Teacher Unions Back Kerry
by Mike Antonucci
More than six of every seven delegates to the July 3-7 Representative Assembly of the National Education Association (NEA) supported the recommendation of U.S. Senator John Kerry (D-Massachusetts) for president of the United States. The 86.5 percent endorsement margin falls short of previous margins for Bill Clinton and Al Gore, but nevertheless constitutes a pretty firm alliance between NEA’s most active members and the Democratic Party.

Two weeks later, the American Federation of Teachers (AFT) also endorsed Kerry, with an 86.5 percent margin. Kerry’s endorsement from 69.5 percent of AFT members in 2000 fell to 46.5 percent in 2004.

NCLB Compliance On Track, But Some Issues Demand Attention
by Krista Kafer
States have made considerable progress in implementing the federal No Child Left Behind Act (NCLB), but some aspects of the law merit “immediate attention and consideration” from federal officials and state policymakers, according to a new report by the NCLB p. 4

Millions of Students Affected by Sexual Misconduct in Public Schools
by David W. Kirkpatrick
Sexual abuses by Catholic priests, some extending back several decades, finally exploded in recent years into massive media coverage, lawsuits, and payments in the hundreds of millions of dollars. The Archdiocese of Portland, Oregon has filed for bankruptcy, others are close to bankruptcy, and support for the Catholic church has been seriously weakened.

Opponents Make a Federal Case of Arizona’s Tax Credits
by Robert Holland
Arizona’s pioneering school choice tax credits must withstand scrutiny of their constitutionality yet again—only this time, those passing judgment will be federal, not state, jurists.

A 5-4 majority of the U.S. Supreme Court injected an element of uncertainty into the tax credit plan when it decided June 14 to allow an American Civil Liberties Union-sponsored challenge to go forward in federal district court. The decision has far-reaching significance because it extends federal judicial review over state tax matters usually reserved to the states.

“This decision is an erosion of the important constitutional boundary between the autonomy of individual states and the powers of the federal government,” commented Mark Brnovich, constitutional expert for the Goldwater Institute.

The High Court did not rule on the merits of Arizona’s school choice program.

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JOIN US ON SEPTEMBER 23 FOR TWO AMAZING EVENTS

Heartland Emerging Issues Forum

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The Emerging Issues Forum is a day-long conference featuring panel presentations by public policy experts from the nation’s leading free-market think tanks and advocacy groups. The focus is on anticipating issues and ideas that will play major roles in domestic public policy debates in 2005 and beyond.

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John Fund writes the weekly “Political Diary” column for the Wall Street Journal’s OpinionJournal.com. A long-time proponent of free markets and individual liberty, Fund is marking 20 years with the Journal.

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About the Benefit
The Heartland Institute is celebrating its twentieth anniversary with a reception and dinner on Thursday, September 23, in the Grand Ballroom of the Chicago Hilton Hotel, 720 South Michigan Avenue. We hope you will join us!

Keynote Address: Robert Novak
Novak is a nationally syndicated columnist and host and co-executive producer of CNN’s political roundtable, “Capital Gang.” He is also an occasional co-host on CNN’s “Crossfire” program and often appears as an interviewee on NBC’s “Meet the Press.”

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George Clowes  Scott Hodge  Jay Lehr  Conrad Meier  Lee Walker

Robert Novak  John Fund  Dave Padden  Joseph Bast  Tim Dorsey
House Renews DC Voucher Funding

by Don Soifer

The U.S. House of Representatives on July 20 renewed funding for President Bush’s school voucher program for public school students in the District of Columbia. Shortly before the vote, Democrats withdrew an amendment to redirect $4 million from the voucher program to the DC Public Schools.

The bill, which passed with a strong 371-54 majority—and with remarkable speed in a presidential election year—now proceeds for consideration by the Senate.

“The fact is, the District of Columbia has one of the most troubled public school systems in the United States,” observed one of the plan’s authors, House Government Reform Committee Chairman Tom Davis (R-Virginia). “Charter schools and transformational schools are popular and important educational alternatives. But there are simply not enough places in these schools to meet student and parent demand.”

The D.C. School Choice Act gives parents additional educational options for their children, explained Davis. “It gives them a shot at a better life, the same shot we want all for our children.”

Teacher Unions Blast NCLB

Both major national teacher unions held their annual conventions in Washington, DC this July, and both used them largely as forums to take shots at the No Child Left Behind Act (NCLB).

The American Federation of Teachers (AFT), which elected former Rhode Island AFL-CIO President Edward J. McElroy to succeed Sandra Feldman as its president, attacked the centerpiece of Bush’s education plan with vigor. Singling out the law’s definitions of “highly qualified teachers,” public school choice, and supplemental education services as serious flaws, AFT leaders also stressed the need for “appropriate funding” for the law.

But it is the law’s system of accountability for academic results that has received the brunt of the unions’ ire.

“The problem is not that many schools and districts are failing to make Adequate Yearly Progress; ineffective schools should be identified,” stated an AFT position paper distributed at the convention. “The problem is that many of these so-called failing schools and districts are being identified more for statistical than education reasons.”

In a significant development, National Education Association (NEA) leaders announced a new partnership with the anti-Bush activist group MoveOn.org to challenge the 2002 law. They encouraged members to host house parties in late September to oppose the NCLB law’s provisions for “mandating high-stakes testing, forcing teachers to teach to a test, and wasting money on paperwork and bureaucracy.”

School Reform News

School Reform News is available on the Internet. Point your web browser to http://www.heartland.org.

CIRCULATION MANAGER
Latreece Vankinscott


SCHOOL REFORM NEWS | SEPTEMBER 2004

CAPITOL HILL BEAT

Study Documents

Reading Decline

It is no great revelation that Americans read fewer books than they did 20 years ago, but the findings of a National Endowment for the Arts study released in July will raise eyebrows.

Less than half of American adults currently read literature, according to the study, Reading at Risk: A Survey of Literacy Reading in America. That represents an overall decline of 10 percentage points from levels of 20 years ago. The trend is most acute in recent years. The rate of decline tripled over the most recent decade, and especially among 18-24-year-olds, the youngest age group studied.

The report was developed from an analysis of Census Bureau data from 1982-2002 for a population of 17,000 adults. The study showed the most popular types of literature were novels and short stories, which were read by 45 percent of respondents in the past year.

The study also examined correlations between literary reading and other activities, and it was little surprise that less frequent readers went hand-in-hand with more frequent television viewing. For example, adults who do not watch television every day are 48 percent more likely to be frequent readers, i.e., read between 12 and 49 books every 12 months.

Endowment Chairman Dana Gioia, an award-winning poet and essayist, admitted he was most surprised by the rate of decline. Noting modern electronic media offer unparalleled immediacy, access, and diversity, Gioia described the acceleration of reading trends as dire.

“Print culture affords irreplaceable forms of focused attention and contemplation that make complex communications and insights possible,” he said. “To lose such intellectual capability—and the many sorts of human continuity it allows—would constitute a vast cultural impoverishment.”

Don Soifer (soifer@lexingtoninstitute.org) is executive vice president of the Lexington Institute in Arlington, Virginia.

INTERNET INFO

The National Endowment for the Arts study is available online at http://www.nea.gov/pub/readingatrisk.pdf.
NCLB
Continued from page 1

Education Commission of the States (ECS). Those issues include ensuring performance growth of all students, not just low-performing ones, and strengthening the requirements for highly qualified teachers.

All 50 states have met or are “partially on track” toward meeting 20 of the 40 requirements of NCLB, according to the July 2004 study, The ECS Report to the Nation: State Implementation of the No Child Left Behind Act, funded by the U.S. Department of Education. The report reveals how many states, plus the District of Columbia, have met, partially met, or not met the law’s requirements as of March 2004. It also highlights implementation challenges and provides examples of policy strategies.

“Forty-eight [states] met or were on track to meet 75 percent of the requirements and five states—Connecticut, Kentucky, New York, Oklahoma, and Pennsylvania—had achieved or partially achieved all 40 NCLB requirements.”

ECS found states made significant gains in implementation from March 2003 to March 2004. Forty-eight met or were on track to meet 75 percent of the requirements and five states—Connecticut, Kentucky, New York, Oklahoma, and Pennsylvania—had achieved or partially achieved all 40 NCLB requirements.

“The ECS Report to the Nation demonstrates that major shifts in state education policy can occur over a relatively short time,” said Milton Goldberg, ECS distinguished senior fellow. “While adaptations in No Child Left Behind continue to be made, the overall progress is remarkable.”

Progress, however, is uneven. Highlights from the seven policy areas—standards and assessments, accountability, school improvement, safe schools, report cards, teacher quality, and supplemental education services—are as follows:

Standards and Assessments
Forty states are on track to establishing reading standards, 38 on track for math standards, and 48 on track for science standards. The remainder are partially on track to creating them. More than half are on track to having annual assessments in these areas. Nearly all states are on track regarding assessments of English proficiency.

Adequate Yearly Progress (AYP)
Most states are on track toward establishing a single statewide accountability system that includes all schools and students. All but two states are at least partially on track toward making an annual determination of adequate yearly progress.

School Improvement
Slightly more than half of the states are on track toward making timely identification of schools that are not at standard and ensuring that districts notify parents of this status in a timely way. Thirty-four states are on track to providing students in these schools with the option to transfer to a higher-performing school. The remainder are partially on track to provide technical assistance to schools not at standard.

Safe Schools
Almost all states are on track to having criteria for unsafe schools and transfer policies for victims of violent crimes and students in unsafe schools.

Supplemental Services
Thirty-one states are on track for ensuring that students in poor performing schools have access to supplemental education services such as tutoring. Forty-eight states are on track for having criteria for supplemental services, and 45 are on track for having a list of approved providers. Twelve do not have standards for monitoring the quality of the providers.

Report Cards
Nineteen states are on track to providing school report cards that provide information on schools' achievement rates, graduation rates, teacher qualifications, and other indicators. All but one of the rest were partially on track.

Teacher Quality
All but one state is on track or partially on track to determining a definition for a “highly qualified teacher.” Eleven are on track for establishing a system to test subject matter competency of teachers. Most are on track to establishing a test for new elementary teachers.

No state, however, appeared to be on track for establishing an annual goal for districts to increase the percentage of highly qualified teachers so that all teachers would be highly qualified by the end of 2006. None was on track for creating annual measurable objectives for raising the percentage of teachers receiving effective professional development.

