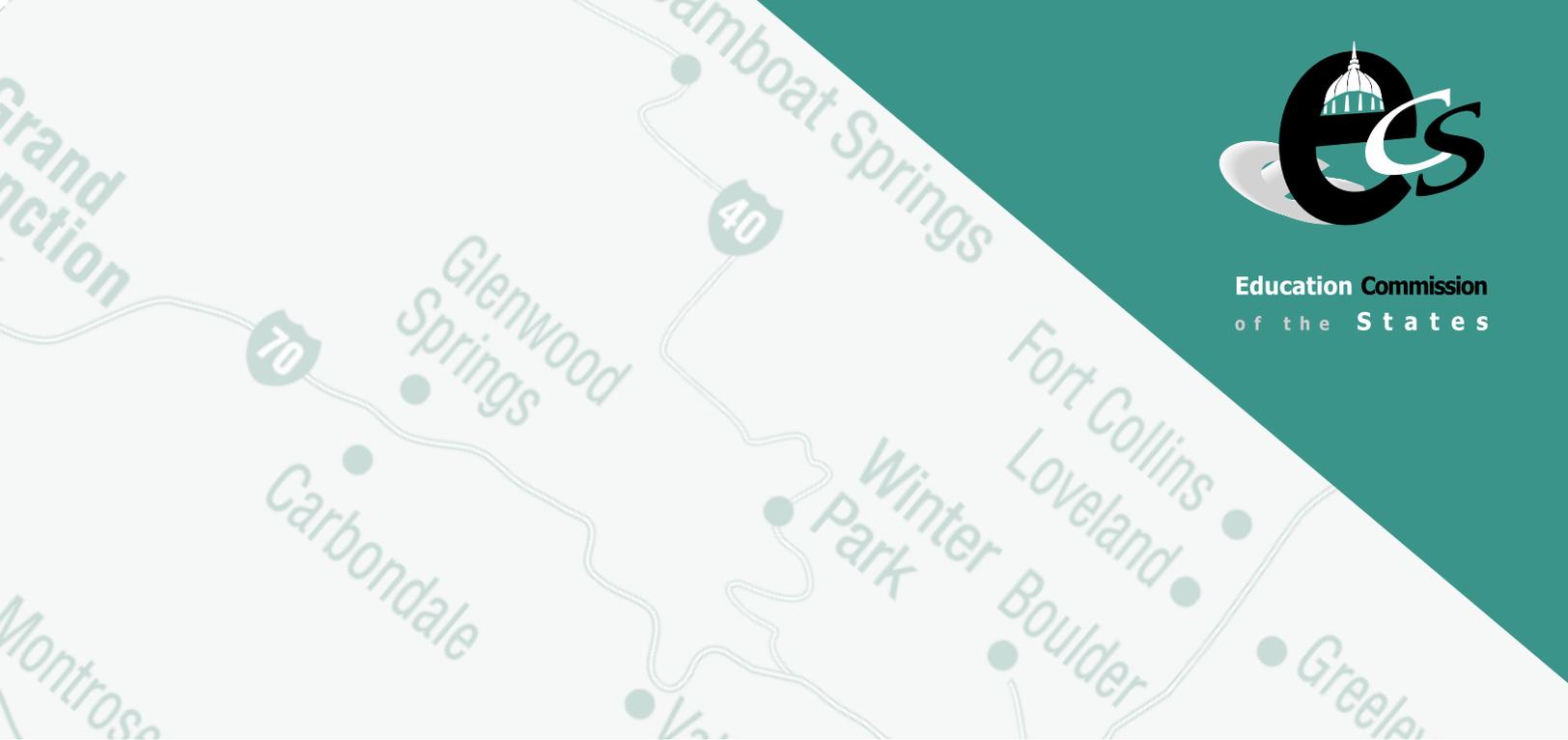
Over the next several years, as state budget crises recede and as policymakers respond to pressure from No Child Left Behind to expand choices for students in low-performing schools, the voucher debate will likely pick up steam. Notwithstanding the final legal verdict on Colorado's voucher program, the program's emphasis on low-income students in low-performing schools and districts, as well as the various implementation and evaluation efforts that have sprung up in response to it, may serve as a useful example for these emerging efforts.







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