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ABSTRACT

The research needs for a cross-national study of public versus private school choice in Maine and Atlantic Canada are described in this paper. In the United States, the use of public funds to support private schools has historically been constrained by the separation of church and state doctrine and by the ideology of the public school as a common school. Recently, some educators have argued that using public funds to pay tuition for private school students will improve student outcomes. The town-tuitioning practices of Maine and Vermont, in which towns pay tuition for resident students to attend schools not directly managed by those towns, are described. Current enrollment patterns are also identified. A recommendation is made to conduct further studies that compare other market-oriented school systems, such as Canada's. Preliminary findings of a study being conducted at the University of Maine are inconclusive regarding the relationship between higher test scores and increased enrollment. Five figures and a map of town-tuitioning clusters in Maine are included. (Contains 34 references.) (LMI)

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Should Governments Finance Student Attendance
in Private Schools?:
A Research Opportunity

by

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Abstract

The purpose of this session is to explore the possibility of a cross-national research study of public vs. private school choice in Maine and Atlantic Canada.

In the United States, the use of public funds to support private school attendance has been severely constrained by the doctrine of separation of church and state, and by the ideology of the public school as a common school.

Coleman, Hoffer and Kilgore (1982) and Chubb and Moe (1990) have sought to demonstrate that academic achievement is higher in private schools than in public schools. These studies suggest that progress toward the goal of improving student outcomes could be achieved by using funds to pay tuition for students who enroll in private schools. President Bush has recently proposed legislation which would offer incentives to states to create such programs.

For over 100 years, the states of Maine and Vermont have permitted towns to pay tuition to private schools as an alternative to maintaining their own public schools. Most towns tuition high school students only. Private schools tend to have higher state test scores.

What opportunities exist to study these issues in Atlantic Canada? What could be learned from a cross-national study?

INTRODUCTION

In the United States, elementary and secondary education is very sharply divided into two sectors: public and private. The public sector consists of school systems organized, operated and financed by local government bodies (towns, counties and independent school districts) under a grant of authority from their respective states, subject to state control and assisted by state funds. The private sector consists of school systems (sometimes individual schools) organized and operated by religious groups or other private groups and funded largely by tuition paid by the parents of the students.

The Federal government plays a relatively minor, though increasing, role in the operation and financing of education, constrained by a Constitution which (in the tenth amendment) reserves to the states those powers not explicitly assigned to the Federal government. That Constitution also reinforces the separation of the public and private sectors, based on the first amendment provision guaranteeing separation of church and state. A 1925 U.S. Supreme Court decision, Pierce v. Society of Sisters, protects the right of religious bodies to operate schools and parents to enroll their children in religious schools, on the basis of individual liberty. That case arose when the State of Oregon sought to compell all children to attend public schools under its compulsory attendance law. However, a series of subsequent decisions has constrained states from most forms of financial aid to private schools. Support for these decisions is based on the ideology of the public school as a "common" school, supported by all the people for the education of all the children, and promoting good citizenship among other goals.

Proponents of private schools have long advocated state financial support for such schools on the grounds of tax fairness, pointing out that private school parents are now required to pay twice for education, once to support public schools through taxation, and again to support private schools through tuition. But such pleas were either ignored by state legislatures or, when heeded, the resulting aid was often found to violate the U.S. Constitution. There are some exceptions. States are allowed to provide transportation for private school pupils, for instance. Secular textbooks may be loaned to students in private schools. Also, remedial instruction for private school pupils may be paid for with Federal funds, provided such instruction is given in public or neutral settings. But state funds to pay for private school teachers' salaries and private school building construction have been over-ruled on Constitutional grounds.

The issue of public financial support for private

schools might well have disappeared entirely, had it not been for recent criticisms of public schools with respect to academic achievement. Politicians, spurred on by business leaders and parents, have decried the "rising tide of mediocrity" in American public schools, and the slow pace of improvement in academic achievement since that cry was first raised by a national commission in 1983. President Reagan's attempt to introduce education vouchers into the Federal Chapter 1 compensatory (remedial) education program failed in 1985-86. But public aid for private education was given renewed political life when the State of Wisconsin began funding private education for low income students (mostly black) in the city of Milwaukee. President Bush has recently introduced legislation (Senate bill 1141) which would provide Federal funds to states such as Wisconsin which create school choice programs including private schools.

Long-standing claims that private schools produced higher levels of academic achievement in their students were bolstered in the 1980's by controversial research studies, most notably the research reported in a 1982 book, High School Achievement: Public, Catholic, and Private Schools Compared. In this book, Coleman, Hoffer and Kilgore analyze data from the High School and Beyond data set, containing test results from almost 60,000 students in over 1,000 high schools nationwide. The authors claim that private schools outperform public ones, even when the results are controlled for race, socio-economic status and parental education. They also report that private high schools are no more segregated than public ones. They conclude that the ideal of the "common" school that underlies public education is a myth, that a new definition of "community" not restricted to residence is needed, that access to good public schools is (but should not be) determined by the ability to buy a home in the suburbs, and that there must be "an expansion of choice" for those without such resources (p. 197).

