

MONTHLY LETTER TO FRIENDS OF
THE CENTER FOR EDUCATION REFORM
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Dear Friends:

Like the U.S. Postal Service, education reform kept delivering throughout the "blizzard of '96," with gains being posted in a number of states and other efforts continuing their trek through the drifts of opposition and the high winds of anti-reform rhetoric. (Okay, so maybe I was cooped up by the snow a little too long.) Actually, reform fared better than the postal service, which did stop operating for a few days during the storm. But snow or no snow we move forward, in fact, you might say, "Education Reform...we deliver for you." So hop on your dog sled as we travel the Iditirod of news from January. Mush! (I need to get to a warmer climate.)



From The States

Governors delivering their yearly state outlooks stressed education, taking the side of the angels, and, in some cases, proposing fundamental reform efforts:

- The storms didn't keep **New Jersey** Gov. Christine Todd Whitman and legislators from finally reaching consensus on the nation's 20th charter school bill, signed on January 11. While much of the law is good, the consensus process aimed at appeasing the NJEA turned some of the fruits of labor sour. Examples: conversion charters must follow collective bargaining rules; new schools, which can be started by a variety of people, cannot net a profit, making it difficult for some of the promising private firms to land a charter; approval starts and ends with the Commissioner of Education; and the number is capped at 135 until the year 2000. Still, it's a strong law and welcomed. In her state-of-the-state address, Whitman staved off talk of increased spending on education across the board to meet State Supreme Court demands. Instead, she offered an alternative plan that would link funding to standards.
- In another new year's breakthrough, **California** Gov. Pete Wilson put his seal of approval on a voucher bill to allow students from the worst performing schools (scoring in the bottom 5% of national standardized tests) to attend private, including sectarian, schools of their choice. Wilson's plan to provide up to \$4,500 in "opportunity scholarships" could affect 250,000 pupils and he is adamant in his support: "No child should be trapped in these failing schools because their parents

can't afford an alternative." Wilson's in good company — Democratic Assemblyman Willard Murray has been circulating a similar proposal to help residents like those in his Compton district. Also in the Golden State, hats off to Assemblyman Steve Baldwin, the newly tapped head of the House Education Committee. A courageous education reformer, Baldwin will bring commitment and principle to the job, qualities that have been needed for some time to move along reform in California.

- In his state-of-the-state address, odd remarks by **Arizona** Gov. Fife Symington have left some residents puzzled. Facing budget constraints and anxious to make good on a proposed \$200 million tax cut, the Governor, although a strong supporter of charters, has recommended capping the number of schools the state will allow. But the budget problems created by charters may lie more in the funding formula than in charters themselves. It is true that there is an overwhelming interest by parents in placing their children in charter schools, but that's not the problem. Because public school funding is based on previous-year statistics and charter funding is based on current year figures, children who are newly-enrolled in charter schools are being counted twice, once as public school students and once as charter school students. Capping the number of charters doesn't really solve the problem. The better solution would be to use a current-year funding formula for all schools. This would eliminate double-billing, keep charters going and growing, and perhaps free-up the money the governor needs for his tax cut. A classic win-win-win situation.

- **Maryland** Gov. Paris Glendening announced the results of Maryland's report cards on student performance assessments, noting that all but two counties scored consistent academic gains. This brought glad tidings from Education Secretary Riley who praised the report card results, which showed 40% of Maryland's students doing "satisfactory or better." What they failed to note, however, was that for the first time in the test's five year history, only one district (Garret County), actually "passed" the test. And wait... did they say 40%? Maryland's goal for the year 2000 is to have 70% doing satisfactory or better. Are we content with 60% *not* doing satisfactory work?

Still, Calvert County Superintendent (and CER friend), Bill Maloney, reports that his program is working. His schools led the state in one-year achievement growth as a result of higher achievement standards for all students.