Policy Recommendations
The ECS report provided five policy recommendations that, in ECS’s view, required immediate attention from policymakers:

- The report recommends the nation “embrace NCLB as a civil right” because it offers “an unprecedented opportunity to raise expectations and significantly narrow achievement gaps that persist in U.S. schools.”
- States should not lose sight of higher-achieving students in their efforts to improve academic achievement of struggling students.
- Lawmakers should reassess AYP so that it measures academic progress of cohorts of students, because that method “provides a more accurate picture of student performance and how schools and teachers are contributing to the gains.” (See related article on page 18.)
- States should strengthen highly qualified teacher requirements so they meet both the letter and the spirit of the law.
- As the number of schools failing to meet state standards grows, states will need to build capacity to help such schools improve.

“The promise of NCLB to raise the achievement of students who have been struggling should not obscure the need to raise the achievement of all students, regardless of current academic standing,” stated the ECS report. “NCLB provides a unique opportunity to ensure improvement for all students.”

The Education Commission of the States is a non-partisan organization established in 1985 to help state leaders “identify, develop, and implement public policies to improve student learning at all levels.”

Krista Kafer (krista.kafer@heritage.org) is senior policy analyst for education at The Heritage Foundation.

INTERNET INFO

School Data Now Available for Decision-Making

The growth of the standards and assessment movement is yielding an abundance of school-level student achievement data for parents, educators, and policy makers. Several organizations are providing school-level achievement information online.


Through this interactive Web site, districts and schools can disseminate state and district report cards. Parents, educators, and policy makers can use a variety of comparative tools to analyze school achievement and make policy decisions.

“Parents have a right to know how their students are performing in school, and whether they are learning in a particular school,” said Dan Katzir, managing director of The Broad Foundation. “The School Information Partnership provides powerful tools for parents so that they can acquire the information they need to make informed decisions about their children’s futures.”

Other Web sites also provide parents, educators, and policy makers with school-level information. The Seattle Times, for example, provides an online guide at: http://schoolguide.seattletimes.nwsource.com/.

Additionally, states post online information. Some state departments of education have provided school-level data online for years. Others have only just begun doing so in order to comply with the federal No Child Left Behind Act.

According to the Education Commission of the States (ECS), most states are at least partially on track toward providing school report cards that provide information on schools’ achievement rates, graduation rates, teacher qualifications, and other indicators. ECS is monitoring the implementation of state report cards and other NCLB requirements for all 50 states at: http://nclb2.ecs.org/NCLBSURVEY/nclb.aspx?Target=NG.

— K.K.
In Indiana, Billboards Tell Parents, “You Can Choose”

by Keri Hunter

In a public awareness effort to help families in Marion County, Indiana, learn how they can help their children access quality educational options, the Indianapolis-based Greater Educational Opportunities Foundation (GEO) in July unveiled its second billboard campaign of the year to tell parents, “You Can Choose.” The campaign features two local families and several students who are benefiting from a variety of public school choice options, charter schools, and after-school tutoring.

Nineteen schools in Indianapolis (Marion County) were cited by the Indiana State Department of Education in July as being “in need of improvement” for not meeting state performance standards. Twelve schools will be required to offer Indianapolis students school choice, and seven will be required to offer students tutoring as well as school choice.

The first billboard promotes awareness of public school choice options. It features Tashika Jackson and her daughter Jayla, 7, who attended a school designated as “in need of improvement.” Jayla’s parents are considering transferring her to a different public school. As a result of her mother’s choice, Jayla will attend a higher-performing public school this fall.

The second billboard features the Bridgeforth family and promotes awareness of charter schools, which are part of the public school choice options Indiana families now enjoy. The Bridgeforth children—Taylor, 11, Colin, 9, and Sterling, 7—attend the 21st Century Charter School at Union Station.

“I see a lot of possibility here,” said their father, Duncan Bridgeforth.

The third billboard promotes awareness of free after-school tutoring programs for the area, and features a group of six students who took advantage of these programs this past year. Title One schools designated as “in need of improvement” for two years running must provide students with after-school tutoring programs at no cost to parents.

A Parent Information and Resource Center grant from the U.S. Department of Education assisted GEO with its effort to raise awareness of the No Child Left Behind law.

Keri Hunter (keri.hunter@geofoundation.org) is director of operations with the Greater Educational Opportunities Foundation in Indianapolis, Indiana.

States Lower Accountability Bar to Boost Pass Rates

by Matthew Ladner

Although pass rates on state exams are a key accountability provision of the No Child Left Behind Act (NCLB), several states are weakening that component by lowering the number of correct answers required on accountability exams in order to get more students to pass. A recent example comes from Georgia, where The Atlanta Journal Constitution reported the questions on the state’s third-grade reading test were essentially “speed bumps on the road to fourth grade.”

The Georgia Department of Education requires students to answer only 17 of the 40 test questions correctly in order to pass the exam and advance to the fourth grade. However, data from the department show 16 of the 40 test questions are “easy,” with 75 percent or more of the students getting them right. Georgia officials acknowledge children narrowly passing the test may need remedial help in fourth grade.

Georgia students are not alone in responding to answer less than a majority of questions correctly in order to pass a state accountability exam. In Texas, for example, students needed to answer correctly only 29 of 60 mathematics questions in order to pass the mathematics section of the accountability exam.

Test scores are not the only accountability measures being manipulated. Although 30 to 40 percent of Texas public school students drop out before graduation, the state lists an official dropout rate—part of the state’s accountability standards—of less than 2 percent. That’s because Texas public school officials have at least 20 ways to classify a student who disappears from school, only one of which carries the “dropout” label.

Since states were free to develop the details of their own accountability systems for NCLB, this created inconsistencies in initial reporting, as the difference between Arkansas and Michigan illustrates. Although 40 percent of Arkansas public school fourth-graders scored “below basic” on the 2003 reading exam conducted by the National Assessment of Educational Progress (NAEP), Arkansas reported there were no failing schools in the state. In Michigan, the percentage of fourth-graders scoring “below basic” on reading was 10 percent lower than in Arkansas on the same exam. Yet Michigan initially reported having 1,500 failing public schools.

Subsequently, Michigan officials adjusted their standards downwards, lowering the required passing rate on the high school English test from 75 percent to 42 percent. That helped reduce the number of failing schools in Michigan from 1,500 to 216.

Matthew Ladner, Ph.D. (mladner@allianceforschoolchoice.org) is director of state projects at the Phoenix-based Alliance for School Choice.

States Lower Standards for “Highly Qualified” Teachers

by George A. Clowes

Just about everyone agrees that the quality of the teacher in the classroom is by far the most important factor affecting student achievement. The No Child Left Behind Act (NCLB) reflects that consensus by requiring school districts to put a “highly qualified” teacher in every classroom by 2006. In 1999-2000, the U.S. Department of Education estimated only 54 percent of U.S. middle and high school teachers were rated as highly qualified.

To be deemed highly qualified, teachers must have a bachelor’s degree and full state certification and demonstrate competency in the subject area they teach. Although a teacher would most likely come from a college or university most commonly meet the requirement for subject area competency by having a major in the subject area taught, NCLB allows other ways of meeting the requirement, leaving it up to the states to set standards for who is highly qualified.

The Chicago Tribune recently reported that NCLB’s “highly qualified” teacher requirement, instead of leading to higher teacher licensing standards, has in fact led at least a dozen states to lower their licensing requirements. For example, Pennsylvania dropped a new test for middle school teachers when too many teachers couldn’t pass. In Maryland, New Hampshire, and Virginia, the basic skills tests for teachers were made easier to pass.

Earlier this year, Illinois quietly dropped its requirements for out-of-state teachers to take either a basic-skills or subject-area test. Florida, Georgia, Missouri, Nevada, New Hampshire, and West Virginia have also lowered their requirements for out-of-state teachers.

A new route to teacher licensing that would provide consistency across states is the American Board for Certification of Teacher Excellence (ABCTE), whose “Passport to Teaching” certification has been approved in Florida, Idaho, New Hampshire, and Pennsylvania. ABCTE certification is awarded to prospective teachers who can meet the following requirements:

- hold a bachelor’s degree or higher;
- pass a background check;
- pass an exam on professional teaching knowledge; and
- pass an exam on appropriate subject area knowledge.

George A. Clowes (clowes@heartland.org) is managing editor of School Reform News.
“Of all the lawsuits challenging school choice programs, this is the most frivolous. The Arizona Supreme Court already has upheld the program under the First Amendment, and the ACLU just wants a second bite at the apple.”

CLINT BOLICK
PRESIDENT AND GENERAL COUNSEL
ALLIANCE FOR SCHOOL CHOICE

Arizona
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Largest School Tax Credit in U.S.
The tax credit plan was enacted in 1997 and upheld in 1999 by the Arizona Supreme Court in Kottermann v. Kilian. Later that year, the U.S. Supreme Court refused to review the Arizona’s ruling. Under the program, an Arizona taxpayer may receive a dollar-for-dollar tax credit of up to $500, and a married couple filing jointly may receive a credit of up to $625, for donations to School Tuition Organizations (STOs).

The STOs have helped some 21,000 Arizona children attend the private schools of their families’ choice, making this the largest program of its kind in the United States. In addition, the program supports character education and extracurricular activities in public schools.

Opponents argue that because 80 to 90 percent of the children use the benefit to attend a religiously affiliated school, the program amounts to an “establishment of religion” forbidden under the First Amendment to the U.S. Constitution.

Reacting to the U.S. Supreme Court’s decision to allow federal court review of the program, Marvin Cohen, a Scottsdale lawyer representing taxpayers who object to the credits being used predominantly to support religious schools, said, “this is an important ruling for the entire country,” in that it advances the right of citizens to use both federal and state courts to “vindicate constitutional rights.”

The Phoenix-based Alliance for School Choice (ASC), however, stressed the Supreme Court’s reinstatement of the legal challenge to Arizona scholarships will not ultimately threaten school choice tax credits.

“Of all the lawsuits challenging school choice programs, this is the most frivolous,” said Clint Bolick, ASC’s president and general counsel. “The Arizona Supreme Court already has upheld the program under the First Amendment, and the ACLU just wants a second bite at the apple.”

Bolick contended the Arizona program “is constitutional because it provides aid to needy students, not to religion.” That was the central rationale of the Supreme Court in upholding—as an exercise of “true private choice”—Cleveland’s voucher program in the landmark Zelman decision of 2002. Bolick was a key litigator for the Institute for Justice (IJ) in that case.

The Washington-based IJ did not participate in the recent Arizona litigation that went to the Supreme Court because it dealt with issues unrelated to school choice. However, in the next phase of the litigation the Institute plans to defend the families benefitting from choice.