Building on the work of Coleman and his colleagues, as well as the effective schools researchers and others, Chubb and Moe, in their 1990 book, Politics, Markets and America's Schools, argue for a radical restructuring of American education. They believe that the existing system of public education, controlled by bureaucrats and responsive to political decision-makers, should be replaced by a system controlled by markets and responsive to the wishes of students and their parents. Using the same High School and Beyond data set used by Coleman et al., to which has been added an Administrator and Teacher Survey of educators in the HS&B schools, they argue that school achievement can only be raised by decreasing political and bureaucratic control and increasing school autonomy (see Figure 1). While they assert that their proposed market system is a public school system, they redefine the term "public school" to

Figure 1

Relationship between Student Achievement and
the Institutional Settings of Schools
(based on Politics, Markets and America's Schools
by John E. Chubb and Terry M. Moe)

1. Desired outcome - Student gains in academic achievement, of education as measured by standardized achievement tests given in grades 10 and 12
2. Factors related to achievement
 - Student and family factors
 - * Initial student ability
 - * Parent socio-economic status
 - * Community socio-economic status
 - School organization factors (i.e. attributes of effective schools)
 - * Clear school goals
 - * Priority on academic excellence
 - * Principals as effective leaders
 - * Teacher professionalism
 - * Teacher collegiality/cooperation
 - * Students take academic courses
 - * Minimal interference with teaching
 - * Minimal student disruption
3. Factors which contribute to school effectiveness
 - Student and family factors
 - * Initial student ability
 - * Well behaved students
 - * Parent socio-economic status
 - Institutional factors
 - * Weak administrative (bureaucratic) constraints
 - * Weak personnel (union) constraints
4. Characteristics of schools with low administrative and personnel constraint
 - Sector
 - * Private schools subject to markets
 - * Public, but only if non-urban, with high achieving students
 - Location
 - * Suburban or rural
 - * Homogeneous communities
5. Sources of administrative and personnel constraint
 - Democracy
 - * Politicians seeking higher order goals for interest groups
 - * Politicians seeking to protect goals from future power-holders
 - * Unions seeking to protect the interests of their members
6. Policy solution
 - State constitutional amendments removing political control from schools and ensuring school autonomy subject only to market constraints

include any school that would be eligible to receive public funds based on meeting the same kinds of criteria now employed in state approval of private schools. They would allow existing private schools (including religious schools) to participate in their system, based on the evidence they present that these schools are among the most effective schools in the nation today. Their system may be public, in the sense that it is funded and (minimally) regulated by state authorities, but the schools it supports would in many cases function as do today's private schools in most respects, with the major exception that they would no longer be dependent on privately paid tuition (see Figure 2). Though they minimize the connection of their proposal to the voucher proposals of the past, their proposal is remarkably similar to the regulated voucher proposal advanced by Coons and Sugarman in their 1978 book, Education by Choice: The Case for Family Control. That book included a proposed constitutional referendum for the state of California, which failed to receive enough signatures to place it on the November 1980 election ballot. But, Chubb and Moe suggest, times have changed, the crisis in education has worsened, the educational reforms of the 1980's are doomed to failure, and "it is time, we think, to get to the root of the problem" (p. 229).

SCHOOL CHOICE POLICY ISSUES

The concept of parental choice of school has been at the center of much controversy in recent years. Advocates believe parental choice of school would create competition among schools for students and thus force schools to find ways to improve their programs. Such competition would therefore offer a potential solution to the problem of low student achievement in America's schools, relative to other countries and to the needs of employers competing in a global economy. Children of low income families would benefit most because their schools are currently the worst and their parents at present have the fewest options. Advocates also argue that school choice would empower parents, enabling them to become more involved in their children's education. They say that there is no need for the uniformity that now exists among public schools because there is no one best form of schooling for all children and all educators. Finally, they argue that schools of choice plans which included private schools would free education from the bureaucratization and political control that now stifles autonomy and creativity in schools. Schools would then be free to concentrate their efforts and resources on improving their effectiveness, benefitting students most and resulting in the greatest gains in academic achievement (Chubb and Moe, 1990; Coleman, 1981; Coons and Sugarman, 1978; Friedman, 1962, 1980; Paulu, 1989).

Figure 2

Features of a Market-oriented System of "Public" Schools (from Politics, Markets and America's Schools by John E. Chubb and Terry M. Moe)

- The state will... (set) criteria that define what constitutes a "public school"... These should be quite minimal, roughly corresponding to the criteria many states now employ in accrediting private schools...
- Any group or organization that applies to the state and meets these minimal criteria must then be chartered as a public school and granted the right to accept students and receive public money. Existing private schools will be among those eligible to participate.... District governments can continue running their present schools...
- The state will set up a Choice Office in each district... Schools will be compensated directly by this office.... The state will provide a Parent Information Center within each Choice Office. This Center will collect comprehensive information on each school.... All applications will be submitted to the Center...
- ...the state will have the right to specify how much, or by what formula, each district must contribute for each child.... The state's contribution can then be calibrated to bring total spending per child up to whatever dollar amount seems desirable.... it is unwise to allow (parents) to supplement their scholarship amounts with personal funds.... A reasonable trade-off is to allow for collective add-ons (by) the citizens of each district...
- Scholarships may vary within any given district... Some students have very special educational needs.... that can only be met effectively through specialized programs.... At risk students would be empowered with bigger scholarships, making them attractive clients...
- Each student will be free to attend any public school in the state.... To the extent that tax revenues allow, every effort will be made to provide transportation to the students that need it.... Schools will make their own admissions decisions, subject only to nondiscrimination requirements.... The applications process must take place within a framework that guarantees each student a school, as well as a fair shot at getting the school he or she most wants.... Schools must be free to expell students....
- Each school must be granted sole authority to determine its own governance structure... The state will do nothing to tell schools how they will be internally organized....