- **Wisconsin** Gov. Tommy Thompson is back in court, this time enjoined from restructuring the state's Department of Public Instruction. Passed by the legislature early last year, the reorganization took power away from the elected superintendent and the DPI and gave it to a new department run by an appointee. The move mirrors that of many states and cities who find themselves without the power to reform the schools. State superintendent, John Benson, not surprisingly, says the move is unconstitutional. He also happens to be an opponent of most reform measures.

- **New York** Education Commissioner Richard Mills has partially stripped the Roosevelt, Long Island School Board of its administrative powers. Long on the state's watch list, the district has been plagued by financial mismanagement, lack of discipline, teacher absenteeism, and textbook shortages. The state's intervention will continue through the May's school board election. While many are wrestling with the concept of takeovers where it is not clear the state has been able to do any better, other Long Island residents are upset that they didn't have the chance to make changes of their own, particularly to the school board. Idea: if a state decides a district is not doing its job, why not dismiss school board members and the superintendent and call a special election to allow citizens to address the problem themselves? Comments?
- Speaking of local control, an arbitrator has ordered the **Wilkesburg, PA** School District to re-hire the teachers from Turner school who were furloughed in order to allow Alternative Public Schools, Inc. to hire its own teachers. Arbitrator? Who elected him, you may ask? The answer, sadly, is no one. Meanwhile, the board, which was elected — and re-elected — is planning to appeal. And the issue of whether they have the power to even hire private education contractors has yet to be heard by the State Supreme Court. So if you're one of the millions of Americans who feel disenfranchised by your schools, take heart — there's good reason for it!
- **Washington** state voters have qualified two initiatives for consideration by the legislature: a voucher bill and a bill to allow for the creation of independent charter schools. If legislators fail to act on the measures, they will go right to the people for a vote on a statewide ballot. Because priority is given to such petition efforts, hearings have been held, and action will be quick. State Superintendent of Schools, Judith Billings, opposes both measures, which together garnered nearly 400,000 signatures.
- It's the classic on-again, off-again debate. But the possibility of school choice for **Washington DC's** poor youngsters is still very much alive. You may recall that a modest scholarship program was part of a larger education package being considered by Congress, which was part of the larger DC Appropriations bill. The House passed the whole package, but the Senate version did not contain the choice provision. The conference committee began to deliberate, with Senate conferees (led by Vermont's James Jeffords) refusing to consider it and the House holding firm. Deals have been cut, un-cut and re-cut, but DC is still without a permanent appropriation. The temporary funding measure expires on Jan. 26. Several DC officials support the reforms, and there are countless parents who are already waiting for scholarships, but Jeffords has his feet firmly within the establishment, and is not budging... for now.
- **Colorado's** Charter School Commission has unveiled its recommendations. Among them: allow charter schools to use district facilities at no cost; completely lift the 50-school cap; have at least 25% of charters serve at-risk students; provide automatic waivers from certain state statutes; allow charters to receive 100% of per-pupil funding; and require local boards to state reasons for denying charters, while extending chartering authority to the State Board of Education. All of the recommendations were drawn from experience and from other states with stronger laws. There is an infinite variety of bills circulating (and being passed) in states, and with components as those mentioned above being necessary to having truly chartered schools, other states would do well to look at the work of the charter commission.

A brief update on pending charter legislation: Ohio is holding hearings on its bill, which is currently very strong; Pennsylvania legislators are considering somewhat weaker language, with the PA School Boards Association reportedly interested in much stronger language; Florida lawmakers are moving ahead with plans to unveil legislation soon; and the California State Board of Education is considering approving charters over and beyond the 100 school cap, given their authorization by law to do so.

They're Off — Opponents File Suit Against Cleveland Scholarship Program

Finally, the much awaited challenge to the **Ohio** low-income school choice program (slated to start this fall), has arrived in the form of the Ohio Federation of Teachers suit *Gattan v. Goff*. A cause celebre of the OFTA and their national backers, the American Federation of Teachers, the unions are asking for an injunction to prevent the program from starting and are challenging it on federal and state constitutional grounds. But, according to Institute for Justice Vice President Clint Bolick who worked with the Governor to draft the legislation, the measure was crafted to ensure that it does not infringe on the establishment of religion clause, and “preliminary analysis of Ohio constitutional law gives us guarded optimism.”

