

Can Catholic Schools Be Saved?

Andy Smarick

IN THE FALL OF 2007, word quietly spread through the nation's capital that a dozen Catholic schools run by the Archdiocese of Washington were in dire financial straits. These were not just any schools: The specter of closure had haunted these 12 before, when financial problems had surfaced a decade earlier. At that time, the archbishop of Washington, James Cardinal Hickey, had refused to allow the shuttering of any more schools serving the poorest families in his archdiocese. His solution was to create a unique arrangement whereby these schools would pool resources in order to stay afloat. Known as the Center City Consortium, the school grouping had appeared for several years to be a success; test scores were up, and millions of dollars had been raised.

In time, however, the contributions dried up, and deficits accumulated. So when the archdiocese scheduled a meeting to discuss the future of the consortium, Catholic-school advocates feared the worst. School closures are always devastating to the Church and to the families affected—but this was more painful still. An enormous effort had been waged on behalf of these schools for ten years, and still they were in peril. Did their situation suggest a much broader problem—that urban Catholic education might be doomed?

On September 7, 2007, the new archbishop of Washington, Donald Wuerl, delivered the news no one wanted to hear but that everyone silently expected: The schools' financial challenges had become overwhelming. They were no longer sustainable.

The struggles of the Center City Consortium are simply another chapter in the tragedy of America's disappearing inner-city Catholic schools. Over the past several decades, in urban centers across the country,

ANDY SMARICK is a former deputy assistant secretary at the U.S. Department of Education and a former education aide at the White House and U.S. House of Representatives.

thousands of schools have been shuttered—a trend with implications for more than just the nation’s Catholics. In several of America’s cities, public schools have long been dangerous or academically troubled; for families with means, the solution has been to send their children to expensive private schools or to move to better public-school districts. But for poor families struggling to make ends meet, neither private-school tuition nor a house in the suburbs has been an option. Often, the only recourse for children from these families—many of whom are minorities, and are not even Catholic—has been a local Catholic school.

The plight of these institutions, then, should concern everyone who cares about reducing educational inequality, ending cycles of poverty, and turning around America’s inner cities. But in order to figure out how to resuscitate urban Catholic education, it is crucial first to understand precisely how it arrived at its current predicament. There is, to begin, the long history of Catholic schools in the United States—their dramatic rise, their unexpected decline, and their ever-shifting place in America’s education landscape. And there is the uncomfortable interaction between faith and public policy, which has led to contentious public debates that have driven decades of controversial and often contradictory decisions by state legislatures, the courts, Congress, and the White House.

This tension raises fundamental questions for both the Church and the state. How important is the Catholic in Catholic schooling? And how should the government interact with a deeply rooted and beneficial, but religiously affiliated, sector of schools? These longstanding philosophical issues underlie an urgent and practical problem: What, if anything, can be done to save the hundreds of Catholic schools currently on the brink of closure—as well as the thousands more fast approaching the edge?

THE RISE OF CATHOLIC EDUCATION

To imagine what America would look like without Catholic schools, it is useful to consider that our republic has never been without them—for these schools long pre-date the American founding.

In 1606, in what is now St. Augustine, Florida, the Franciscan Order founded the first Catholic school on what would eventually become American shores, in order “to teach children Christian doctrine, reading, and writing.” At first, expansion was slow: As education historians

Thomas Hunt and James Carper note, in the 1600s and 1700s, schooling in America was unsystematic, unregulated, and discontinuous; though some colonies required children to be educated, families and churches developed schools organically, and those schools reflected the preferences and traditions particular to their communities.

Catholic religious orders took the lead in developing secondary schools. In 1677, Jesuits founded a preparatory school for boys in Newtown, Maryland; their second was established in Bohemia Manor, on Maryland's Eastern Shore, in the 1740s. The Sisters of Saint Ursula founded the Ursuline Academy for girls in largely Catholic New Orleans in 1727.