While Presidents Reagan and Bush and Education Secretaries Bennett, Cavazos and Alexander have been active advocates of parental choice, their efforts to institute federal parental choice programs have been blocked by previous Congresses. However, President Bush has once again submitted several proposals to promote parental choice as part of his America 2000 educational reform strategy, some portions of which appear likely to win Congressional approval. Many elements of America 2000 are contained in S. 1141, the Bush Administration's proposed "America 2000 Excellence in Education Act". Among the choice initiatives contained in Title V of S. 1141 are: (1) proposed changes in the Chapter 1 program of ESEA which would transfer per-child shares of Chapter 1 funds to parents of children participating in local school choice programs if the local education agency determines that it is not feasible or efficient to provide chapter 1 services at the receiving school, such funds to be used for supplementary compensatory education services or for transportation to/from school; (2) a \$200 million fund of incentive grants to local districts to establish parental choice policies that permit choices among public and private schools; and (3) a \$30 million program to highlight model choice programs and help states make choice plans work. Up to now, state governments and local districts have been responsible for the adoption and implementation of programs clearly identified as parental choice programs. Bush's proposals are apparently intended to encourage further development of choice programs at the state and local levels (Pitsch, 1991; Olson, 1991).

Critics believe that parental choice of school would not result in school improvement because the "consumers" will not be able to distinguish between schools on the basis of quality and the "providers" will do whatever will keep enrollment up (i.e. resort to marketing, packaging and advertising). Professional educators, they say, are more qualified than parents to make decisions about how to bring about desired improvements in education. Critics believe that parental choice would only exacerbate the problem of educational inequities based on family background, especially if private schools are allowed to participate in the choice program. They believe that better educated parents would be better able to use choice opportunities to benefit their own children, and that these parents' choices would siphon off the best students and educators from community schools, leaving the students and educators that remain without effective student role models. Schools would have incentives to increase informal screening and sorting to bolster their achievement profiles. Parental involvement could actually decrease as students attend schools outside their communities and further away from their homes. Parental choice, they say, would drain resources from the schools that need it most, and would make it more difficult

for educators to plan effective programs. Private school choice would also undermine democratic control of schools and would allow schools to be formed that promoted values contrary to good citizenship (Bastian, 1990; Evans, 1990; Kirst, 1981; Moore and Davenport, 1989).

SCHOOL CHOICE IN RURAL COMMUNITIES

In addition to the above criticisms of school choice in general, serious consideration must be given to the possible consequences of school choice for rural communities. Schools in predominantly rural areas of the United States enroll almost a third of the nation's school children. With their relatively sparse populations and resulting longer distances between schools, the range of available school options within a given distance is more limited than in more urbanized areas. In addition, numerous studies of rural communities have emphasized the important of local community ties (DeYoung, 1987; Hollingshead, 1949; Peshkin, 1978; Vidich and Bensman, 1968).

The very limited research data available thusfar with respect to the incidence of school choice in urban, suburban and rural areas suggests that rural parents are less likely than parents in urban or suburban areas to exercise a choice in school enrollment. Williams, Hancher and Hutner (1983) conducted a nationwide telephone survey in which they asked parents if they had considered (a) "other schools at the time of enrollment" or (b) "public schools in residential choice". They concluded that "People living in rural areas and small cities and towns were least likely to have made a choice at both decision points" (p. 19) (see Figure 2). Darling-Hammond and Kirby (1985) asked the identical questions of parents contacted through a telephone survey in a seven-county area surrounding and including Minneapolis and St. Paul, Minnesota. They found that urban parents were twice as likely to have considered other schools at the time of enrollment as either small city/rural or suburban/medium city parents, but both urban and suburban/medium city parents were significantly more likely than small city/rural parents to have considered public schools in residential choice. They concluded that "Rural parents have few alternatives available to them; hence, they are least likely to exhibit active choice-making behavior".

However, important policy changes, with great potential for changing the way rural Americans think about school choice, have occurred since 1985. The governors and legislatures of several states, mostly in the mid-west and west, have been on the forefront of enacting controversial new parental choice of school programs during the past several years. Minnesota has the most extensive state-mandated parental choice programs, including a

Figure 3

Consideration of Schooling Alternatives
by Public School Parents

Percent Considering

	N=	Other Schools At Time Of Enroll- ment (1)	Public Schools in Resi- dential Choice (2)	Both (1) & (2)	Neither (1) nor (2)
Large city (over 250,000)	359	25.4	48.1	13.6	39.6
Suburb of large city	268	28.4	70.9	17.3	17.9
Medium City (50,000 to 250,000)	353	22.1	58.7	13.9	33.5
Small City or Town (under 50,000)	525	14.1	48.1	7.5	45.3
Farm/Rural	239	9.6	42.0	4.6	52.8

*From: Williams, Hancher and Hutner (1983), Table 2-1, p. 20

post-secondary enrollment options act (1985), a high school graduation incentive program (1987) and an open enrollment option law (1988). Nathan and Jennings (1990) report that 30-40% of students taking advantage of three new enrollment options (Postsecondary Enrollment Options, High School Graduation Incentives and Area Learning Centers) are residents of rural areas. Only the program under which public schools contract with private alternative schools, of the four Minnesota programs they studied, serves primarily urban residents.

Other states with large rural populations have followed Minnesota's lead. Iowa, Arkansas and Nebraska adopted inter-district open enrollment options laws in 1989, while Utah and Idaho followed suit in 1990 and Colorado authorized a pilot test of such a program that same year. In March, 1991, Massachusetts became the first primarily urbanized state and the first eastern state to adopt a state-wide inter-district open enrollment plan. Colorado and Washington adopted laws in 1990 requiring districts to adopt policies permitting intra-district transfers. Six western states in addition to Minnesota (Arizona, California, Colorado, Iowa, Utah and Washington), but only two eastern states (Maine and Florida) have some form of post-secondary options law on their books.