Federal Authority to Review State Taxes Questioned
At issue in the case decided by the Supreme Court June 14 in Hibbs v. Winn was the federal Tax Injunction Act of 1937—specifically, whether it and federal common law forbid lawsuits challenging state taxes in federal courts when they can be adjudicated in state courts. Much of both the majority and minority opinions dealt with such fine points as the definition of the word “assessment.”

Writing for the majority, Justice Ruth Bader Ginsburg cited a series of instances in which the federal judiciary has weighed in on the constitutionality of state tax schemes.

“In decisions spanning a near half-century,” she wrote, “courts in the federal system, including this court, have entertained challenges to tax credits authorized by state law.” She cited a case involving Prince Edward County, Virginia, in which the High Court ruled in 1964 that the state could not use tuition grants or tax credits to circumvent the mandate of Brown v. Board of Education to fund desegregated public schools.

Ginsburg said the contention of Arizona—supported by 40 other states—that the state’s tax credit program exists beyond review by federal courts “argues, in effect, that we and other federal courts were wrong in those civil rights cases.”

In dissent, Justice Anthony Kennedy—joined by Chief Justice William Rehnquist and Justices Antonin Scalia and Clarence Thomas—argued that the decision, by going beyond the statutory text, “treats states as diminished and disfavored powers” and renders the states “second-rate constitutional arbiters, unequal to their federal counterparts.”

“State courts are due more respect than this,” Kennedy declared. The Ginsburg majority’s “dismissive treatment is particularly unjustified given that the Tax Injunction Act lifts its bar on federal court intervention when state courts fail to provide ‘a plain, speedy, and efficient remedy,’ he added.

Robert Holland (holland@lexingtoninstitute.org) is a senior fellow at the Lexington Institute, a think tank in Arlington, Virginia.
Colorado School Districts Collect PAC Funds for Teacher Unions

by Ben DeGrow

What if your health insurance provider took a fee out of your paycheck every month to pay for its political agenda, which you might not support? What if the company you worked for didn’t know it was collecting those political contributions from its employees on behalf of the insurance company?

That’s similar to the situation Colorado public school teachers are in, with a monthly payroll deduction set up by their school district employer to collect political contributions for the teacher unions. According to two recent studies from the Independence Institute, a Golden, Colorado-based think tank, this is one of two percs the teacher union has negotiated for itself, the other being a choice of where to send their children to school while out of school on union business.

In the first report, “Should Colorado School Districts Stop Collecting Political Funds?” Education Policy Center Director Pamela Benigno and Project Research Associate Mark Salley show how public school payroll systems collect political contributions to the teacher unions.

The 37,000-member Colorado Education Association (CEA) raises much of its political money through the Every Member Option (EMO) program, paid for in part by a refundable $24 annual contribution from member teachers. Some local CEA affiliates also take additional refundable deductions, up to $24 a year, from their members.

Benigno and Salley found many of Colorado’s largest school districts were unaware they assist in collecting union political funds. The study also revealed some CEA members didn’t know how to get a full EMO refund—or that they would lose some revenue that it would otherwise.

The report estimates the teacher unions fully reimburse school districts for some of their business.

Most of the 41 districts grant allotments of paid leave days for union activities, including attendance at the annual CEA Delegate Assembly. In Jefferson County R-1, Colorado’s largest school district, the negotiated master agreement grants the local union affiliate 275 annual leave days and requires the district to pay both the released teacher and the substitute in the classroom.

Absent half of the 41 districts also grant extended leave to union presidents. In some cases the union has reimbursed the school district for only part of the union president’s salary and benefits, with net subsidies for 2003-04 ranging from $12,000 to $56,000. In addition, the presidents can advance on the salary scale without teaching in a classroom during the school year.

Such generous benefits are unheard of in the private sector. The report recommends either requiring teachers to take personal leave for union business or making unions fully reimburse school districts for their use of paid leave.

Ben DeGrow (ben@i2i.org) is an education policy research associate with the Independence Institute in Golden, Colorado.

Voucher Opponents Cheer Colorado Court Decision

by George A. Clowes

Voucher opponents hailed a June 28 decision by the Colorado Supreme Court striking down a new state program that would have given parents of low-achieving, high-poverty students the opportunity to get their children out of low-performing public schools and into qualified private schools using a $4,500 voucher. By 2007, some 20,000 students could have participated in the program, including many from the Denver Public Schools, where spending exceeds $9,000 per pupil.

Patsy Hill, a Denver mother of two, found the court’s decision “horrible” for children like hers in Colorado.

“It’s just absurd for parents to not have a choice of where to send their children to school, especially those who aren’t getting a good education in the public schools,” said Hill. “This decision—one vote—shows that not enough people are taking the future of our children seriously.”

State Representative Nancy Spence (R-Centennial) pointed out that the voucher law, which she sponsored, was aimed at helping children who live in poor neighborhoods and are not being served by a good public school. She noted the dropout rate for minorities in Denver’s public schools is one of the highest in the nation.

In a 4-3 decision, the state court ruled the Opportunity Contract Pilot Program violated the “local control” provision of the Colorado constitution, which requires elected school boards to have “control of instruction in the public schools in their respective districts.” Although the majority opinion admitted the constitution provides no connection between control of instruction and control of locally raised tax dollars, the court nevertheless ruled the Pilot Program unconstitutional because it would use local funds.

“That is a tremendous victory for children, parents, and public education,” said Ron Brady, president of the Colorado Education Association, which provided legal counsel for the plaintiffs in the lawsuit.

“Vouchers drain precious resources from public schools, burdening the schools with the impossible task of doing more with less,” said Jeffrey Sinensky, general counsel of the American Jewish Committee, which “applauded” the court’s decision.

The Rev. Barry W. Lynn, executive director of Americans United for Separation of Church and State, also hailed what he called “a great victory for public schools and the taxpayers.” A similar sentiment was expressed by Ralph G. Neas, president of People for the American Way Foundation. National Education Association President Reg Weaver announced the teacher union was “pleased” with the ruling, while his counterpart with the American Federation of Teachers, Edward J. McElroy, found the decision “heartening.”

Justice Rebecca Kourlis dissented strongly from the majority’s ruling. She was joined by Justices Nancy Rav and Nathan Coats.

“Because the school district loses no control whatsoever over the education provided in its public schools, but merely loses some revenue that it would otherwise have,” argued Kourlis, “I do not view the program as unconstitutional.” Spence said the ruling would not discourage her or the program’s supporters.

She said the court’s concern would be addressed in the upcoming legislative session so the program could resume.

Sen. Majority Leader Mark Hillman (R-Burlington) agreed, saying the remedy is fairly simple, given that the remaining legal arguments of voucher opponents are “weak” and “rooted in anti-religious bigotry.”

“A pilot program can be funded purely from the state dollars, leaving local revenues untouched,” he said, “thereby adhering to the constitutional road map constructed by the majority’s decision.”

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INTERNET INFO


A Backgrounder summary is available at http://www.i2i.org/articles/4-2004-M.pdf.

The Independence Institute’s February 1, 2004 Issue Paper 5-2004, “Take Public Funds off the Negotiating Table: Let Teachers’ Unions Finance Their Own Business,” by Benjamin DeGrow, is available online at http://www.i2i.org/articles/5-2004.pdf.

Misconduct

Continued from page 1

The public schools may face a similar crisis. A report issued in June by the U.S. Department of Education indicates as many as 4.5 million public school students—nearly 1 in 10—experienced unacceptable sexual behavior by a school employee during their school years. Even allowing for some margin of error, that suggests a problem of proportions that would dwarf those in religious environments.

Report author Charol Shakeshaft, a Hofstra University professor who conducted the 1999 study, noted none of the critics cite evidence contradicting her findings. In fact, as she pointed out in the report, “Possible limitations of the study would all suggest that the findings reported here under-estimate educator sexual misconduct in schools.”

“[W]hile such events are regularly reported, there has been no massive media coverage, no public outrage, and no rush of lawsuits against either individual educators or public school districts.”

Nor is this the only recent study to reach such disturbing conclusions. Robert J. Shoop, an education law professor at Kansas State University, released last year Sexual Exploitation in Schools: How to Spot It and Stop It (Corwin Press, 2003). In April 2004, the Education Writers Association awarded its Fred M. Heckinger Grand Prize for Distinguished Education Reporting to Christine Willmsen and Maureen O’Hagan of the Seattle Times. Their series, “Coaches Who Prey: The Abuse of Girls and the System That Allows It,” is a report about more than 150 Oregon coaches who sexually abused their female athletes.

Not only may such incidents in public schools outnumber those in church settings, individual examples sometimes describe circumstances that are barely believable.

Whereas the charges against priests usually have been no massive media coverage, no public outrage, and no rush of lawsuits against either individual educators or public school districts.

“...and the principal said, “part of his psyche was missing,” and the boy had said no one had ever loved him before.”

Remarkably, while such events are regularly reported, there has been no massive media coverage, no public outrage, and no rush of lawsuits against either individual educators or public school districts.

“When the Catholic Church faced a similar scandal there was extensive outrage and investigations were launched by the Church, the media, and the public, and rightfully so,” commented Tony Perkins, president of the Family Research Council.

“Similar scrutiny should also follow these revelations about our nation’s public education system where attendance is compulsory.”

Shakeshaft’s report provides a list of recommendations for preventing sexual misconduct by educators, including state and federal registries. Some steps already have been taken with general laws, such as Megan’s laws to require sexual predators to keep authorities notified of their whereabouts. In addition, specific laws in many states require criminal background checks of public school staff. However, such laws have little effect if they are ignored.

A few years ago, for example, a review of 412 teachers hired by the Cleveland, Ohio school district disclosed only 26 had undergone required background checks. Not only did 192 school employees have felony convictions, the Cleveland Plain Dealer reported, but 27 of them had three or more.

“The overwhelming majority of America’s educators are true professionals doing what might be called the essential work of democracy [and] the vast majority of schools in America are safe places,” noted Deputy Education Secretary Eugene W. Hickok in the preface to the June Department of Education report. “Nevertheless, we must be willing to confront the issues that are explored in this study. We must all expand our efforts to ensure that children have safe and secure learning communities that engender public confidence.”

David W. Kirkpatrick (kirkdw@aol.com) is a senior education fellow with the U.S. Freedom Foundation and also with the Buckeye Institute in Columbus, Ohio. A version of this article first appeared on www.educationnews.org on July 16, 2004.
School Choice Evidence

by Herbert J. Walberg

Parents are seizing new opportunities to choose their children’s schools through vouchers and charter schools. But does such school choice improve learning and lead to other improvements in schooling? The evidence from a variety of studies shows it does.