In the early 1800s, parochial schools—those affiliated with parishes—emerged and became the foundation for Catholic elementary schools. During this time, however, Catholics comprised only about 3% of America's population. Though the number of Catholics in the United States grew with the Louisiana Purchase, the nation and its schools were still overwhelmingly Protestant. Moreover, the Church in the United States was still small and organizationally primitive, with few priests and churches and even fewer resources. So Catholics operated a relatively small number of schools, mostly in Maryland and Pennsylvania, states with traditions of religious toleration.

In the first decades of the 19th century, the few Catholic schools that did exist often received public support, typically from local governments. But concerns over government aid to religious institutions, as well as growing anti-immigrant sentiment, brought these arrangements to an end. They also played a part in the emergence of government-funded “common schools,” the predecessors of today's public-school system. Designed to counter what some saw as objectionable influences—immigration, religious and ethnic diversification, and urbanization—and to provide a standard education to all students, common schools aimed to advance both education and assimilation. They grew rapidly and enrolled significant numbers of the nation's children; consequently, in the decades before the Civil War, there were still only about 200 Catholic schools nationwide.

But the waves of immigrants that swept to America's shores in the second half of the 19th century and the first half of the 20th would have major implications for American education, particularly Catholic schools. Urban public-school systems, still in their formative years, quickly became overwhelmed by the massive influx of students. In 1881,

New York had to refuse admission to nearly 10,000 children because the city lacked classroom space; in Chicago in 1886, had all students reported for school as required, there would have been room for only one-third of them.

But it wasn't merely that additional schools were needed; it was that new schools willing and able to serve these particular young Americans were needed. Nearly all of the approximately 17 million immigrants who entered the United States between 1850 and 1900 came from Europe, and many from predominantly Catholic countries like Italy and Ireland. By the turn of the 20th century, America had become 16% Catholic.

During this era, anti-immigrant bigotry spread and intensified and, in some places, received the government's imprimatur. Nebraska and Hawaii passed legislation restricting schools' ability to teach foreign languages. Illinois and Wisconsin enacted laws banning any education in foreign languages, thus effectively dismantling the states' German Catholic and Lutheran parochial schools. Oregon passed laws requiring students to attend public schools—a direct assault on the right of families, Catholic or otherwise, to educate their children as they saw fit. And at the federal level, former speaker of the House James G. Blaine introduced a constitutional amendment in 1875 that would have strictly forbidden any government funding of schools run by “any religious sect.” The Maine congressman's proposal passed overwhelmingly in the House—by a vote of 180 to seven—but was defeated narrowly in the Senate. Within 15 years, however, 29 states had “Blaine Amendments” in their own constitutions.

As government officials were closing off alternatives to public education, they were also giving Catholic families good reason to want to distance themselves from government-run schools. Non-denominational Protestantism was a cornerstone of many public schools; Bible-reading was often mandatory (usually from a Protestant Bible). Some textbooks even contained anti-Catholic material.

Across the nation, these developments convinced many Catholics that their sons and daughters required schools of their own. Education historian Diane Ravitch notes that New York City's Catholic clergy moved to protect children from “Protestant propaganda” by discouraging them from attending the city's public schools. In 1884, at the Third Plenary Council of Baltimore, bishops required all parishes to establish schools and required all Catholic parents to have their children attend them.

Church leaders and concerned families received a major boost in 1925, with the landmark Supreme Court decision *Pierce v. Society of Sisters*. In that case, the Court declared state requirements that students attend public schools to be unconstitutional, and provided broad protection to private education. The opinion thus cleared the way for Catholics to build their own system of schools, free from much of the government interference and obstruction they had theretofore endured.

The response was astounding. Led by parishes (rather than by largely independent religious orders), Catholic schools were built and populated at a remarkable rate. In 1875, there had been fewer than 1,500 Catholic schools in America; by 1930, thanks to strong support for Catholic education from Rome, that number had increased to more than 10,000.

The massive post-war Baby Boom was the final catalyst, producing nearly 80 million American children who needed schools. Between 1941 and 1960, non-public-school enrollment, driven by Catholic schools, grew by 117%. When it reached its zenith in the mid-1960s, the nation's Catholic K-12 education system maintained more than 13,000 schools serving more than 5 million children—approximately 12% of all American students. Most of these schools were in America's cities, and particularly its older cities in the Northeast and Upper Midwest, such as Boston, Chicago, Detroit, and Pittsburgh. In these areas, Catholic schools represented a huge portion of the primary and secondary education system: For example, in 1960, approximately 360,000 students attended New York City's Catholic schools—37% of the average daily public-school attendance.