While the number of state programs promoting choice has increased in recent years, choice programs have also come under attack in a number of states. Colorado adopted a "second chance" program for high school dropouts aged 16-21 in 1985, but repealed it in 1987. In November 1990, Oregon voters defeated a referendum on the state ballot which would have established an income tax credit of up to \$2,500 for private, religious or home education, while mandating public school open enrollment.

Northern New England, another predominantly rural section of the country, has also had its experiments with parental choice plans. The Nixon Administration attempted to introduce an unregulated, free market voucher plan in several school districts in New Hampshire, but this effort failed when residents of the six towns involved voted against it (Donaldson, 1977). Epsom (NH) recently developed a local variation on the concept of state or federal income tax deductions or credits for private school tuition: a property tax abatement for property owners who sponsor a high school student's private education. Over 80% of public school revenues in New Hampshire come from local property taxes (Diegmueeller, 1991).

The State of Maine offers an informative case study of school choice in rural areas. By most measures, Maine is a very rural state, with only one city (Portland) having a

population exceeding 50,000. No survey of Maine families comparable to those described above exists to document the extent to which these families engage in choice of school. However, numerous parental choice options exist for those families who wish to take advantage of them (Maddaus and Mirochnik, 1991). These include:

<u>Enrollment Option</u>	<u>Enrollment/Year</u>
(1) consideration of schools in choice of residence	unknown
(2) secondary vocational schools	6,913 (1989-90)*
(3) inter-district transfers based on superintendents' agreements	343 (1990-91)**
(4) secondary alternative education programs for drop-outs and other at risk students	1,800 (1990-91)*** 645 (1990-91)**
(5) ungraded, multi-graded and transitional programs in elementary schools	unknown
(6) special education and gifted and talented education	unknown
(7) post-secondary options program	57 (1990-91)**
(8) town tuitioned students	
- in public schools	5,546 (4/1/89)****
- in approved private schools	4,073 (4/1/89)****
- in out-of-state schools	40 (4/1/89)****
(9) privately tuitioned students	
- in approved private schools	8,675 (1989-90)*****
- in unapproved private schools	unknown
(11) home schooled students	1,521 (3/1991)*****

* Maine Department of Education, Division of Secondary Vocational Education

** Survey of district superintendents (response rate: 48%)

*** Maine Department of Education, Office of Truancy, Dropout and Alternative Education (estimate)

**** School District and Approved Private School Enrollment Reports to the Maine Department of Education

***** Maine Educational Facts (1989), Maine Department of Education

***** Maine Department of Education (total applications received)

Maine, New Hampshire and Vermont share the distinction of having the oldest programs offering parents choices among schools, in the form of town tuitioning. Although not enacted as a parental choice program in the contemporary sense, town tuitioning does offer students and their parents real options in at least some communities. At least some parents are eager to take advantage of that fact.

THE PRACTICE OF TOWN TUITIONING

In much of the United States, public school districts have been organized in units large enough to support their own schools. In some states, public schools were originally organized on a county-wide basis. In other states, the original small, local units have been consolidated into larger independent school districts. But in several of the more rural states, towns (including those with very small populations) have traditionally been responsible for the provision of education to their residents, and to a significant degree remain so even today. In Maine, New Hampshire and Vermont, this tradition of town responsibility for education gave rise to a practice known as "town tuitioning".

Town tuitioning is the practice of towns paying tuition for their resident students to attend schools not directly managed by those towns. Usually, the towns involved have very small populations, although at least two cities -- St. Johnsbury, Vermont (pop.) and Saco, Maine (pop.) -- also tuition their students. Generally, these towns have their own public elementary schools and tuition their high school students, although some very sparsely populated towns tuition all of their students. All three northern New England states -- Maine, New Hampshire and Vermont -- allow towns to tuition their students as an alternative to joining larger school administrative units. Furthermore, Maine and Vermont permit towns to tuition their students into private schools. Ten private high schools in Maine, and five in Vermont, enroll a majority of their students through town tuitioning.

The practice of town tuitioning in northern New England dates back to the nineteenth century. Until relatively recently, this practice went unnoticed by the rest of the nation. But that began to change in 1978, with the publication of Education by Choice: The Case for Family Control by John Coons and Steven Sugarman, which contains a brief description of town tuitioning in and around St. Johnsbury, Vermont. The National Governors Association, chaired at the time by Tennessee Gov. Lamar Alexander (now U.S. Secretary of Education), also took note of town tuitioning in Vermont in its 1986 report Time for Results: The Governors' 1991 Report on Education. In both cases, the practice of town tuitioning in Vermont was cited in support of arguments for parental choice of school.

Not all town tuitioned students have a choice of school. In some cases, towns sign contracts with receiving schools which effectively bind all or most students to a particular school. In other cases, the combination of geography and bus transportation work to severely restrict

school choice. But enough students in enough different towns do have choices among schools to offer a very interesting "experiment by nature" (Bronfenbrenner, 1978) on perhaps the most controversial school reform proposal of the late twentieth century.

The fact that this natural "experiment" in Maine and Vermont includes private schools makes it all the more interesting. It offers, in effect, a situation in which a fair approximation of Chubb and Moe's proposal for a market in education including both public schools (in the conventional sense) and private schools (in the sense of governance by private boards of trustees, but with public funding of tuitions). The superintendent of each sending town performs at least some of the roles which Chubb and Moe set forth for their proposed "choice office in each district".