Analyses of student achievement indicate school choice leads to higher levels of learning in various parts of the United States and other countries. Better studies show stronger and more consistent effects, and no study points to substantially poorer performance of choice schools.

Surveys show parents most often choose private and public charter schools with academic standards superior to regular public schools. Parents are as adept as education experts in evaluating the academic offerings. To meet parents’ desires for such offerings, charter schools are adding their numbers and enrollment.

Required new achievement reporting in all 50 states helps parents pinpoint failing schools and choose the best schools for their children. Unlike regular schools, moreover, schools of choice that fail to attract parents must close, which leaves the successful schools of choice to prosper and further enlarge opportunities.

In geographic areas with larger numbers of schools of choice, regular public schools achieve more, have higher graduation rates, and cost less than regular schools in other similar areas with little choice. The positive effects of competition are also notable in metropolitan and urban areas containing multiple school districts that consistently outperform areas with a single monopolistic school district, such as Los Angeles and New York City. The poor performance of public schools, particularly in such large districts, is attributable to unwieldy and wasteful central bureaucracies that are inherently less sensitive to parent concerns and preferences.

School choice is also effective among special-needs students with physical and mental problems, as those in Florida’s McKay Scholarship program. More than 90 percent of parents of McKay children report being satisfied with their choice schools, far more than other parents of special-needs students in nonchosen schools. Depending on their own preferences, McKay parents can choose between schools that focus on a particular disability or schools that integrate children with and without disabilities. Parent surveys also show McKay students suffer far less harassment and physical attacks than their peers attending nonchosen public schools.

Massively increased choice and resulting competition improve schooling correspondingly. In contrast to the relatively small scale of present U.S. choice programs, Sweden, perhaps surprisingly, provides an excellent example. In 1993, the Swedish government required that all school districts fund schools of choice at a per-student rate of 85 percent of the per-student cost of regular public schools. Tuition charges were eliminated, new educational standards established, and an open admission policy accepted students of varying ability, ethnicity, and socioeconomic level. Sweden’s nationwide choice program was a rousing success in terms of achievement and parental satisfaction.

Parents have the incentives and information to choose schools for their children just as they choose their names, food, and physicians. There seem to be no good reasons why parents cannot and should not choose their children’s schools.

Herbert J. Walberg, chairman of The Heartland Institute, is a distinguished visiting fellow at the Hoover Institution; a member of Hoover’s Koret Task Force on K-12 Education; and University Scholar and research professor emeritus of education and psychology at the University of Illinois at Chicago.

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SCHOOL CHOICE IN THE NEWS

Competition Just Makes Sense

“The latest in a series of studies affirming school vouchers, by the Manhattan Institute, found this year that vouchers even bolstered public schools in Florida by giving them incentives to improve. Competition just makes sense, which is one reason why both Republican Gov. Bill Owens and Democratic Attorney General Ken Salazar endorsed my voucher bill, which became law in 2003. Meanwhile, a survey conducted this spring by the firm Public Opinion Strategies found a majority of Coloradans approves or strongly approves of our state’s voucher program, which enables economically disadvantaged parents to give their children a private-school education.”

Colorado State Representative Nancy Spence (R-Centennial)
Chairman, House Education Committee
Letter to The Denver Post, July 1, 2004

Making Miami-Dade Schools “Really Competitive”

Reporter Tony Cox: “You know, you’re entering a state where school vouchers have become the rage. A major reason given for your departure from New York was your apparent disagreement with former Mayor Rudolph Giuliani on the issue of vouchers. How will you handle that idea in Florida?”

Incoming Miami-Dade Schools Superintendent Rudolph “Rudy” Crew: “Well, it’s not a matter of handling the idea of vouchers. Vouchers are in Florida. There is not doubt about that. The difference in that situation in New York was that they were not in New York, and I was being asked to promulgate that idea, and I, frankly, would not, did not, and I don’t believe necessarily that a person who is an advocate for the public school system at the same time should be an advocate for options against the public school system. So I don’t have that problem particularly in Florida. That’s sort of water under the bridge, and my intent right now is to be a force for driving a really high-performing school system so that it is really competitive with any other options that parents would have in the Miami-Dade community.”

The Tavis Smiley Show
National Public Radio, June 8, 2004

“Who Am I Supposed to Believe, You or My Union?”

“Recall that the Opportunity Scholarship pilot program was narrowly focused to provide options for struggling students in poorly performing schools. Participation was limited to students in school districts containing at least eight poorly performing schools, and only to students who were struggling academically and came from low-income families.”

“This factually undisputed explanation is necessary to combat the tidal wave of disinformation spread by virulent opponents of vouchers, primarily the teachers union. The day the [Colorado Supreme Court] ruling was announced, a caller to Jon Caldara’s KOA radio program trotted out the tired old argument that vouchers take ‘the cream of the crop’ from local schools.

“When confronted with the fact that this program applies only to poor, struggling students, and invited to ‘read it for yourself,’ the caller retorted, ‘Well, who am I supposed to believe, you or my union?’”

Colorado State Senator Mark Hillman (R-Burlington)
Majority Leader of the Colorado Senate
Rocky Mountain News, July 12, 2004

Voucher Cap Could Hurt

“The voucher program is supposed to boost choice for parents of students now trapped in bad public schools. Yet the cap—now at about 14,800 students—would serve to limit choice. For the first time since the program’s inception, otherwise eligible students would be denied participation. This result alone amounts to a persuasive argument for lifting the cap. ...”

The cap also imperils a splendid offshoot of private-school choice: private investment in inner-city school buildings. Less certainty about a school’s enrollment numbers and the lack of expansion of the overall voucher program would likely combine to dampen such expenditures.

“Unfortunately, most Milwaukee Democrats in the Legislature have ill-served their low-income constituents who benefit from school choice. And Gov. Jim Doyle has already vetoed bills to raise the cap. In an education package he presented in the last week of the legislative session, however, he showed some wiggle room. He proposed raising the cap from 15 percent of MPS enrollment to 15.5 percent—not enough to head off disaster, but possibly a sign of welcome openness on this issue. Doyle and Milwaukee Democrats ought to be leading the effort to lift substantially or eradicate the cap on enrollment in the voucher program.”

Milwaukee Journal Sentinel, June 21, 2004

THE FRIEDMAN REPORT

SCHOOL CHOICE ROUNDUP

by Robert Fanger and George Clowes

DISTRICT OF COLUMBIA

DC Parents Go Shopping for Schools

On June 21 and 22, the families of more than 500 children enrolled in the District of Columbia’s first tax-funded voucher program swarmed the Thurgood Marshall Center Trust building on 12th Street NW to meet with representatives from 44 of the 50 participating private schools, learn what the different schools have to offer, and begin the application process. The vouchers are worth up to $7,500 per child.

The school fair at the Marshall Center was just one of the steps voucher applicants went through in the quest for better education. Of the initial applicants, a total of 1,249 low-income students were selected by lottery to receive the vouchers. Two hundred of 1,249 students already attend private schools but meet the program’s income guidelines, while the other 1,049 recipients attend public schools.

For some children, there may be an additional lottery if the school they applied to has more qualified applicants than seats. According to Sally Sachar, president and chief executive of the nonprofit Washington Scholarship Fund, which was selected to run the voucher program, she told the Washington Post she was “absolutely thrilled” with the outcome of the two-day fair.

So was parent Sally Shorter, who signed up her two children for the St. Francis de Sales School on Rhode Island Avenue NE. Without the voucher, she could not afford to pay tuition at the Catholic school.

“It is such a great opportunity,” Shorter told the Washington Post.

Washington Post
June 23, 2004

FLORIDA

Voucher Programs Boom in Florida

Despite being ruled unconstitutional by a part of Gov. Jeb Bush’s A+ education package, Opportunity Scholarships programs have grown substantially.

The Opportunity Scholarships program, which provides students in persistently failing public schools the opportunity to use a voucher to transfer to a private school, was created in 1999 as part of the Florida’s Opportunity Scholarship program that expired in 1999. By the time Davey issued his ruling in 2002, 435 children were using Opportunity Scholarships. The number of participants grew to about 600 in the 2003-04 school year and the parents of an additional 1,182 students have said they intend to use the vouchers in 2004-05.

In 2000, the Florida legislature created the McKay Scholarship Program to allow disabled students to use their special education funds as vouchers at private schools. That program has grown more rapidly than the Opportunity Scholarship program, with 12,396 children currently using McKay vouchers.

In 2001, the Florida legislature created the Corporate Tax Credit program to provide funds for poor children to attend private schools with tuition paid by vouchers. In 2003-04, the program had almost as many participants—11,532 children—as the McKay program.

Palm Beach Post
July 16, 2004

Go Shopping

Participants—11,552 children—already had almost as many vouchers. In 2003-04, the program already had almost as many participants—11,532 children—as the McKay program.

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Palm Beach Post
July 16, 2004
MAINE

Concerns Raised over Future of Tuitioning in Maine

The Maine School Choice Coalition is raising concerns about the future of the state's century-old tuitioning program, prompted by a proposal from Maine's Commissioner of Education to impose additional rules and regulations on participating private schools.

Under the tuitioning program, parents in towns without a high school are eligible to use a voucher for their child to attend a non-religious private school or a public school in another town. The public schools are paid their established tuition rate, and private schools are paid either the tuition rate established by the sending town or the state average per-pupil secondary student cost. Sending towns also may choose to pay higher tuition rates to private schools.

On July 9, Maine's Commissioner of Education, Susan A. Gendron, announced a two-day session would be held in August to develop additional rules for private schools. According to Gendron, the rule-making process would include the following areas:
- Expulsion and due process rights for students whose private school tuition and other costs are paid with public funds;
- Certified administrators required for approved private schools;
- The protocol/procedures by which private schools that enroll publicly funded students will demonstrate to the state Department of Education that they will abide by all state and federal constitutional, statutory, and regulatory provisions related to admission, provision of education, accommodation, special education, discipline, or issuance of a high school diploma.

“[This] could make independent schools, particularly town academies, de facto ‘public schools,’” commented Jay Brennan, associate headmaster for Institutional Advancement at Foxcroft Academy in Dover-Foxcroft, Maine. - Maine School Choice Coalition

NEW JERSEY

Parents Rally for School Choice in New Jersey

Kicking off a statewide campaign for school choice was a rally yesterday at City Hall in Camden on June 17, a group of about 50 parents and community leaders demonstrated in support of school vouchers and called for more alternatives to the city’s troubled school system. The 18,000-student district has been under state oversight for the past five years and has poor test scores and a high dropout rate.