The Cleveland program will serve 1,500 children; 6,812 have applied. When the Education Department requested that schools wishing to participate file a compliance form, 51 private schools signed-up, and at least four new schools, run by HOPE for Cleveland's Children, will open to help meet the demand. HOPE also is providing support and guidance to parents by holding school fairs and walking them through the choice process. As HOPE points out, anyone questioning the need for real solutions to children's woes need only consider the results of the 9th grade proficiency exam released last week — only 25% of students passed the reading assessment and only 10% passed the math. As Charlie Brown would say, “*Good Grief!*” But AFT spokesman Jamie Horwitz obviously hasn't read the papers. He called the Cleveland program “a cruel hoax.” What would he say about the state of the schools? A fair deal?

The AFT reports that their opposition to the program is supported by the League of Woman Voters, the ACLU, and some religious groups. The Institute for Justice, meanwhile, has the support of the thousands of parents the program would affect, several of whom will serve as defendants in an intervening motion the IJ will file in the case. While the plaintiffs will argue that the scholarship program is unconstitutional, it is not difficult to see their real motives. Consider these comments by AFT president Al Shanker, in a May 1995 speech to local union presidents: “In a way we are all candidates for public office. We have to ask ourselves how our activities help us win...” “That task,” which, according to the AFT, is “key to labor's future and largely dependent on labor's ability to carve out a new message, is becoming more difficult thanks to several troubling developments: a highly publicized power struggle within the AFL-CIO, new legislative strategies aimed at crippling unions and their ability to influence public policy, and efforts to cut or privatize vital services that AFT members provide.”

So there you have it. Union clout, over children's needs. Even the most ardent, yet honest, choice opponent would admit that there are issues on behalf of kids that take precedent over a vested interest. Stay tuned — this one promises to be full of sparks. For

information on the lawsuit, call the IJ at (202) 457-4240. (P.S. Oral arguments in the Milwaukee school choice court case are scheduled for February 27)

A View From the Blob

Taking a look at “extremist” activities keeps NEA heads swimming. Charters, choice, and efforts to keep UCLA’s history standards out of the curriculum are, of course, extremist only to this blob. The Arizona Education Association has issued a report on how to deal with such “attacks” on education (call 602-264-1774 for a glimpse). Other state unions already have such defense mechanisms in place.

In a December 8 press release, NEA Prez Keith Geiger declared war on proposals to balance the federal budget. Geiger called on members to “turn up the heat,” and generated more than 20,000 letters to Congress (most of them form-letters or postcards). While meeting with state leaders to plan grassroots activities, the NEA declared that “One million children would be dropped from the Title 1 program to provide them basic skills of reading, writing and arithmetic; and the drug free schools program would be eliminated.”

Never mind that that’s not true, (proposed cuts would have no where near the impact of Geiger’s dire prediction), what’s more to the point, or counter point of Geiger’s assertion, is that Title 1 has been declared unsuccessful based on its own internal audits; and that much of the drug free schools program pays for things like the gorgeous notebook-sized package that came to our office last month, equipped with a video, several color posters, and dozens of brochures outlining “drug free” promotion activities (at an average cost of \$30/ piece, multiplied by approximately 80,000 recipients, that’s \$2.4 million — not including postage!)

The California Teachers Association is up to its old tricks, spreading misleading or false claims about charter schools. Lobbyists recently stated that the teachers in charters which had been converted from public schools had seen their wages and benefits reduced, that charters were paying parents to home school their children, and other such rot. You might recall that the CTA once circulated a document stating that “Charters could cost you your job!” As we said then, and repeat now, who’s calling who extremist?