Chubb and Moe suggest that "public" schools under their proposal should meet "roughly... the criteria many states now employ in accrediting private schools -- graduation requirements, health and safety requirements, and teacher certification requirements" (p. 219) Under Maine state law (sections 2901-2907 and 2951-2955), a private school must meet the following conditions for "approval for tuition purposes": (1) meeting standards of health, hygiene and safety; (2) complying with state law provisions governing immunizations, language of instruction, required courses and curricula, and certification of teachers; (3) for secondary schools, complying with the law with respect to days and hours of instruction, safety of records, and student-teacher ratios; (4) being a non-sectarian school in accordance with the First Amendment of the United States Constitution; (5) being legally incorporated; (6) complying with reporting and auditing procedures; and (7) for any school with 60% or more tuitioned students, participating in the Maine Educational Assessment program. Chubb and Moe would make standardized testing optional, and they would ease some of the requirements in the second and third criteria. They would also "include religious schools..., as long as their sectarian functions can be kept clearly separate from their educational functions" (p. 219) -- a seemingly impossible task for school with a clear religious mission! Otherwise, they would find the conditions for Maine private schools generally acceptable.

As in Chubb and Moe's proposal, the state government in Maine sets the tuition rate for students attending approved private schools. One feature of their proposal that does not exist in Maine is differential tuition (or "scholarship") rates for different students based on need. Some private schools apparently enroll all students from particular towns even without this provision. Transportation in Maine is not

provided by the state, but rather by either the sending town or receiving high school, based on mutual agreement. Students may attend any public or approved private high school in the state, although they may have to provide their own transportation and (if necessary) boarding costs.

In summary, while Maine's town tuitioning arrangements do not correspond in every detail to Chubb and Moe's proposal, there are many similarities, enough to make town tuitioning a possible site for conducting detailed exploration of what happens when students, their parents and the schools operate in a market-oriented environment.

CURRENT TOWN TUITIONING ENROLLMENT PATTERNS

Town tuitioning in Maine and Vermont provides an interesting study in contrasts. John McClaughry, in his 36-page booklet Educational Choice in Vermont (1987), has summarized the extent of town tuitioning in Vermont as follows:

"Of the 246 towns in Vermont, 95 have no public high school in the town, and do not belong to union high school districts.... these 95 tuition towns in 1984-85 paid tuition on behalf of 7633 secondary (9-12) pupils. Of these, 4312 (56.5%) attended public high schools in Vermont; 560 (7.3%) attended public high schools in adjacent states; and 2761 (36.2%) attended private schools and academies in Vermont and eight other states (including the Province of Quebec, Canada). The total of 7633 pupils from these tuition towns represented 24.2% of the total secondary school (grades 9-12) population of the state (31,525)."

Maine is much larger than Vermont in both area and population, but the proportion of secondary school students who are town tuitioned is correspondingly smaller. In April, 1989, 9659 Maine secondary school students were town tuitioned, or about 15% of the total enrollment of 64,200 students (see Figure 4). Maine has 19 private schools that accept town tuitioned students, in comparison to 5 such schools in Vermont. Maine also has a higher percentage of town tuitioned students attending private schools within the state (42.2%). On the other hand, only forty (40) Maine students (0.4%) are tuitioned to schools outside the state, most of them from towns along the coast far from Maine's border with New Hampshire, suggesting that these students were attending private boarding schools. In contrast, 560 Vermont students were tuitioned out-of-state to public schools alone, plus students sent to out-of-state private schools, which McClaughry lumps together with in-state private schools. The geographical proximity of more Vermont

Figure 4

TOWN TUITIONED STUDENTS BY REGION

Sending Units*

	No. of Sending Units	Total Town Tuitioned Students	% Students Attending Receiving School having Most students From their Sending unit
Bangor	13	1472	71.60
Midcoast	16	1129	87.20
York Co.	4	1054	91.20
Auburn	6	866	73.70
China Lake	7	845	52.40
Hancock Co.	19	795	82.90
Calais/Eastport	16	372	84.40
Machias	9	332	93.40
Aroostook Co.	7	239	92.40
Springfield	8	198	89.80
Rumford	7	143	73.43
<hr/>			
Region Subtotal	112	7445	-
<hr/>			
Other Maine	74	2214	-
Out of State	0	0	-
<hr/>			
TOTAL	186	9659	-

* "Sending Units" includes cities, towns, plantations and unorganized territories

Figure 4

TOWN TUITIONED STUDENTS BY REGION

Receiving Units

	<u>Public High Schools</u>			<u>Private High Schools</u>		
	No. of Schools	No. of Town Tuitioned Students	% Town Tuitioned Students of Total Enrollment	No. of Schools	No. of Town Tuitioned Students	% Town Tuitioned Students of Total Enrollment
Ban	6	1233	28.60	1	233	69.60
Mid	3	599	33.40	1	515	99.80
Yor	3	228	10.50	2	824	83.83
Aub	7	793	14.40	1	28	13.50
Chi	5	415	11.00	2	383	89.90
Han	5	506	25.40	1	308	99.30
Cal	3	273	39.60	0	-	-
Mac	2	95	31.80	1	291	99.30
Aro	3	239	18.50	0	-	-
Spr	3	55	7.91	1	243	100.00
Rum	3	136	13.30	0	-	-
Sub	43	4572	-	10	2825	-
Oth	29	974	-	9	1248	-
OOS	-	-	-	?	40	-
TTL	72	5546	-	19+	4113	-

students to adjacent states may account for much of this difference.

In a recent book entitled The Vermont Papers (1989), McClaughry and co-author Frank Bryan note that "Educators may disapprove, but from all accounts parents love it [i.e. parental choice]. In some cases parents have chosen to move into a town simply because it gives them the right to choose their children's school." (p. 195) But they also speculate that parental choice has become popular in Vermont because of increasing centralization and state mandates (the same problems that concern Chubb and Moe), and suggest that a return to greater local control might result in decreased enthusiasm for educational choice. Bryan and McClaughry propose a system of "shires" which they believe would enhance grassroots democracy, including local control of education (an alternative that Chubb and Moe would apparently regard as likely to fail, since it does not take into account the basic nature of democratic government).