ROAD TO PERDITION

The swiftness of Catholic schools' rise in the first half of the 20th century makes more remarkable what followed: their even faster decline in the decades after. Hundreds of schools closed in the second half of the 1960s, and new starts failed to make up the difference.

A number of forces conspired to bring about the change. First, by the middle of the 20th century, anti-Catholic bias had eased significantly. As the torrent of European immigrants slowed to a trickle, nativist anger toward Catholics subsided sharply. Catholics had also helped their own cause by making valuable, visible contributions to America in the previous decades, such as their founding of a wide array of public charities and their loyal service in World Wars I and II. By 1960, a Roman

Catholic had even been elected president of the United States. Moreover, important changes made through the Second Vatican Council — such as allowing masses to be said in languages other than Latin, and encouraging Catholics to build bridges to other faiths — modernized and demystified the Church in the eyes of many non-Catholics. As a result, in the 1960s and '70s, a growing number of parents and pastors no longer considered it imperative that Catholic children attend parish schools.

Massive demographic shifts also played a part. With more resources at their disposal than their parents or grandparents had, blue-collar, middle-class families — often Catholic — were able to leave the cities for homes in America's growing suburbs. Since many of these parents chose public schools for their children, the number of new suburban Catholic schools fell far short of the number of urban Catholic schools emptied by the exodus.

Finally, expenses were on the rise. Thousands of urban Catholic schools were constructed before the turn of the 20th century; by the 1960s, they were aging and in need of repair. Human costs, too, were growing: In 1920, 92% of the schools' staff were "religious" — nuns, priests, or brothers. Since teaching was their billet, these employees were virtually free. By 1970, however, more than half of Catholic-school principals and teachers were lay. Unlike their religious predecessors, these educators required salaries and benefits; moreover, they were increasing in number precisely as the growth of public-school unions and collective bargaining was pushing teacher and administrator salaries higher in the public sector. In order for Catholic schools to remain competitive, the compensation they offered had to increase.

In hindsight, it is easy to see how these forces would interact to the detriment of Catholic schools. But at the time it was far from obvious what their effect would be. In 1970, the declining number of schools was not widely known; if it had been, even a perspicacious observer might have written it off as an anomaly.

One person on whom these developments were not lost was Daniel Patrick Moynihan. Then serving as counselor for urban affairs to President Nixon, Moynihan pulled together a panel to study the needs of private K-12 education, with a focus on the decline of inner-city Catholic schools. Internally, the effort was supported by, among others, assistant to the president (and future Catholic-schools benefactor) Peter Flanigan and a young Moynihan aide (and future U.S. assistant secretary

of education), Chester Finn. Issued in the spring of 1972, the panel's final report predicted that, unless steps were taken, alternatives to public schools would all but disappear; the greatest impact, the report noted, would be felt in "large urban centers, with especially grievous consequences for poor and lower middle-class families in racially changing neighborhoods where the nearby nonpublic school is an indispensable stabilizing factor."

The panel recommended a number of policy changes, including school vouchers and facilities assistance. For its part, the Nixon administration took the recommendations to heart: In 1973, the president's tax-reform proposal included tax credits for private-school tuition, and Treasury Secretary George Shultz was dispatched to champion the plan before Congress.

Despite the Nixon administration's efforts, however, the 1970s brought even more closures. In that decade alone, more than 1,700 schools were shuttered. Moynihan stayed on the case after being elected to the U.S. Senate in 1976 as a Democrat from New York, working with a Republican colleague from Oregon, Robert Packwood, to pass education tax-credit legislation. But that effort, and a number of similar proposals by the Reagan administration, came to naught. Throughout the 1980s, many of America's cities continued to hemorrhage population and wealth, and the number of Catholic schools continued to fall. Nearly 1,000 more schools were lost, and enrollment declined by more than half a million.