With Camden’s three charter schools having limited space, alternatives to the public schools are few for families who cannot afford to send their children to a private school. The group that organized the rally, Newark-based Excellent Education for Everyone, aims to expand parental options in education with school vouchers, education tax credits, and charter schools.

“My kids are trapped in two Camden schools, and I can’t get them out,” parent Ivan Foster told the Philadelphia Inquirer. “This is why I support school choice.”

Although the state had approved a $175 million economic recovery plan for Camden, the Rev. Reginald Jackson, executive director of the Black Ministers Council of New Jersey, said the plan wouldn’t succeed unless Camden’s schools improved.

“Citizens are not coming to a city where the citizens don’t have an education,” he said. A month later, on July 13, City Hall was the site of another gathering of about 40 parents and children testifying before a city council committee charged with investigating violence, truancy, and dropouts in the city’s public schools. Parents complained about violence in the schools, unresponsive administrators, graduates who were unable to read, and unsatisfactory treatment of special education students. Some parents said they kept their children out of school because of attacks on them.

Philadelphia Inquirer
June 18, 2004
Camden Courier-Post
July 15, 2004

TEXAS

Texas Gov. Perry Reiterates Support for Vouchers

When a special legislative session on Texas school choice finished early in April this year, Republican Governor Rick Perry voiced his hope that a school voucher bill would be approved during the session, but none emerged. Perry reiterated his support for school vouchers at the state GOP convention in June, where he told delegates all children deserve school choice.

“Our children deserve the best educational possible, whether in a public school, a private school, or in a home school,” Perry said. “For all their talk about being ‘pro-choice,’ the liberals don’t seem to mean it when it comes to the choice in a child’s education.”

Perry argued that children raised in affluent circumstances already have the opportunity to get a good education, and that children growing up in less-privileged circumstances need a similar opportunity.

San Jose Mercury News
June 4, 2004

UTAH

USU Selected to Study Tuition Tax Credits for Utah

If Utah families could claim tax credits for private school tuition, how would public school funding be affected? Would schools save money or lose money? The Utah legislature allocated $150,000 for a study of this question and in June, the Legislative Management Committee selected Utah State University to provide answers for the upcoming session.

USU won the project over two other national organizations that have previously conducted studies of tax credits but have affiliations with groups that have taken positions on school choice. One applicant, Price/Waterhouse/Coopers, analyzed tax credits for the Utah School Boards Association, a group that opposes tuition tax credits. The other applicant, New Hampshire-based PolEcon, completed a study on the fiscal impact of school choice for The Milton and Rose D. Friedman Foundation.

Salt Lake Tribune
June 16, 2004

WISCONSIN

Terminating Milwaukee Vouchers Could Boost Taxes by $100 Million

Ending the Milwaukee Parental Choice Program (MPCP)—as the state teacher union wants to do—could raise property taxes by as much as $100 million a year in school districts outside Milwaukee, according to a June 15 report from the nonpartisan Legislative Fiscal Bureau (LFB) to Wisconsin Assembly Speaker John Gard (R-Pesthig).

The LFB report examines the impact of terminating MPCP based on various assumptions about how many voucher students would transfer to the Milwaukee Public Schools (MPS). If all MPCP students transferred to MPS, school districts outside Milwaukee would lose up to $100 million in state aid, according to the report. Replacing that aid would require a $100 million property tax increase.

“Wisconsin property taxpayers need to know that ending school choice will have a direct and negative impact on their tax bills,” said Susan Mitchell, president of School Choice Wisconsin, a nonprofit organization that provides information about parental choice programs.

The LFB report contradicts what the state teacher union, the Wisconsin Education Association Council (WEAC), has been telling Badger State voters in a series of mailings, said Mitchell. In those mailings, WEAC claims vouchers and charter schools harm school districts across Wisconsin.

“This new LFB report is more independent evidence that WEAC is simply wrong,” said Mitchell. “Sadly, WEAC knows the truth and still chooses to mislead Wisconsin taxpayers.”

School Choice Wisconsin
June 24, 2004
Pledge of Allegiance Recited Intact as Schools Reopen This Fall

by Robert Holland

A s public schools begin the 2004-05 academic year, teachers and principals are free to lead millions of children in recitation of the “one nation under God” version of the Pledge of Allegiance that the nation’s political leaders adopted in 1954.

In June, the U.S. Supreme Court reversed a ruling by the San Francisco-based Ninth U.S. Circuit Court of Appeals, which said teacher-led recitation of the Pledge containing the “under God” reference was an unconstitutional establishment of religion.

Those two words were added to the Pledge at the height of the Cold War in order to contrast U.S. devotion to religion with godless communism.

The High Court’s decision turned on a technicality: Michael Newdow, a California atheist, lacked standing to sue on behalf of his daughter because the child’s mother, as the custodial parent, could exercise what amounted to a “tie-breaking vote.”

Because the Justices decided Elk Grove v. Newdow on procedural rather than constitutional grounds, scholars like Charles C. Haynes of the First Amendment Center at the Freedom Forum in Arlington, Virginia believe it is virtually a sure thing the Pledge’s constitutionality will continue to be at issue in litigation and eventually return for Supreme Court review.

Nevertheless, Haynes echoed many educators in noting the decision brought a welcome respite from one of the most contentious issues facing public schools.

“This is so emotional for so many Americans,” Haynes, author of many works on religion and the schools, told Education Week. “It’s just another way in which schools have been turned into a battleground, and for teachers and administrators that’s just a nightmare that they don’t need. I think among school board members and other school folks, there’s a sigh of relief that they won’t have to juggle this hot potato anymore.”

The executive director of Americans United for Separation of Church and State expressed disappointment.

“Students should not feel compelled by school officials to subscribe to a particular religious belief in order to show love of country,” said the Rev. Barry Lynn. “America is increasingly diverse in matters of religion, and our public schools should reflect that diversity.”

In 1943, the Supreme Court held in West Virginia State Board of Education v. Barnette that schools cannot compel their students to say the Pledge. Thus, a student is supposed to be free to choose whether to participate. However, Newdow and others contend there is a subtle coercion for students to recite the words, including “under God.”

Supporters of schoolhouse use of the Pledge contend it is an important symbolic acknowledgment of the nation’s religious origins and heritage. Stated Jay Sekulow, who filed an amicus curiae brief on behalf of Members of Congress and the Committee to Protect the Pledge, “By dismissing this case and removing the appeals court decision, the Supreme Court has removed a dark cloud that has been hanging over one of the nation’s most important and cherished traditions—the ability of students across the nation to acknowledge the fact that our freedoms in this country come from God, not government.”

Other defenders of the Pledge’s constitutionality downplay the religious significance. U.S. Solicitor General Theodore Olson, who joined in defending the Elk Grove, California school district, argued the phrase “under God” is “descriptive” and “ceremonial” as opposed to being a prayer or a “religious invocation.”

Chief Justice William Rehnquist and Justices Sandra Day O’Connor and Clarence Thomas concurred in the 8-0 reversal of the Ninth Circuit Court. However, they argued the Court should have flatly ruled the Pledge does not violate the First Amendment.

Justice Antonin Scalia withdrew from participation in the case in the wake of controversy stemming from his public criticism of the Ninth Circuit’s ruling during a January 2003 Religious Freedom Day event in Fredericksburg, Virginia.

Robert Holland (holland@lexingtoninstitute.org) is a senior fellow at the Lexington Institute, a think tank in Arlington, Virginia.
In Roslyn, education dollars spent on Lexus, limos, and luxury

by Lisa Snell

Ongoing news reports from across the country indicate incidents of corruption and mismanagement in the public schools occur frequently, often on a massive scale. Ignoring the scale of the problem not only costs taxpayers millions of dollars but also hinders school reform efforts, according to New York University law professor Lydia G. Segal.

In her recent book, Battling Corruption in America’s Public Schools (Northwestern University Press, 2003), Segal argues, “one impediment to reform that no one is seriously studying in the debate over how to improve public schools is systematic fraud, waste, and abuse.” Her careful documentation of the pervasive corruption and waste in the nation’s three largest school districts—New York City, Chicago, and Los Angeles—leaves little doubt the problem merits serious study.

However, fraud, waste, and abuse are not limited to large urban school districts, as the following recent examples demonstrate.

$8 Million in Undocumented Expenses

In New York’s affluent Roslyn School District on Long Island, former school superintendent Frank A. Tassone and senior administrator Pamela C. Gluckin were each charged recently with stealing more than $1 million from the district. Gluckin allegedly used the funds to finance the four homes, a Lexus, and other luxury items. Tassone allegedly used his $1 million for airline travel, cruises, dermatology treatments, furniture, and jewelry, and to give his roommate’s company more than $800,000 in no-bid contracts. Both Tassone and Gluckin pleaded not guilty.

The Roslyn school board is still reviewing more than $8 million in undocumented expenses. According to the New York Times, those expenses include:

- $736,000 paid to an Oklahoma publishing company that has no record of doing business with the district;
- $800,000 spent in delicatessens and specialty food stores;
- $100,000+ spent on limousines and car services;
- $50,000 paid to restaurants;
- $21,000 charged for a BMW lease or purchase;
- $3,800 spent to reserve space with Manhattan Mini-Storage, a long way from Roslyn;
- $1,485 spent for an Equinox gym membership.

Gluckin previously worked for Long Island’s William Floyd District under former treasurer James Wright, according to The Times-Picayune. “We just took the first bite.”

In June, Wright was charged with stealing more than $750,000 from the William Floyd District simply by writing checks to himself.

$15.9 Million in Kickbacks

In Fort Worth, Texas, a school construction scandal ended in June with the former executive director of maintenance for the Fort Worth School District, Tommy Ingram, and contractor Ray Brooks sentenced to eight years in prison each for a kickback scheme in which they defrauded the school district of an estimated $15.9 million.

Payroll Scam

In July, eight employees of the New Orleans school system pleaded guilty to stealing more than $70,000 in a scheme in which payroll clerk Louis Serrano wrote fraudulent checks to seven other employees in exchange for half of the face value of the checks. A ninth employee, payroll clerk Terri Smith Morant, admitted stealing $250,000 by printing checks to imaginary employees and cashing them, but he never spent the money. According to a recent report by the state legislative auditor of Louisiana, school system employees have cashed an estimated $3 million in paychecks that administrators sent out either in error or with criminal intent.