In those Maine towns that tuition their secondary students and allow students and their parents to decide which schools they will attend, having a choice of high schools is also believed to be very popular with at least some town residents. For example, residents of the Airline Community School District, east of Bangor, were reported to be satisfied with tuitioning their high school students despite recent increases in tuition rates charged to the CSD. The Bangor Daily News (Higgins, 1989) quoted Airline CSD superintendent Robert Ervin as follows:

"The issue of free choice in high schools is a very strong incentive to live in these communities. People like the idea of being able to choose where they are going to go to high school. They have a lot of options. So if the high school experience isn't good in one place, they can move to another. That's a fair luxury -- a choice that kids in Ellsworth and Bangor don't have."

On what basis do tuitioned students (and their parents) decide which school to attend? Another Bangor Daily News article (Garland, 1989) describes the choices made by two high school students in the town of Orland.

"Gary Hauger decided to go to George Stevens Academy in Blue Hill because he liked the school's reputation for academic training and music instruction. The 16-year-old junior from Orland plays the trumpet, and he hopes to be a lawyer some day.

"His cousin, 14-year-old Samantha Robshaw of Orland, transferred from George Stevens after a few weeks to become a freshman at Bucksport High School this fall. The school better fits her personality, and many of her friends go there, she said. She also likes the cheering program in which she participates."

With respect to the issue of parental choice, the most important point of comparison between Maine and Vermont is that while many town tuitioned students in both states have a choice of schools, provisions in state law in both states allow towns to restrict the schools to which tuition will be paid. Some towns in each state have exercised these provisions.

In Maine, some towns which tuition their resident students require these students to attend particular schools by signing a contract with the receiving school. State law does not require contracts, nor does it specify the precise form that must be used, although a few general guidelines regarding the contents of such contracts are spelled out in sections 2701-2704. Contracts must cover a period of time of from two to ten years and must be ratified by a majority vote of each of the governing bodies. Tuition rates are set according to the provisions of sections 5801-5814. Contracts with private schools may include a joint committee, and are subject to approval by the commissioner. Otherwise, the parties to the contract are relatively free to include whatever provisions they wish. These contracts may provide for all students to be educated at a particular school, but they may also specify a minimum percentage of the town's students, allowing other students to go to other schools. In 1989-90, nineteen (19) towns and eight (8) SADs had written contracts with receiving school units or private schools on file in the Department of Education.

Towns may also limit which schools their resident students attend by offering bus transportation to only one school. Transportation to more than one school is often inhibited by distance and by geography, especially in the midcoast region. In many cases (but not all), the cost and/or inconvenience of providing transportation is sufficient to discourage parents from considering other schools. Some towns, at the urging of groups of parents, have assumed the expense of providing bus transportation to two or more schools, which greatly increases the options available to students and their parents. Since parents may be actively involved in decisions regarding contracts and bus transportation made by school committees and town budget meetings, parental choice can be viewed as having a collective dimension as well as an individual one.

Of the 9659 secondary students in Maine who are town tuitioned, 7445 students live in geographic regions in which two or more high schools each receive town tuitioned students from two or more of the surrounding towns. Even in these regions, 14 towns and other local units have contracts binding most or all of their 1746 students to a single high school, leaving at most 5699 students who could be said to have some degree of choice. Furthermore, about 70% of the students who have the possibility of exercising a choice attend the school most frequently chosen by other students from their own town, suggesting that the combination of community ties, geography and bus transportation is a powerful combination influencing the majority of decisions in those cases where choice is possible.

Geographically speaking, the largest numbers of town tuitioned students are found in the central, midcoast, southern and downeast sections of the state. Town tuitioning is most often found in smaller towns that are part of school unions (i.e. share a superintendent with other towns), although some smaller school administrative districts (SADs) also tuition their students to high schools. The school unit with the most students engaged in town tuitioning is the city of Saco, which contracts with Thornton Academy in that city.

An analysis of school enrollment reports for April 1, 1989 submitted to the Maine Department of Education resulted in the identification of eleven geographic clusters of school units with significant numbers of town tuitioned students at the secondary level. (See state map and Figure 4). Eight of the eleven clusters, including the six largest on the basis of town tuitioned students enrolled, have at least one approved private high school. In two of the regions (York Co. and Machias), private high schools have contracts with sending units which bind most students to those schools. However, in the other regions the private high schools compete more or less openly with public high schools for students.

The narrative summary which begins below presents these geographic regions in order of size beginning with the largest, based on the total numbers of students tuitioned by sending units within each region.

Bangor Region: The largest concentration of town tuitioned students on April 1, 1989 was in the Bangor region, where 1472 students residing in 9 towns, two small School Administrative Districts, one Community School District and the Penobscot Native American Indian community were tuitioned into six public high schools and one private high school. A contract between SAD 23 and the Hermon School Committee limited 208 residents of the towns of Carmel and

Levant to Hermon High School, but 1264 other students had some degree of choice among area high schools. If the extent to which students are dispersed among different schools can be taken as one measure of exercising the freedom to choose, then students from the town of Glenburn were the most active choosers in this region. Glenburn students were distributed among four high schools, with no more than 31.10% of the 209 students attending any one school. In all, 9 of the 13 sending units had students enrolled in at least four different high schools. Over half (52.20%) of the students at Hermon High School are town tuitioned, as are many of the students at Brewer (49.30%), Old Town (45.90%) and Orono (34.00%) High Schools. Over two thirds (69.60%) of the students at John Bapst High School are town tuitioned, and they come from virtually every town in the area that lacks its own high school (see Figures 5 and 6).