The Nevada State Education Association goes to further extremes. An investigation by the state found that the NSEA had taken a document prepared by the Legislation Council Bureau about a pending bill on collective bargaining rights and doctored it with editorial comments, which was then copied and passed out to the committee as if it was factual. Some legislators, according to one reformer, are saying that while an apology was issued, it was “not willfully intentional.” As this reformer says, “excuse me... but not willfully intentional to walk into a government office, pull a file off a desk, remove it from that office, alter it and present it as fact on LCB letterhead during legislative testimony?”

Sour grapes? The school superintendent in Grand Rapids, Michigan, Jeffrey Grotzky (a leading member of the Michigan blob) is refusing to provide transportation to students attending a charter in his district. Excel Charter School has even offered to pay for the bus service (which has 180 students and specializes in teaching the core subjects with an emphasis on character development), but Grotzky says no: “If a charter school wants to open, God Bless them. But I will not help them get into business or stay in business.” Meanwhile, Grotzky must provide transportation to private school students who live along the bus routes, but as for charter students, well, they’re just the poor relative. Without cooperation, it’s likely that problems like this will be taken up by lawmakers. Sooner or later, Grotzky will have to recognize that they’re all in the same business.

In assessing the power of the New Jersey Education Association (which has spent over \$1 million in less than two years on politicking), the *Bergen Record* reported that not only is their clout unparalleled in the state capitol, but locally, hundreds of NJEA members sit on school boards and have campaign operations “that would leave a seasoned politician starry-eyed.” Teachers in Verona, who were not happy last year with progress made in contract negotiations, “stopped writing recommendations for college bound seniors.” In another town, teachers, prompted by the union, didn’t attend back-to-school nights. Such tactics fly in the face of the NEA’s recent admonition that “we have to reform from within, or be dismantled from without.” (The good news: the NJEA lost 11 of the 12 challengers it supported during the last state legislative election.)

And here’s an interesting twist on union activity; despite opposing private companies managing or forming Ohio schools, the Columbus Education Association, along with members of the community and the Ohio State College of Education, are going to take over four low-performing schools and run them themselves. Perhaps private contractors should protest their move, seek financial audits regularly... what’s good for the goose...?

You Know It's Time To Demand Reform When...

...School authorities deny you the right to inspect your child’s records. That’s the case in Klein, Texas, where parent Robert Lett asked to see his daughter’s records after she was punished for being tardy (it gets better; she wasn’t really late — she’d gone to the bathroom before class, with permission). Lett was then sued by the school district for seeking the records, and the judge in the case ruled school records to be a matter of school policy and therefore exempt from the Texas Open Records law. After having to pay his and the district’s legal fees, Lett was finally vindicated when the legislature passed a law making it illegal to sue someone who asks for their child’s records.

...Teachers tell you that the school’s atmosphere is “essentially like six hours of social life for the kids... there are no consequences for breaking the rules... in effect, there are no rules.” A *St. Louis Post Dispatch* editorial writer invited three teachers in to talk about school violence in their troubled schools. “We get cursed at all the time,” said one. “We need to get rid of the no-consequences attitude,” said another. Regarding vouchers, the three agreed that they would help the 10% of kids that were bent on getting an education. “There wouldn’t be this pretense of education. We’d be accepted for what we are — holding pens.”

...A student is docked because her parent didn’t get her a library card. Arguing that kids must be exposed to books outside of class, the local school council in a Chicago suburb mandated that children lose a grade if they fail to have a library card. But the parent involved, Bradford Meinecke, feels otherwise: “I’m the one who determines what’s good for my children... everyone in our family is a reader,” adding that they have access to thousands of books and computer tools at home. It is the “epitome of bureaucratic egotism,” Meinecke says. Still, he relented for his children’s sake, and got both of them library cards. But if necessary, he’ll switch schools before he rolls over again.

...Children are willing to be labeled disabled so that they can take the SAT without time limits. According to the *Boston Globe*, 16,000 high schoolers taking the test this year are “learning disabled.” That number is double what it was 5 years ago.