But the raw numbers don't tell the full story. As more and more Catholic schools closed, those that remained were changing in character. Fewer nuns were in the classrooms, and they were being replaced by young lay (occasionally non-Catholic) teachers. They educated growing numbers of non-Catholic students. Grumbling grew that such schools, lacking a strong, common faith identity, were Catholic in name only. As a result, many Catholic parents felt there was little to be gained by paying Catholic-school tuition instead of just sending their children to the local public school.

Many of the schools were also sparsely enrolled, with halls and classrooms no longer busting at the seams. With less income collected from tuition, considerable subsidies were needed from donors, parishes, and dioceses. In many cases, pastors and bishops began seeing their schools as burdens or outdated relics of the past. In this sense, the very people

who should have been most enthusiastic about Catholic schools—the clergy and devout parents—had less and less incentive to save them.

As the 1990s unfolded, another factor began to accelerate Catholic schools' misfortunes: the emergence of charter schooling. Launched in Minnesota in 1991, charter schools were in many ways a godsend for urban America. For poor parents unable to afford private-school tuition or a home in a better school district, chartering at last offered improved educational options for their children.

One downside, however, was the further undermining of urban Catholic education. Even though Catholic schools set their tuition rates well below per-pupil costs (to remain accessible), a few thousand dollars a year was still prohibitively expensive for many inner-city families. Offered new, presumably safe, and tuition-free charter schools in their neighborhoods, many urban parents decided to forego the expense of Catholic schools. In the 1990s, almost 600 more schools were closed.

Today, by and large, the travails of Catholic education still do not register with the public or elected officials. In the first decade of this new century, more than 1,000 Catholic schools were shuttered; 174 Catholic schools closed or were consolidated during the 2009-10 school year alone. In the past ten years, the Archdiocese of Chicago has seen 31% of its students leave; the Archdiocese of New York and the Diocese of Brooklyn have lost 26% and 33% of their students, respectively, in the same period. Indeed, just this January, the New York archdiocese—which serves about 2.5 million Catholics—announced that it would close 27 schools, about one-eighth of its total.

When these more recent figures are added to those of the past several decades, they paint a shocking portrait of decline. In 50 years, the number of Catholic schools has dropped by nearly 5,800, more than all the elementary public schools operating in the state of California. In the same period, Catholic schools lost more than 3 million students. Where Catholic schools once dominated the private-school sector, claiming nearly 90% of the market, they now represent only one in five non-public schools. And of those Catholic schools that remain, only one out of every eight is located in an inner city.

WHY CATHOLIC SCHOOLS MATTER

Clearly, the events of the past half-century offer ample cause for concern for Catholics. But the decline of Catholic schools affects much

more than one faith community. And some of those who should be most concerned have a thoroughly secular purpose: education reformers struggling to narrow the divide in academic achievement between wealthy students and poor students, and especially between white children and minorities in urban schools.

Over the years, a body of scholarly evidence has accumulated showing that Catholic schools have not only excellent academic results overall, but also a peculiar ability to help disadvantaged students. In the 1980s, the eminent sociologist James Coleman found that Catholic schools, more than public schools, were generating similar achievement results among different types of students. A decade later, other researchers reported similar results, finding that Catholic schools were somehow able “simultaneously to achieve relatively high levels of student learning [and] distribute this learning more equitably with regard to race and class than in the public sector.” And in more recent years, many other researchers—including Paul Peterson, Derek Neal, and Andrew Greeley—have continued to find Catholic-school benefits (especially for at-risk students), including higher test scores, improved high-school graduation rates, and higher rates of college attendance. Catholic schools, in other words, somehow manage to narrow the “achievement gap.”

There are several explanations for this phenomenon. For instance, Anthony Bryk, Valerie Lee, and Peter Holland have argued that it stems from Catholic schools’ rejection of the 20th-century trend toward making secondary schools more vocational, and their commitment to the classic college-preparatory curriculum. Still others argue that neither curriculum nor pedagogy is the principal reason Catholic schools achieve remarkable success with disadvantaged children. Rather, they note, it is because these schools are staffed by adults who believe unquestioningly that all children can and must learn, regardless of income, status, or race. Equally important is these adults’ sense of responsibility and their determination to improve the lives of their students. The “soft bigotry of low expectations,” prevalent in many troubled urban schools, has no place in Catholic education.

