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The Missouri Blaine Amendment Should be Repealed

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Thank you for giving me the opportunity to testify on this important topic.

I am a professor of economics at University of Missouri, where I served as department chair for 10 years. I teach a course on the economics of education and my research focuses on the financing and performance of K-12 schools. In addition to my faculty position, I am an education fellow at the George W. Bush Institute at Southern Methodist University and I serve on the boards of several education-related organizations, including the Show-Me Institute and the Missouri Public Charter School Association.

In my testimony today I represent none of these organizations. These views are my own and not necessarily those of the above organizations.

As I consider the challenges for K-12 school reform in Missouri, I can think of no better place to start than repeal of the Blaine Amendment.

Contrary to common belief, the Blaine amendment had very little to do with “separating church and state,” at least as we understand that notion today, and much to do with anti-Catholic bigotry. Indeed, it is uncontroversial that the origin of the Blaine amendment was discrimination against Catholic immigrants, particularly from Italy and Ireland. Many scholarly books and articles have been written on this topic. One widely-cited book was written by Lloyd Jorgenson, a former professor at our MU school of education. Jorgenson (1987) and others show that the real dispute at the time of passage of these amendments was not whether there would be religion in public schools, but rather whose religion. Bible study and prayer were commonplace in public schools in the 19th century; however, they were Protestant in character. The “sectarian” institutions to which our state constitution refers were understood at the time to be Catholic schools.

However, that was then and this is now. The argument might be made that, however disreputable its origins, the Blaine amendment currently serves a useful purpose. I do not believe that is the case.

The amendment imposes serious restrictions on the remedies that can be provided to poor children in underperforming school districts. Social science research finds that Catholic schools do an excellent job of educating children. Moreover they do so in a cost-effective way. In non-experimental studies, decades of social science studies have found that Catholic schools are particularly effective in educating poor children (e.g., Coleman, 1987; Bryck and Lee, 1993; Neal, 1997, 2002). Neal (2007), for example, finds a large positive effect of Catholic school attendance on high school and college graduation rates and early career labor market earnings for urban minority youth.

More recently, several studies have examined the effect of public and private voucher programs that were open to religious schools. These studies use randomization methods (i.e., scholarship programs

with waiting lists and random selection off of the queue) and find short term positive effects on test scores (e.g., Howell and Peterson, 2006; Wolf, 2010). Students in both of these studies show gains in achievement test scores. Parental satisfaction with the chosen schools in a variety of areas (including safety) was much higher for those who were lotteried into the program.

It should also be noted that these effects are obtained at much lower costs than the per pupil expenditure in traditional public schools where these programs operated. For example, the Washington, D.C. voucher program provided only \$7,500 per student, far below the roughly \$15,000 per student spent in D.C. public schools as reported by the U.S. Department of Education (http://nces.ed.gov/programs/digest/d09/tables/dt09_186.asp). For comparison, spending per student in the St. Louis school district in FY 2010 was \$16,100 per student (<http://dese.mo.gov/planning/profile/SF115115.html>) whereas average elementary tuition in St. Louis Diocese schools is currently \$3700 and average high school tuition is \$7000 (statistics provided by St. Louis Diocese).

While I support the charter school laws in Missouri and other states (with the proviso that charter schools should be expanded state-wide in Missouri), I nonetheless believe that a “charters only” school choice option is inferior to a voucher program that includes private as well as public charter schools. Limiting parental choice to just charter schools, all of which are fairly new and largely untested, while excluding private school options pushes some of the most effective producers out of the education marketplace. Catholic schools have more than 150 years of experience in providing elementary and secondary education in the United States. They have a proven track record of educating generations of poor immigrant children in a very efficient manner. To take these private school choices off the table for poor families is not only inefficient, but also unfair.

It is useful to take a step back and see how the Blaine Amendment has warped public policy in the area of K-12 education. In other areas of public policy – including other parts of education – faith-based organizations are routinely funded by government to provide services for the general public interest. Consider but a few examples:

- Pre-school and early childhood programs. Many churches and religiously-affiliated organizations receive Missouri tax dollars to support their programs.
- Higher education. Missouri students can take their Bright Flight or Access Missouri scholarships to public institutions like MU as well as private religiously-affiliated colleges such as Hannibal-Lagrange, Saint Louis University, or Rockhurst.

Think about what publically-funded medical care in St. Louis would look like if the Blaine restrictions were extended to hospitals. There would be no state funds for Saint Louis University, Barnes-Jewish Hospital, St. Anthony’s Medical Center, St. John’s Health System, or Saint Luke’s Health System. And this list is by no means exhaustive.

In nearly all other areas of social welfare policy public funds are provided to faith-based organizations for social services. This is based on a recognition that public support or subsidy for a service does not

mean the government should be the only or primary producer. The public interest is best served if multiple vendors can compete to provide services.

A fundamental principle in K-12 education provision should be parental choice. In a voucher system where money follows the student to a school chosen by parents, government is not favoring one religious doctrine over another. When a student takes his Bright Flight scholarship to Hannibal-LaGrange College or Saint Louis University, the state is not “establishing” or promoting one religious doctrine over another.

Here in Missouri we are witnessing a very unfortunate situation. The Supreme Court in the Turner decision has stated that children in unaccredited school districts have a right to a free public education from an accredited public school. Yet when parents with children in the St. Louis or Riverview Gardens districts apply to other school districts they are informed that “the inn is full” and are turned away. At the same time, the St. Louis Catholic schools, with a proven track record of success with urban youth, have indicated a willingness to accept these students. Even more tragic is the fact that some of these Catholic schools are closing due to dwindling enrollments and fiscal pressure. This is a huge loss for St. Louis children and the neighborhoods in which these schools are located.

In summary, the Blaine Amendment is an historical artifact of a period of bigotry and anti-immigrant xenophobia. It now stands in the way of helping low income and minority children get a good education. Why should the bar on private school aid in Missouri be set higher than the U.S. Constitution? Thirteen states have no Blaine amendments and live with the standards of the U.S. Constitution. I’m unaware of theocracies emerging in Connecticut, Vermont, Minnesota, or New Jersey.

The standards of the U.S. Constitution are more than adequate to protect the liberty of Missouri citizens. The Blaine Amendment stands in the way of delivering high quality education to kids who desperately need it. To borrow a metaphor from Leon Trotsky — in a very different context to be sure — it’s time to relegate the Missouri Blaine Amendment to the “dustbin of history.”

References

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