Mismanagement

In addition to losses from outright fraud, taxpayers also have lost millions due to mismanagement and incompetence.

For instance, in a June 2004 audit of California’s Oakland Unified School District, state auditors could not determine if in 2002-03 the district had appropriately spent millions of dollars and properly complied with scores of state and federal mandates. As a result, the district could be forced to repay $163 million to the state and federal governments. In addition, district bonds worth $322 million are in jeopardy of losing their tax-exempt status because the funds have been inappropriately spent on general education rather than on specific projects.

According to the audit’s findings, the district’s shortcomings included:

- Failing to hold competitive bidding for $18.4 million in contracts;
- Inappropriately using $650,000 in bond funds to pay a lawsuit settlement;
- Issuing payroll checks to employees who had already retired;
- Failing to maintain attendance records at some schools and overreporting attendance at others;
- Appropriately carrying over unused funds for federal projects from one year to the next.

Also in June in southern California, the Los Angeles School Board continued the saga of the most expensive high school ever built by voting to do further work on the Belmont Learning Complex. When completed, Belmont will have cost about $270 million—$175 million of which has already been spent to produce a school that currently is unusable.

In June in south Florida, auditors delivered 650 pages of backup documents to support the findings of an April 2004 forensic audit that charged the Miami-Dade school district with wasting more than $100 million in its school facilities program. The audit alleged there was massive disorganization and waste in the program as well as negligence, misfeasance, and potential for fraud.

Exploiting a Loophole

Unethical behavior and taxpayer abuse by school employees is not always illegal. In June, thousands of teachers in Texas rushed to retire before a lucrative loophole in Social Security law closed. Although most Texas teachers participate in a state pension fund rather than paying into Social Security, the loophole allowed them to receive Social Security benefits if their last day of work before retirement was in a job covered by Social Security.

In 2002, one-fourth of all public school retirees in Texas—3,521 people—took advantage of the loophole, according to auditors. Congress moved to close the loophole in spring 2004 when auditors estimated losses to the Social Security system at $450 million.

School districts around the state helped retiring teachers meet the one-day requirement by hiring them to work janitorial or maintenance jobs on their last day of work. Teachers paid the districts a small fee for this privilege, generating substantial revenues for some districts. For example, the Lindale Independent School District made more than $700,000 helping teachers beat the deadline, according to assistant superintendent for business Mike McSwain.

“We just couldn’t look at our taxpayers and say we passed up this opportunity to get this kind of revenue into the district,” McSwain told the Associated Press.

Lisa Snell (lanel@reason.org) is director of the education program for the Reason Foundation in Los Angeles.
Textbooks: “Where the Curriculum Meets the Child”
an interview with Gilbert T. Sewall by George A. Clowes

With the shift to presenting history from a multicultural point of view—where all cultures and values, including American, are treated as equally valid—history textbooks that present U.S. history to students in a positive framework are becoming less and less common. When combined with “dumbing down” on writing and skimping on content, the quality of U.S. and world history textbooks has become an issue of major concern to many Americans.

Historian and educator Gilbert T. Sewall is one of those concerned individuals. For the past 15 years, he has been director of the American Textbook Council, an independent national research organization established in 1989 to review and monitor the history textbooks used in U.S. schools. The Council’s publications have criticized popular junior high and high school history textbooks for presenting “politically correct” but inaccurate information to students and for judging Western and non-Western cultures by very different standards.

For example, a 2003 Council publication, “Islam and the Textbooks,” criticized textbook publishers for misleading students about the nature of jihad and sharia by presenting only partial and superficial explanations of those terms. Students are not informed that the traditional meaning of jihad is a religious obligation to bring the whole world under Islamic law, nor are they informed that Muslim law, or sharia, is where the state is the agent of the Muslim faith—a situation far removed from American society, where secular law is paramount and religious freedom is constitutionally guaranteed.

“To become discerning and self-preserving citizens,” notes Sewall, “U.S. students must learn how consensual government, individual freedom and rights, and religious toleration based on separation of church and state are their unusual birthrights.”

Sewall, a former Newsweek education writer, is the editor of The Eighties: A Reader and is on the editorial board of Phi Delta Kappan magazine. He is the author of Necessary Lessons: Decline and Renewal in American Schools (1983) and coauthor of After Hiroshima: The U.S.A. Since 1945 (1978). He was a history instructor at Phillips Academy and on the faculties of New York University and Boston University. He recently spoke with School Reform News Managing Editor George Clowes.

CLOWES: Could you tell us a little about your background and how you became interested in school textbooks?

SEWALL: I grew up in California and I did my undergraduate work in history and economics at the University of California at Berkeley, followed by graduate degrees from Brown University and Columbia University. I have identified as a conservative, a word that is shied away from at first, but not for long.

In 1987, I was in an institute at Teachers’ College that has since evolved into the Fordham Foundation complex. While I was there, I wrote a review of textbooks that hit a national nerve and prompted a foundation to suggest that I establish the American Textbook Council. I did, and I’ve been with the Council ever since.

CLOWES: What is the mission of the American Textbook Council?

SEWALL: The American Textbook Council is dedicated to improving instructional materials and civic education nationwide. Instructional materials are important in history and social studies because they are where the curriculum meets the child. Textbooks are what teachers use as a basic learning instrument. More teachers than not go through textbook lessons pretty much mechanically; they take the book that is assigned to the course and teach what is in it. So, obviously, the textbook is very important.

The second aim of the Council is to improve civic education nationwide. By civic education, I mean not only civic understanding but also civic pride—feeling and devotion to the American nation and its accomplishments. Right now, we’re trying to get funding to do a teacher guide and handbook on civic education that we’re calling Foundations of the U.S. Republic. This handbook would divide civic education into three parts:

■ An outline of the origins and nature of liberal democracy;
■ A discussion of the principles of U.S. government; and,
■ A review of the basic language of international affairs, or geopolitics.

That’s what I’d love to get into more classrooms. The civic I would like to see in the classroom would emphasize what the United States does right and look closely at American consensus, principles, and values. Unfortunately, “civic” today can mean anything from a study solely of First and Fourteenth Amendment issues to so-called “street law,” which is a kind of utilitarian guide to navigating the welfare system or the law courts.
CLOWES: So it doesn’t look at the underlying principles?

SEWALL: Not at all, and it is a perfect curriculum for children of the state. What I’m thinking of is something different, with an emphasis on principles. I also think civics should make a distinction between the United States and totalitarian regimes. We don’t have the U.S.S.R. any more, but we do have plenty of scary regimes, from a number of Islamic countries to China and North Korea.

Perhaps a better term these days, rather than totalitarian or theocratic, is “dictatorships.” They come in all varieties but the political outcomes are generally miserable in a lot of different ways. You see, I think Americans, including teachers and children, are being devalued and shortchanged a lot for granted. For example, I’d like teachers to do hard comparisons between the American legal system and sharia.

CLOWES: In one of your recent publications, you quoted Princeton University historian Bernard Lewis as saying, “We live in a time when great efforts are being made to falsify the record of the past to make history a tool of propaganda.” You commented that Islamists have succeed ed in doing this very thing.

SEWALL: Let me explain. When I published the World History Textbook Review report earlier this year, I mentioned Islam’s special role in terrorism but otherwise didn’t say much about it. That’s because, when we issued a preliminary report on Islam last year, it generated a lot of heat. The Washington Times put it on the front page, and then Fox News interviewed me about it. The report was widely reprinted and I came under vicious attack from the Islamists, in particular in a written response from the Council on Islamic Education (CIE). I want as many people as possible to read their response, because I think it’s lunacy. The people who write it are CIE’s chief propagandist. I’ve been asking hard questions about this organization for years, as have others such as Daniel Pipes. Diane Ravitch, and most recently WorldNetDaily. CIE has influenced publishers to keep certain information about Islam out of U.S. school textbooks.

For example, I looked at the textbook descriptions of jihad, sharia, Arabic slavery, and the treatment of women, and compared them with what well-respect ed scholarship said. I found there were great variations. There were obvious fabrications, whitewash, airbrushing—call it what you will. When I pointed out these variations in the 2003 report Islam in the Textbooks, and explained that it had taken place because CIE had intimidated other publishers, then Islam became a super rocket.

The Council on Islamic Education has been as aggressive as any single group in getting its particular view of history into U.S. textbooks. And because of multiculturalism, they’ve tried quite a wide channel to work in.

CLOWES: How has multiculturalism influenced the treatment of the United States and its history?

SEWALL: It doesn’t cut it. As I say in the World History Textbook Review, even publishers themselves would like to get rid of state adoption because it’s costly for them. State adoption is a sham in most cases because the number of major publishers has shrunk to four and the states are adopting pretty much everything that comes to them from those publishers.

It’s the publishers and their editors who are to blame. They are captives of the special interest groups. The publishers have become more defensive and more resistant to change as some of the best historians and educators in the country have criticized their textbooks.

Online Reports Available from the American Textbook Council

http://www.historytextbooks.org/worldhistory.pdf

“Islam and the Textbooks: A Reply to the Critics,” by Gilbert T. Sewall, December 2003
http://www.historytextbooks.org/islamandthetextbooks.pdf

“Islam and the Textbooks,” by Gilbert T. Sewall, February 2003
http://www.historytextbooks.org/islamreport.pdf


CLOWES: Just as radically, is the short answer. Multiculturalism has been around for about 25 years as a set of nebulous theories. Over those 25 years, the unifying idea in social studies has become “diversity.” As a result, any group or cause that can present itself as part of the diversity coalition comes to the table and says, “We want most treatment.” And since these people aren’t historians and don’t really give a hoot about history except as a vehicle to advance themselves, they want flattering treatment.

It doesn’t matter who these people are—left or right, sometimes non-political—but they all have an agenda. They want textbooks to reflect their point of view and to mention their particular interest group. This is not something new, but something that has become structural in educational publishing—not just in history and in social studies but throughout the curriculum.

I come from California, which has statewide textbook adoption and so it has a huge amount of commercial power. As you can imagine, Sacramento is a magnet for many, many causes. It’s not just the Native Americans, or the women, or the blacks, or the Hispanic groups that have been at the center of multiculturalism in California, but rather curious factions such as the Sikhs, the Ukrainians, and the nutritionists. They all want American history to reflect their contribution.

CLOWES: What could be done to change the system so that we might get a better selection of textbooks?

SEWALL: First of all, it’s not enough to say, “Get rid of state-level adoption.” That doesn’t cut it. As I say in the World History Textbook Review, even publishers themselves would like to get rid of state adoption because it’s costly for them. State adoption is a sham in most cases because the number of major publishers has shrunk to four and the states are adopting pretty much everything that comes to them from those publishers.