Of course, many aging Baby Boomers who attended parochial schools might point to another of Catholic schooling’s distinctive features. They likely recall memorization, recitation, a tightly ordered school day, lectures on diligence, and, most of all, discipline. Indeed, few would likely describe their childhood schools as the idealized learning environment

embraced by today's progressive educators, where instruction is "student centered," where children can "explore," and where routine and repetition are abjured.

Interestingly, today's extraordinarily high-performing urban charter schools—arguably the greatest story in public education in a generation—bear a curious resemblance to the Catholic schools of Baby Boomer memory. Though they have no crucifixes on the walls and any form of corporal punishment is strictly forbidden, outstanding inner-city charters—like those in the Knowledge Is Power Program, Achievement First, and Uncommon Schools networks—believe deeply in order. They also assign mountains of homework, set high expectations, and pursue academic achievement for all students, regardless of background, with a secular religious zeal.

Though the principals of these schools might explain their tactics more elegantly than would the nuns of the 1960s, they are in the exact same business. They need to teach their disadvantaged students reading and math, but they also need to teach them essential life skills that could help lift them out of poverty—skills like hard work, determination, and personal discipline.

It is not an overstatement to say that America's future success will be determined by whether this same kind of education remains available to poor children and families in our inner cities. Over the past 40 years, the failures of so many urban public schools have prevented millions of poor African-American and Latino children from fully realizing the American Dream. And even as we watch in wonder as high-performing urban charter schools send increasing numbers of low-income minority students to college, it is hard not to be discouraged by the many more who remain trapped in schools that simply do not work, left to wander through the same opportunity void as their parents before them.

But with millions of Catholics today firmly rooted in the middle class and above, it's also easy to forget that 50, 75, and 100 years ago, America's urban poor were often recent Catholic immigrants facing many of the same obstacles as today's impoverished inner-city families. Given that a huge proportion of these children attended parochial schools, it's not unreasonable to wonder whether Catholic education played a decisive role in the upward mobility of broad swaths of the American public—and whether that achievement can be repeated with poor students today.

OBSTACLES TO REFORM

If Catholic education is to lift future generations of Americans out of poverty, however, it must overcome two major and immediate obstacles. The first is of Catholic schools' own making: slowness to change and resistance to reform. For years, conservatives properly accused traditional urban school systems of being stubbornly resistant to change, but recent years have seen far more innovation in urban public education than in urban Catholic education. Programs like Teach for America and New Leaders for New Schools have introduced a new generation of talented educators into inner-city public schools. Improved data and accountability systems have made school performance more transparent and forced interventions on the worst schools. And vigorous non-profit organizations exist to replicate great schools, overhaul the teaching profession, and work through the political process to lobby for reform.

Unfortunately, the same cannot be said about urban Catholic education. Catholic schools are still bound to the same staid organizational framework developed generations ago. These systems are typically led by aging career Catholic educators lacking significant experience in any other field. Schools seldom have coherent content standards, accountability systems based on assessments of student academic growth, or an ethic of making publicly available the performance data that do exist.

True, there are a number of promising reform stories. Under the dynamic leadership of superintendent Mary McDonald, the Diocese of Memphis, for instance, was able to re-open a handful of long-shuttered schools in some of the city's most impoverished neighborhoods. These "Jubilee Schools" received generous support from private benefactors and are now generating remarkable gains in student achievement, thanks to a combination of old-fashioned high expectations and a modern focus on measurable results.

In 22 urban centers across the country, the Cristo Rey network of Catholic high schools is consistently preparing underserved inner-city students for college. But what makes these schools stand out is their innovative approach to income and expenses. The central Cristo Rey office provides member schools with a range of support services, taking advantage of economies of scale. The schools have also forged helpful relationships with local businesses to produce the distinctive feature of a Cristo Rey education: One day a week, each student works for a nearby employer,

such as a law firm or bank. The income generated helps offset the cost of the student's education, and the real-world work experience is of enormous value to the students when they apply to college and pursue careers.