In the Trenches

- In his new update on charters, Minnesotan Ted Kolderie talks about the changing attitudes of school officials. The attitudinal evolution has gone from: "It's an assertion that I'm not doing my job; somebody else can run a better school than I can..." to "I'm never going to be able to make the changes we need... until I have a charter school operating across the street from me." Call for a copy, or check out our Web site at edreform.com.
- Much has been said — and written — about the Barclay school in downtown Baltimore. A public school that has brought in private money and outside resources to finance the use of the Calvert curriculum, the school has been widely acclaimed for raising the level of achievement of the largely at-risk student body. Phonics is emphasized, as are handwriting and discipline. Children who participated in the Calvert program (it's been implemented one grade at a time), scored at or above the national average on standardized reading scores. (Compare that to the Maryland overall results mentioned earlier.) There are plans to expand to another public school. In the words of Barclay principal Gertrude Williams, "...children are at-risk only if there is a poor curriculum... and when schools begin with a good curriculum... you get a stronger child."
- In a November report, the Toledo, Ohio Chamber of Commerce found that the district cedes too much control to unions, and, as a result, impedes the ability of the district to improve schools. The report found that teachers there have too many fringe benefits, have the shortest work day in the state (5.5 hours in elementary and 6 hours in high school), and that innovation is discouraged through the contracts. The local union has threatened to strike if they don't get a 14% pay raise. The unions called the report "union bashing." Kudos to the Chamber for having the courage to act on complaints by district officials. More should be as bold.
- A Milwaukee school faced with closure for poor performance has applied for charter status instead. Malcolm X Academy has gathered enough signatures for a public hearing on the subject. It would be the city's first conversion charter.
- There's good news in the nine charter schools in Los Angeles, CA, according to a report released by the Board of Education. The schools are showing marked improvement in attendance, integration and parental involvement. While improved test scores did not make the list of positive changes, many concede that measurable achievement may take more than two years. Many of the charters operating around the country are vastly different from the traditional schools the children left. In some cases the benchmark is higher; in others, like Yvonne Chan's Next Century Learning Center in East L.A., scores had initially gone up, but just registered a drop, which she attributes to her decision to test all students, even those for whom English is a second language and former special ed students. In fact, she tested twice as many children in '95 as she did in '94. As with so many efforts, test scores never show the whole picture; the other documented successes are enough at this early stage to turn people's heads.

Resources. *Things to know, things you may need, things we may need*

Wanted: Teachers to work in a new, dynamic charter school. Martha's Vineyard Public Charter School, will open in September for 60 children (ages 9-14), to eventually grow to a

school of 180 (ages 5-19). They are seeking 6 full-time faculty to begin work this spring in planning the school and its curriculum and to assume teaching positions in the fall. Candidates should show enthusiasm and energy, expertise in one content area, experience in encouraging creativity, productivity and leadership and other strong skills. Send a resume and letter to P.O. Box 1787, Vineyard Haven, MA, 02568.

Available: The Charter School Idea, a terrific video and resource guide that explores and analyzes charter schools, highlighting some of the biggest entrepreneurs in the field. The video and book are available from the Canada-based Society for Advancing Educational Research, 57 Allan Close, Red Deer, Alberta, Canada, T4R 1A4.

Available: The Center has its new state summary of school reform and "Waiting for the Revolution," which highlights successful system-wide reforms. Call us for copies or for a free publications guide. (We update everything quarterly.)

Hero of the Month

Here's an exciting story. **Randy Bos**, Montebella, Michigan superintendent, proposed turning the district's five schools into charters, and his school board approved the plan by a 6-1 vote. Each school would be responsible for coming up with its own board and contract. The district board would remain, but its role would change to one of provider, rather than producer. There's much skepticism in the community, and there's always a chance that the union will want too many concessions in each contract, but such a novel approach is worth the undertaking.



Please let us know what's going on in your part of the world and how we can help. 1996 is proving to be an exciting year, and it's still January. Who knows what we'll all have accomplished by spring?

Jeanne Allen