Midcoast Region: The second largest concentration of town tuitioned students is in the midcoast region. In all, 1129 students in this region are tuitioned into three public high schools and one private academy. Lincoln Academy alone receives 515 town tuitioned students, all but one of its total enrollment and nearly half of the town tuitioned students in this region. The rest attend Wiscasset, Bath and SAD 40, accounting for about a third of the students in those three schools. Sixteen towns in the region tuition students. Westport, which has a contract with Wiscasset, is the only one which sends all its students to a single high school. Thirteen (13) of the forty students statewide who were tuitioned to out of state schools reside in this region.

York County Region: York County has the third largest concentration of town tuitioned students: 1054. Of these, 817 students from the City of Saco and the town of Dayton are tuitioned under contract into Thornton Academy. In addition, 175 students in Arundel may choose which high school to attend, most of them going to either Biddeford or SAD 71 (Kennebunk). Also, 66 students in the town of Acton choose between Wells-Ogunquit Community School District and South Berwick Academy.

Auburn Region: The Auburn region has 866 students tuitioned into 8 different high schools. Edward Little High School, in Auburn, enrolls 388 town tuitioned high school students, or 25.70% of its total enrollment. These students are tuitioned in from the towns of Poland, Mechanic Falls, Minot and Durham. Poland, Mechanic Falls and Minot each have contracts with Auburn allowing varying percentages of students to attend other schools. Some Poland students also attend SAD 15 and Hebron Academy, while most Durham students travel to Brunswick. Farther south, students residing in Raymond also have a range of options, with most attending high school in either Windham or Westbrook.

Figure 5

**Town Tuitioning of Regular Students in Grades 9 - 12
Bangor Region**

Local Resident Pupils Attending Outside Schools

Sending Unit*	Total Pupils	No. & % Largest Receiving School	No. & % Second Largest Receiving School	No. & % Third Largest Receiving School	No. & % Fourth Largest Receiving School
PUBLIC:					
Glenburn	209	65 31.10% (Bangor)	62 29.70% (Orono)	41 19.60% (JBapst)	40 19.10% (Hermon)
Dedham	60	28 46.70% (Brewer)	25 41.70% (JBapst)	6 10.00% (Bangor)	1 1.70% (SAD 22)
Veazie	102	50 49.00% (Orono)	30 29.40% (JBapst)	12 11.80% (Bangor)	4 3.90% (Brewer)
Orrington	224	140 62.50% (Brewer)	69 30.80% (JBapst)	7 3.10% (Bangor)	5 2.20% (Buckspt)
Airline CSD	23	16 69.60% (Brewer)	3 13.00% (JBapst)	2 8.70% (Bangor)	2 8.70% (Elswrth)
Indian Island	33	24 72.70% (OldTown)	4 12.10% (JBapst)	3 9.10% (Orono)	1 3.00% (FrybgAc)
SAD 63	280	214 76.40% (Brewer)	54 19.30% (JBapst)	7 2.50% (Bangor)	2 0.70% (Orono)
Greenbush	80	71 88.80% (OldTown)	3 3.80% (SAD 31)	2 2.50% (JBapst)	2 2.50% (LeeAc)
Milford	151	139 92.10% (Old Town)	9 6.00% (Orono)	3 2.00% (JBapst)	

Figure 5 - continued

Sending Unit	Total Pupils	No.&% Largest	No.&% Second	No.&% Third	No.&% Fourth
Bradley	61	58 95.10% (OldTown)	1 1.60% (Brewer)	1 1.60% (JBapst)	1 1.60% (SAD 22)
SAD 23**	208	208 100% (Hermon)			
Alton	32	32 100% (OldTown)			
Greenfield	9	9 100% (OldTown)			
TOTAL:	1472	1054 71.60%	260 17.70%	84 5.70%	58 3.90%

*In order of % Largest Receiving School (lowest to highest)

**All SAD 23 students attend Hermon High under a five-year contract between the Hermon School Committee and the SAD 23 Board of Directors signed by both parties on December 9, 1988. This contract contains the following exception: "A tuition waiver may be granted in unusual and extenuating circumstances if it is deemed impractical for a student to attend Hermon High, provided both the SAD No. 23 Board of Directors and the Hermon School Committee agree. A waiver will not be granted if the request has to do with athletics. It is further agreed that the language of the 'Exception' provision will be subject to review and, if requested by either party, renegotiated, at the end of the 1989-1990 school year."

Receiving School Abbreviations: JBapst=John Bapst High School; Buckspt=Bucksport; Ellswrth=Ellsworth; FrybgAc=Fryeburg Academy; Lee Acad=Lee Academy; OldTown=Old Town

Figure 6 - *continued*

*In order of % Town Tuitioned Pupils (highest to lowest)

**All SAD 23 students attend Hermon High under a five-year contract between the Hermon School Committee and the SAD 23 Board of Directors signed by both parties on December 9, 1988. This contract contains the following exception: "A tuition waiver may be granted in unusual and extenuating circumstances if it is deemed impractical for a student to attend Hermon High, provided both the SAD No. 23 Board of Directors and the Hermon School Committee agree. A waiver will not be granted if the request has to do with athletics. It is further agreed that the language of the 'Exception' provision will be subject to review and, if requested by either party, renegotiated at the end of the 1989/90 school year."