It’s the publishers and their editors who are to blame. They are captives of the special interest groups. The publishers have become more defensive and more resistant to change as some of the best historians and educators in the country have criticized their textbooks.

“Instructional materials are important in history and social studies because they are where the curriculum meets the child. … More teachers than not go through textbook lessons pretty much mechanically: They take the book that is assigned to the course and teach what is in it.”

Online Reports Available from the American Textbook Council

http://www.historytextbooks.org/worldhistory.pdf

“Islam and the Textbooks,” by Gilbert T. Sewall, February 2003
http://www.historytextbooks.org/islamreport.pdf


CLOWES: You reviewed mentioned that the content and style of textbooks has become very bland as the result of all the pressure to simplify. You commented that Islamists have succeeded in doing this very thing.

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approved a resolution endorsing Kerry for president at its July 14-17 convention. Both teacher union events were held in Washington, DC.

As part of its election efforts, NEA is signing up delegates to host “house parties,” all to be held on September 22, designed to “let people know what’s happening in public schools and get their help to make them better.” The union is putting a lot of energy into those events.

The Kerry camp and NEA arranged a live satellite feed from Cleveland, Ohio, through which Kerry and running mate John Edwards addressed the delegates. The delegates cheered loudly when Kerry and Edwards were introduced, and virtually everyone, including Kerry for President banner. Kerry spoke for a few minutes in general terms about his vision for America and the failures of the Bush administration, and then threw in a few items from his education plan.

“Not only will we fully fund special education, and fully fund the No Child Left Behind Act, but we’ll provide money for construction and early childhood education,” Kerry said.

Edwards then spoke, and he drew sharp distinctions between Kerry and President Bush, saying Kerry “won’t cut after-school slots” and will see to it “that President Bush, saying Kerry “won’t cut education,” Kerry said.

Edwards told the delegates that Kerry hit all the usual highlights—childhood education, and other programs. He noted his education plan “will extend after-school to more than 3.5 million kids across America.”

Kerry also talked about new spending for school construction and modernization. “Thousands of schools across America are crumbling today,” he said. “What does that say about valuing our kids’ future? When I am President, we will build and rebuild, modernize and repair our school buildings with new school modernization bonds.”

Kerry did touch upon the facets of his reform plan, but his sentences were constructed in such a way that the spending part came first, and applause and cheers often drowned out the reform part. For example, he remarked, “Pay for teachers in America today is a national disgrace. We need to raise it (cheers ensue) starting in the poorest schools and in the subjects where we face the most serious teacher shortages.”

And, “We need to offer teachers more (cheers) and ask more of them at the same time.”

And, “Teachers deserve due process protection from arbitrary dismissal (cheers), but we must have fast, fair procedures for improving or removing teachers who aren’t performing.”

Mike Antonucci (EducationIntel@aol.com) is director of the Education Intelligence Agency, which conducts public education research, analysis, and investigations. He also publishes a weekly Communiqué on teacher union activities, in which this information first appeared.

Kerry

Continued from page 1

“More than six of every seven delegates to the July 3-7 [NEA convention] supported the recommendation of U.S. Senator John Kerry (D-Massachusetts) for President of the United States.”

“We need you out there, knocking on doors.” At the AFT convention, Kerry tailored his speech to the crowd, saying “we can’t create good schools on the cheap” and promising new federal spending for just about every aspect of public education. “My first priority will be to meet our financial responsibilities to our schools,” he said.

Kerry departed frequently from his prepared remarks, and virtually all his departures involved increased spending on federal education programs. For example, his prepared speech read, “It’s time to fully fund No Child Left Behind,” claiming the Bush administration is shortchanging the law by $27 billion. But in delivery, Kerry added, “and fully fund special-needs education.”

His speech read, “And then we need to invest more in the children who are falling behind—with tutoring and mentoring.” Then he added that he would invest in Head Start, Smart Start, early childhood education, and other programs.

“Trade Unionist” McElroy Takes Helm of AFT Labor Union

by Mike Antonucci

At its July 14-17 convention in Washington DC, the American Federation of Teachers (AFT) installed union secretary-treasurer Edward McElroy as president, replacing outgoing president Sandra Feldman, who did not seek reelection due to health concerns.

Richard’s comment illustrates the philosophical differences between AFT and the National Education Association (NEA). Without a doubt, the clearest distinction is that AFT embraces the labor union image. By contrast, a majority of NEA members and affiliates want nothing to do with the AFL-CIO. Many NEA state affiliates flatly deny they are labor unions. Most NEA members want to be associated in the public’s mind with doctors, lawyers, and engineers—not truckers, mine workers, and longshoremen.

Under Al Shanker and Sandra Feldman, that distinction wasn’t always obvious. But in Edward McElroy, AFT now has a president who is 100 percent old-fashioned unionist.

In his first speech as AFT president, McElroy hit all the usual highlights—danning Bush, urging activism for Kerry, promising to help fix and fund the No Child Left Behind Act, and so on. But he also spoke at length about the labor movement as a whole—something never heard from an NEA president, leader of the largest single union in the nation.

“If the dictionary had a definition of trade unionist, it would have Ed McElroy’s picture on it,” said Mark Richard, the AFT’s administrator of the United Teachers of Dade.

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Teacher Union Gains, Losses Mean Little Membership Growth

by Mike Antonucci

Figures released at this summer’s annual conventions of the nation’s two largest teacher unions, the National Education Association (NEA) and the American Federation of Teachers (AFT), show membership increasing only slightly over the previous year.

NEA: Large Gains Mask Large Losses

The NEA picked up only 9,262 new active members in 2002-03—an increase of less than 0.4 percent. That performance is even worse than it looks, because the gains from only three states—California, Pennsylvania, and Illinois—account for 10,689 new active members. That means all other NEA state affiliates combined for a net loss in 2002-03.

Table 1 shows the top 10 and bottom 10 states ranked by NEA membership change from school year 2001-02 to 2002-03. The table also shows the official NEA active membership numbers for state affiliates for 2002-03, along with the percentage increase or decrease in membership from 2001-02. The numbers do not include 244,000 NEA student, substitute, and retired members. Those members do contribute support and resources to NEA, but they account for almost all of its revenue.

An additional factor not reflected in these numbers is that the bulk of the active membership growth is in the education support categories, whose members pay less dues than classroom teachers. Budget figures show that the bulk of the active membership growth is in the education support categories, whose members pay less dues than classroom teachers. Though NEA budgeted for no membership growth, a $3 per member dues increase will boost revenue by an estimated $7.2 million in 2004-05. Of that amount, almost $4.9 million is earmarked for increases in NEA staff salaries and benefits.

NEA delegates voted to extend the current $5 dues assessment for the Ballot Measure Legislative Crises Fund and Media Fund until 2010 and also to increase the amount by $1 per year until it hits $10. Delegates also voted to sunset the assessment in 2010.

Non-Teachers Boost AFT Membership

AFT touted its “impressive” membership growth of 42,209 members in the past two years, and those numbers are comparable to NEAs total growth over the same period. But once AFT’s numbers are disaggregated, it’s clear the smaller union is in the same boat as NEA when it comes to active full-time membership.

The union appears to have picked up only 6,700 new teachers in the past two years, but added 7,800 para-professionals (what NEA calls ESPs), 6,000 higher education employees, 4,200 health care workers, and 800 public-sector employees. That totals 25,500. It is unclear whether the other 16,709 are all new retired members or whether they include other categories.

In 2002, the Education Intelligence Agency reported the number of “votes” various state affiliates and locals have. Those figures are close to the same as the number of full-time equivalent members, though it would be hazardous to equate them. It also accounts for the merged states, where members pay dues to both NEA and AFT. What the “votes” numbers are good for, however, is a comparison of 2002 to today.

Table 2 shows the top and bottom 10 AFT state affiliates ranked by the change in votes from 2002-2004. The table also shows the votes for 2004, along with the percentage increase or decrease in votes from 2002.

AFT delegates approved a 40-cents-per-month dues increase to $13.20 for 2005-06 ($158.40 annually) and another 45 cents increase to $12.75 ($153.00 annually) and another 45 cents increase to $13.20 for 2005-06 ($158.40 annually).

Mike Antonucci (EducationIntell@aol.com) is director of the Education Intelligence Agency, which conducts public education research, analysis, and investigations. He also publishes a weekly Communicat on teacher union activities, in which most of this information first appeared.

Table 1: Top 10 States for Gains/Losses of NEA Members

<table>
<thead>
<tr>
<th>Rank</th>
<th>State</th>
<th>2002-03 Members</th>
<th>% Change from 2001-02</th>
<th>Gain/Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>California</td>
<td>130,049</td>
<td>1.6%</td>
<td>2,092</td>
</tr>
<tr>
<td>2</td>
<td>Pennsylvania</td>
<td>144,602</td>
<td>2.2%</td>
<td>3,093</td>
</tr>
<tr>
<td>3</td>
<td>Illinois</td>
<td>115,536</td>
<td>2.4%</td>
<td>2,704</td>
</tr>
<tr>
<td>4</td>
<td>Ohio</td>
<td>120,750</td>
<td>1.7%</td>
<td>2,022</td>
</tr>
<tr>
<td>5</td>
<td>Maryland</td>
<td>56,485</td>
<td>3.7%</td>
<td>2,010</td>
</tr>
<tr>
<td>6</td>
<td>Colorado</td>
<td>34,855</td>
<td>3.7%</td>
<td>1,234</td>
</tr>
<tr>
<td>7</td>
<td>Florida</td>
<td>106,668</td>
<td>1.0%</td>
<td>1,065</td>
</tr>
<tr>
<td>8</td>
<td>Georgia</td>
<td>33,784</td>
<td>3.1%</td>
<td>1,021</td>
</tr>
<tr>
<td>9</td>
<td>Washington</td>
<td>76,210</td>
<td>1.4%</td>
<td>1,018</td>
</tr>
<tr>
<td>10</td>
<td>Connecticut</td>
<td>36,386</td>
<td>2.6%</td>
<td>931</td>
</tr>
<tr>
<td>...</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>North Carolina</td>
<td>50,587</td>
<td>-1.1%</td>
<td>582</td>
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<tr>
<td>45</td>
<td>Louisiana</td>
<td>15,641</td>
<td>-3.7%</td>
<td>606</td>
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<tr>
<td>46</td>
<td>Oklahoma</td>
<td>24,283</td>
<td>-2.6%</td>
<td>638</td>
</tr>
<tr>
<td>47</td>
<td>Virginia</td>
<td>53,872</td>
<td>-1.2%</td>
<td>643</td>
</tr>
<tr>
<td>48</td>
<td>Kentucky</td>
<td>30,531</td>
<td>-2.2%</td>
<td>675</td>
</tr>
<tr>
<td>49</td>
<td>Oregon</td>
<td>38,410</td>
<td>-2.3%</td>
<td>920</td>
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<tr>
<td>50</td>
<td>Nevada</td>
<td>20,533</td>
<td>-4.4%</td>
<td>939</td>
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<tr>
<td>51</td>
<td>New York</td>
<td>36,890</td>
<td>-3.3%</td>
<td>1,252</td>
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<tr>
<td>52</td>
<td>Tennessee</td>
<td>45,612</td>
<td>-3.5%</td>
<td>1,676</td>
</tr>
<tr>
<td>53</td>
<td>Texas</td>
<td>39,352</td>
<td>-7.2%</td>
<td>3,063</td>
</tr>
</tbody>
</table>