At the University of Notre Dame, the Alliance for Catholic Education program trains recent college graduates to become teachers and principals in needy Catholic schools across the nation. Like a Catholic version of Teach for America, ACE places talented young adults in under-resourced schools, particularly in the South; the program also encourages new teachers to become involved in the churches and communities surrounding their schools. ACE thus injects high-energy human capital into distressed communities even as it develops the next generation of Catholic-school leaders. Because of ACE's success, a number of other Catholic colleges and universities have launched similar programs.

Unfortunately, while these efforts show a great deal of potential, their scope is dwarfed by the magnitude of the crisis in Catholic education. Opening a few schools in downtown Memphis can't compensate for the staggering losses of the last decade—like the 65 schools shuttered in Detroit, or the 64 that closed in Chicago, or the 53 that disappeared from Newark. The footprint of Catholic-school networks like Cristo Rey is tiny compared to those operating in the charter sector, and the human-capital contributions of ACE and its affiliated programs are still a fraction of Teach for America's.

And even if urban Catholic schools were to overhaul their personnel and organizational structures and re-invigorate their advocacy apparatus, they would still need to address the same questions that have dogged them for the last two generations: How can schools with increasing costs survive when they serve predominantly low-income students, and when they rely exclusively on tuition and private contributions for income? Without a reliable stream of funding that is commensurate with expenses, insurmountable deficits will inevitably accumulate. Isn't this basic financial model, quite simply, irreparably broken?

The second key obstacle—one that will likely prove more difficult to resolve—is the exclusion of Catholic schools from government funding. Some of the lowest-performing urban public-school systems are also those that spend the most money per pupil—but despite Catholic schools' record of helping disadvantaged students learn, and despite their desperate need for financial resources, these institutions are denied any direct public support.

Much of the unease about government support for faith-based schools is rooted in the concern that their highest priority is religious proselytization. What has failed to permeate the debate, however, is that while Catholic schools originally developed to serve and protect Catholic children and to advance the faith, many inner-city Catholic schools now serve predominantly *non*-Catholic, poor, minority students.

The Archdiocese of New York, for example, reported in 2008 that, among its inner-city schools, nearly two-thirds of students lived below the poverty line and more than 90% were racial minorities. In Washington, D.C., as of 2007, more than 70% of students attending the lowest-income Catholic schools were non-Catholic. In Memphis's inner-city "Jubilee" Catholic schools, as of 2008, 96% of students lived below the poverty line and 81% were non-Catholic. In fact, over the past 40 years, the portion of minority students in Catholic schools overall increased by 250%, and the share of non-Catholic students increased by 500%.

Many of the people associated with these schools will explain that they are motivated not by an obligation to evangelize but by a desire to fulfill their faith's longstanding commitment to service. Among them, an unofficial creed has slowly emerged: "We don't serve these students because *they* are Catholic, we serve them because *we* are Catholic." Regardless of one's position on public support for religiously affiliated entities, it is difficult not to acknowledge that these schools are fully engaged in the noble vocation of public service, civil rights, and social justice. The challenge now is to clear the way for public support of that vocation — and one promising policy innovation may provide the solution.

RELIGIOUS CHARTERS

Those gathered in Washington on that morning in 2007 to learn of the fate of the consortium schools thought they knew what would come next. A bishop's reluctant concession that a number of urban schools had become financially unsustainable was always followed by an announcement of closures. The only questions left were "How many?" and "When?" But Archbishop Wuerl offered a twist, a novel ending for this all-too-familiar story line. The troubled schools would not close: Instead, they would convert into secular public charter schools.

Depending on whom one asked, this unexpected decision was sensible, tragic, heartening, maddening, or all of the above. To the archdiocese, it was merely the best among several unpleasant options.