Sending Unit Abbreviations: Glenbn=Glenburn; Grnbsh=Greenbush;
Orngton=Orrington; Ornevl=Orneville; Ddham=Dedham

China Lake Region: The China Lake region east of the Kennebec River between Augusta and Waterville has the fifth largest concentration of town tuitioned students. All students in this region have options among various high schools. Seven towns in the China Lake region tuition 845 students, most of them into five public and two private high schools. Erskine Academy, a private school, drew the largest number of students from five of these towns, but in no town did as many as 80% of the students attend the same school. Of the 128 students from Whitefield, no more than 24.20% attended any one school, the greatest dispersal of a town's students of any town in the state. Overall, only 52.40% of the students in this region attended the school chosen by the largest proportion of their peers, the lowest such percentage for any of the eleven regions.

Hancock County Region: Along the coast in Hancock County, which includes Acadia National Park, 795 students are tuitioned from eleven towns, three SADs and several islands into five public high schools and one private academy. Nearly half (45.30%) of Ellsworth High School's students are tuitioned, as are nearly all of George Stevens Academy's students. In addition, nineteen students from this area attend boarding schools, thirteen of them out of state, all supported in part by town funds.

Calais/Eastport Region: In the Calais/Eastport region, on Maine's eastern border with Canada, 372 students from 16 sending units are town tuitioned. Among these students are 79 residents of the Passamaquoddy (Native American Indian) communities at Peter Dana Point and Pleasant Point, almost two-thirds (64.56%) of whom are boarding school students at Lee Academy and other private schools around the state.

Machias Region: Of the 592 high school students in the Machias region, almost two-thirds (65.20%) are town tuitioned, the great majority of them into Washington Academy under a contract with SAD 77. The Town of Pembroke in the Calais/Eastport region also has a contract with Washington Academy and buses its students there each day.

Aroostook County Region: In Aroostook County, 197 students are tuitioned into Caribou High School, most of them under contract from six smaller communities. At the northern tip of Maine, in the St. John River Valley on the Canadian border, 42 students in Grand Isle choose between the high schools of Madawaska and SAD 24.

Springfield Region: In the Springfield region, where Penobscot, Washington and Aroostock Counties come together, 198 students are town tuitioned, most of them into Lee Academy. Lee Academy also draws 100 town tuitioned students from elsewhere in the state, including 41 Passamaquoddy Indian students from the Calais/Eastport area.

Rumford Region: Seven towns in the vicinity of Rumford, in western Maine tuition 143 students into three public high schools.

In addition to these regional clusters, 966 students from about 71 sending units (mostly sparsely populated towns, "plantations" and "unorganized territories" in relatively isolated northern sections of the state) are tuitioned into 29 public high schools, apparently without any choices available to them. The average number of students from these sending units is thus less than 14, although one of these towns tuitions 144 students to the neighboring town's high school. The average receiving high school enrolls about 33 town tuitioned students.

Also outside these regions, three school administrative districts tuition 1185 students into private academies in their largest towns (Dover-Foxcroft, Fryeburg and Pittsfield). Each of these private academies draws fewer than twenty tuitioned students from other school units. Two of the three also enroll private-paying students, many of them for a post-graduate year prior to admission into college. Sixty-three students statewide are tuitioned into six other private schools that are not located in any of the regions described above and that enroll primarily private-paying students.

CONCLUSIONS

Chubb and Moe argue that social science research on education has not been very helpful in addressing the problem of alternative institutional forms (politics vs. markets) because:

... the brute reality of American educational practice is that there is just one institutional form by which the public schools are governed, "the one best system". A comparative analysis of alternative institutional forms is generally not possible, therefore, unless attention is restricted to relatively minor details... These sorts of questions have in fact been studied. Larger questions, which involve the consequences of shifting away from the "one best system" altogether, have not. There is essentially nothing out there to study.

As this paper seeks to demonstrate, this statement is simply not correct. Town tuitioning in Maine resembles in many respects the ideal alternative that Chubb and Moe propose. But one example of a market-oriented educational system, totalling approximately 5700 students, may not be sufficient to address satisfactorily all the issues that

Chubb and Moe, among others, are raising. It seems reasonable, then to begin looking for settings in other countries where market-oriented school systems are in operation. Canada is both the closest such country and (despite some significant differences in history and culture) the one most similar to the United States. Are there opportunities to study these issues in Atlantic Canada?

Among the major questions which have not yet received definitive answers from research are the following:

(1) Given a choice, will most students and/or their parents choose the school with the better academic achievement, as measured by standardized test scores? (President Bush is basing his education reform strategy on the as yet unproven belief that the will!)

(2) Are private schools more effective than public schools? Are market-oriented schools more effective than schools held accountable through political and bureaucratic systems? (Chubb and Moe have argued that public policy ought to promote schools governed by markets rather than by politics).

(3) Do school choice plans benefit the poor and poorly educated, because they currently have the most limited options, or do they benefit the affluent and well educated, because they know how to make the system work to their advantage?

A team of researchers at the University of Maine is currently working on addressing the questions listed above. Our first step is an analysis of trends in town tuitioning enrollment in the years since the Maine Educational Assessment was introduced in 1985-86. Specifically, we are exploring the relationship between receiving high school scores on the MEA from 1985-86 to 1987-88 and subsequent enrollment trends for town tuitioned students. Of the 28 sending units examined so far, the hypothesized relationship between higher test scores and increased enrollment in receiving schools has been found in nine cases. Further research needs to be done to determine why the hypothesized relationship appears in some cases and not others, and also whether the statistical patterns consistent with the hypothesis are based on the predicted behavior or are a consequence of other, unrelated factors.

The second and third questions listed above also require study. In time, we will address these issues as well. Our research would be strengthened by opportunities to discuss our work with researchers addressing the same questions in the provinces of Atlantic Canada.

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Town Tuitioning Clusters