Source: Education Intelligence Agency

Table 2: Top 10 States for Gains/Losses of AFT Members (“Votes”)

<table>
<thead>
<tr>
<th>Rank</th>
<th>State</th>
<th>2004 Votes</th>
<th>% Change from 2003</th>
<th>Gain/Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>New York</td>
<td>258,120</td>
<td>1.7%</td>
<td>4,318</td>
</tr>
<tr>
<td>2</td>
<td>Texas</td>
<td>24,938</td>
<td>11.1%</td>
<td>2,489</td>
</tr>
<tr>
<td>3</td>
<td>California</td>
<td>42,513</td>
<td>5.8%</td>
<td>2,312</td>
</tr>
<tr>
<td>4</td>
<td>Illinois</td>
<td>69,294</td>
<td>3.2%</td>
<td>2,131</td>
</tr>
<tr>
<td>5</td>
<td>Wisconsin</td>
<td>11,729</td>
<td>17.8%</td>
<td>1,774</td>
</tr>
<tr>
<td>6</td>
<td>Rhode Island</td>
<td>8,972</td>
<td>14.5%</td>
<td>1,139</td>
</tr>
<tr>
<td>7</td>
<td>New Mexico</td>
<td>4,476</td>
<td>20.9%</td>
<td>774</td>
</tr>
<tr>
<td>8</td>
<td>Georgia</td>
<td>4,728</td>
<td>19.0%</td>
<td>556</td>
</tr>
<tr>
<td>9</td>
<td>Virginia</td>
<td>5,382</td>
<td>9.3%</td>
<td>460</td>
</tr>
<tr>
<td>10</td>
<td>Ohio</td>
<td>13,711</td>
<td>3.3%</td>
<td>434</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Michigan</td>
<td>19,983</td>
<td>-1.5%</td>
<td>295</td>
</tr>
<tr>
<td>30</td>
<td>Indiana</td>
<td>11,021</td>
<td>-2.8%</td>
<td>315</td>
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<tr>
<td>31</td>
<td>New Jersey</td>
<td>16,376</td>
<td>-2.5%</td>
<td>424</td>
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<tr>
<td>32</td>
<td>Alabama</td>
<td>1,461</td>
<td>25.1%</td>
<td>489</td>
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<tr>
<td>33</td>
<td>Kentucky</td>
<td>1,758</td>
<td>23.6%</td>
<td>544</td>
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<tr>
<td>34</td>
<td>Oklahoma</td>
<td>2,753</td>
<td>21.0%</td>
<td>733</td>
</tr>
<tr>
<td>35</td>
<td>Pennsylvania</td>
<td>29,146</td>
<td>-5.9%</td>
<td>1,838</td>
</tr>
<tr>
<td>36</td>
<td>Kansas</td>
<td>2,039</td>
<td>-60.8%</td>
<td>3,162</td>
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<tr>
<td>37</td>
<td>Louisiana</td>
<td>11,318</td>
<td>-22.6%</td>
<td>3,312</td>
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<tr>
<td>38</td>
<td>Minnesota</td>
<td>28,794</td>
<td>-17.6%</td>
<td>6,170</td>
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Note: Because of unseated delegates, Florida and Washington DC were excluded from the ranking.

Source: Education Intelligence Agency

Resolutions Illustrate Teacher Union Views

- At the Representative Assembly of the National Education Association (NEA), New Business Item (NBI) 5 initially called on NEA to oppose the use of Professor William Sanders’ value-added method of measuring student (and teacher) performance. However, a substitute motion passed requiring NEA to study and analyze Sanders’ work—which the union already is doing.
- NEA delegates unanimously passed NBI 10, which called on NEA to oppose federal funding of the American Board for the Certification of Teacher Excellence (ABCTE)—which the union already opposes.
- Delegates passed NBI 12, which requires NEA opposition to the passing of “barrier tests” for grade promotion or high school graduation.
- NEA delegates passed a revised charter school resolution, A-30, placing the word “acceptable” in front of “charter schools,” and defining “acceptable” as meeting the union’s criteria.

Convention Comments By Teacher Union Officials

- “(T)he federal government has to recognize that while it has a vital role to play in education, it cannot manage 15,215 school districts, with 47.6 million K-12 students, in every state across the country. . . .”
  — National Education Association President Reg Weaver, commenting on the No Child Left Behind law.
- “I don’t care where the money comes from.”
  — National Education Association President Reg Weaver, explaining his philosophy concerning the cost of implementing NEA’s education policy agenda.
- “Garbage in, garbage out. America sends us their garbage and then blames Washington for what comes out of Capitol Hill and the White House.”
  — Joslyn Williams, president of the Washington Metropolitan Labor Council of the AFL-CIO, referring to the members of America’s legislative and executive branches as “garbage.”
Individual Student Growth Is Focus of California Analysis Model

by Krista Kafer

A new report from the San Francisco, California-based Pacific Research Institute urges the state to adopt a school accountability model focused on the progress of individual students toward meeting subject matter proficiency. Accountability currently is measured by comparing student cohorts against one another.

The system recommended by Harold C. Doran and Lance T. Izumi, authors of “Putting Education to the Test: A Value-Added Model for California,” uses each student’s Rate of Expected Academic Change (REACH) to reveal the impact of teaching on individual students—regardless of whether those students started class behind their peers or ahead of them. Tennessee was the first state to utilize such a “value-added” accountability model. Other states, including Colorado and Utah, are considering the adoption of a similar system.

In the value-added system, students are tracked individually, so no one can fall through the cracks,” said Izumi. “And the model enables schools to reward teachers for individual student progress, no matter where those students initially rank compared to their peers.”

That assessment was echoed by J.E. Stone, a professor of educational psychology at East Tennessee State University and founder of the Education Consumers’ Clearinghouse.

“One of the great advantages of value-added assessment is its fairness to teachers and schools,” said Stone. “All student improvement counts, even if it is earned by low-achieving students.”

According to Doran and Izumi, adoption of a value-added model will help educators and policy makers better evaluate the impact of policies and programs on student learning, promote better instruction, measure teacher effectiveness, and improve teacher professional development. For students and teachers, the model delivers an academic wake-up call by showing how much a student must progress in order to reach standard, even if it is substantial, is not measured. This type of accountability model can provide misleading school-level results because it compares schools without taking into account progress or factors outside of the school environment. It cannot isolate the value of an individual teacher’s skill.

For those reasons, the authors recommend adoption of the value-added accountability system described in the report. A database necessary for such a system will be available in 2007, thanks to passage of two pieces of legislation.

A 2002 law requires the state department of education to request proposals for a longitudinal individual student achievement database.

A 2003 law requires the state to assign individual identification numbers to track students.


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U.S. Productivity Soars in Business, Slumps in Education

by George A. Clowes

Productivity in the U.S. economy soared an impressive 60 percent over the past three decades in terms of output per hour, but productivity in U.S. public schools fell by 42 percent over the same period in terms of reading achievement per dollar spent, according to Harvard University economist Caroline M. Hoxby.

In 1971, output per hour in the U.S. economy was 70.6, according to the U.S. Department of Labor’s Bureau of Labor Statistics (BLS). By 1999, productivity gains had boosted that figure to 112.3, an increase of 59.1 percent. In a recent essay titled “A Better Way: Productivity and Reorganization in the American Economy,” the Federal Reserve Bank of Dallas explains how competition encourages companies to adopt new technologies in order to increase efficiency and lower costs.

According to the Federal Reserve report, output per person today is about 25 times higher than it was at the nation’s founding in 1776. At that time, more than 90 percent of the population worked in agriculture. Today, with the benefit of improved seeds, chemical fertilizers, irrigation, and machines to mechanize the planting and harvesting of crops, only 3 percent of the nation’s workforce earns a paycheck from agriculture.

Computer technology, cell phones, teleconferencing, spreadsheet programs, and the Internet are driving far-reaching productivity gains among today’s industrial and commercial enterprises.

Hoxby analyzed productivity changes in U.S. public schools in a 2001 study titled “School Choice and School Productivity,” using student test scores on the National Assessment of Educational Progress (NAEP). When she calculated NAEP points per thousand real dollars spent per pupil, she found educational productivity fell by approximately 42 percent between 1970-71 and 1998-99 for NAEP reading scores.

If today’s public education dollars were spent at the productivity level of the early 1970s, the achievement level of today’s public school students would be dramatically lower, according to Hoxby.

“In fact, the average 17-year-old would have a score that fewer than 5 percent of American 17-year-olds currently attain,” she noted. “The mean American student would be classified by the NAEP as an ‘advanced’ student.”

If today’s public schools produced the same reading scores as the early 1970s at the productivity level of the early 1970s, then today’s education spending would be 42 percent lower, according to estimates by School Reform News. With the U.S. Department of Education reporting $501.3 billion spent on public education in 2003-04, a 42 percent savings would total more than $200 billion a year.

George A. Clowes is managing editor of School Reform News. His email address is clowes@heartland.org.

INTERNET INFO


Let’s Put Parents Back in Charge!

A GUIDE FOR SCHOOL REFORMERS

by Joseph L. Bast & Herbert J. Walberg, Ph.D.

At its root, the campaign for parental choice in education is about relying on capitalism to educate our children. Opponents demonize parental choice in education by tapping the public’s confusion about competition, profits, and prices. The anti-choice campaign is really a thinly veiled anti-capitalism campaign. To counter this, we must educate millions of Americans about what capitalism is, how it works, and why it should be trusted in education.

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