On the positive side, the schools would stay open: They would remain in their current locations; the students and teachers were welcome to return; and, best of all, because they would be fully public, the schools would receive more than \$10,000 in government aid per student. But the cost of conversion was high: Becoming charters meant the wholesale loss of the schools' religious character. They would be forced to expunge all faith-based elements. No more prayers, no more Bible studies, no more statues of saints, no more crucifixes on the walls.

To those who believe that the teaching of the Catholic catechism in school is essential, or that faith is an indispensable component of a proper education, all that mattered was that these schools would become secular. Charter conversion was the equivalent of closure. For others, however, the issue is more complicated. In some eyes, what truly defines an urban Catholic education is the combination of lofty expectations, universal values, academic rigor, personal discipline, and service to the needy. If all of these elements were preserved in the Washington schools, maybe the loss of faith wasn't a deal-breaker. This difference of opinion raises a straightforward but profound question: How important is the Catholic in Catholic education?

America's outstanding urban charter schools shed light on the subject in a way both vexing and encouraging to Catholic education's biggest champions. These superb secular schools have clearly demonstrated that religion is not a necessary condition for success. But anyone who walks into one of these high-poverty, high-performing charters will quickly notice the all-but-religious devotion of the adults in the building. These teachers and administrators are motivated, and sustained in the face of adversity, by a deep commitment to justice and opportunity. This commitment leads them to believe that all children can learn; it manifests itself in longer school years and mandatory Saturday classes; it is proclaimed in mottos like "Work hard. Be nice," "Team and family," and "No shortcuts and no excuses." Take away the ideals and personal convictions motivating the founders and employees of these schools, and it's easy to see how mediocrity would move in. It stands to reason, then, that removing Catholicism — the shared inspirational force driving those who work in Catholic schools — would have a detrimental influence on the schools' performance.

To their credit, those who led the charter conversion process in Washington, D.C., not only foresaw this challenge but were thoughtful

in addressing it. Rather than simply removing faith-based elements, they sought to replace them with secularized versions that would serve similar purposes. In the converted schools, students no longer pray together at the start of the day, but they do convene for a school-wide morning gathering. They no longer read from the Bible, but they do have an honor code. They no longer recite the Ten Commandments, but they do have ten “core values.” Understanding that religion supported the schools’ academic and cultural structure, those managing the transition ensured that new pillars were in place when the schools re-opened in the fall. And after two years, test scores show that the converted schools are holding their own, if not yet excelling.

Thus the Washington charters offer encouraging news for those concerned primarily with ensuring that inner-city children have viable alternatives to failing public schools. But the people who consider faith formation to be one of the most important parts of a child’s education would surely want to see some restoration of the religious elements they cherished in their Catholic schools.

Which raises a question: Why is it not possible to have both? Must a Catholic K-12 school be required to forsake its faith when it converts to charter status? Is foregoing government aid a necessary, non-negotiable consequence of a school’s retention of its religion?

Though currently the official legal answer to these questions is an unqualified “yes,” it is becoming less emphatic over time. And with the right political, legislative, and legal strategies, advocates could push it to “no, not always.”

Other popular education programs have put the age-old policy of banning state aid to religious K-12 schools on increasingly shaky ground. For decades, former members of the armed services have been allowed to use their G.I. benefits at faith-based institutions of higher education. And low-income college students have long been permitted to use federal Pell Grants at religious colleges and universities. These policies were built on two premises: First, religious schools are a part of an expansive, diverse higher-education landscape, and second, individual recipients—not Uncle Sam—direct the dollars to particular schools. The government can’t be accused of advancing a religion because its funds equally support public colleges and private colleges of all stripes.

These principles were finally applied to K-12 schooling in the 2002 Supreme Court case *Zelman v. Simmons-Harris*, which found Ohio’s

K-12 voucher program to be constitutional. The majority ruled that since the vouchers advance a legitimate secular purpose (educating disadvantaged students), may be used at any private school (secular or religious), and support religious institutions only through individual choice, the program does not offend the establishment clause.

With this decision, the Court unintentionally adumbrated how a state might craft constitutionally acceptable legislation that allows for religious charter schools. First, the schools would have to follow all of the rules of other charter schools, such as administering state assessments and maintaining open-enrollment policies. Second, schools run by all faith traditions (in addition to non-religious organizations) would need to be allowed to participate. Third, the state would have to use “student-based funding”—meaning that each child would be allocated a certain amount of government aid for his education, and that that funding would follow the student to the school of his choice. The law would have a clear secular purpose—preserving high-quality education options for needy students. All participating schools would be held to the same academic, safety, and financial standards. The array of schools available to families would be diverse, including government-run public, non-profit-run public, secular private, and various faith-based private institutions. If any money should go to a religious school, it would be the result of choices made by families, not the state.

But before any such legislation is enacted—and before any case surrounding it finds its way to the Supreme Court—a great deal of coordinated work must take place. First, Catholic-school advocates need to show that Catholic schools are willing to be an integrated part of the larger K-12 environment. They need to signal to private-school skeptics that Catholic schools are willing to participate in a system of standards, assessments, accountability, and transparency.

Second, savvy state legislators need to craft a multi-pronged strategy to lay the necessary policy groundwork. This would include, among other things, changing states’ charter laws to allow the participation of private schools, developing a student-based funding formula for education, and establishing clear rules for ensuring that new Catholic (and other private) charter schools are able to maintain sufficient autonomy while being held accountable for results.

Finally, to ensure that these schools can serve poor students well, the federal government would need to change its rules barring private schools

from directly receiving federal education funds—such as Title I dollars for low-income students—and from participating in the federal charter-school program. The federal government needn't apply these changes to all private schools; it could extend these waivers only to those private schools willing to accept the public accountability bargain of charters. Congress could be particularly helpful by launching a small incentive program that would fund several cities or states interested in pursuing such faith-based charter schools.

It is long past time for policymakers to fix the legal peculiarities that currently prevent the establishment of religious charter schools. Through a voucher program, a private school can legally receive government aid and keep its religious aspects while avoiding the state's accountability system. A religious charter-school system would serve the same educational and spiritual needs in America's inner cities—and it would have the added benefit of holding the schools accountable for their results. Yet today such a program would be illegal. Until that changes, hundreds of Catholic schools serving some of the nation's poorest students—schools that could be kept alive as religious charters—will be needlessly lost.

EVOLUTION, NOT REVOLUTION

There are reasons for optimism on this front. In his 2007 book, *Religious Charter Schools: Legalities and Practicalities*, scholar Lawrence Weinberg explains how faith-based organizations can make use of the chartering mechanism within current laws (by “accommodating” religion, not “endorsing” it), and gives examples of schools across the nation that seem to be testing the legal boundaries. Moreover, there are today numerous Hebrew-language charter schools serving mostly Jewish student bodies, as well as charters with strong Arabic-language programs serving majority Muslim populations. Increasingly, the line between “religious private” and “secular charter” is blurring.

Intellectually, the case can be made for faith-based charter schools. Crafted wisely by state political leaders, legislation may pass constitutional muster. And on the ground, educational entrepreneurs—like those starting Hebrew-language charters or secular charters with voluntary after-school religious programs—are already showing that great interest exists among providers and consumers.

What is needed now, then, is for a big-city Catholic bishop to acknowledge that chartering and Catholic education are a natural fit.

For generations, Catholic schools educated countless poor children; chartering was created to allow a wide variety of non-profit groups to run excellent schools, frequently serving children in need. By allowing Catholic schools to receive government funding, a religious-charter policy could honor the traditions of both Catholic education and the chartering movement, allow these schools to carry on their service to the most at-risk urban students, and adhere to state standards, assessments, and accountability frameworks.

This faith-based charter compromise could lead to a renewed urban school system—one based on equitable funding, more diverse options, parental choice, and comprehensive transparency and accountability. It is also probably the most practical way to rescue an institution that has played an enormous role in America's history, and that continues to help millions of children achieve the American Dream.

Implementing such a policy will not be without its political and legal challenges, of course. But far less appealing is the alternative: an acceleration of the tragic decline of urban Catholic schools, and the eventual regret that we did nothing over half a century while one of the nation's greatest educational treasures disappeared.