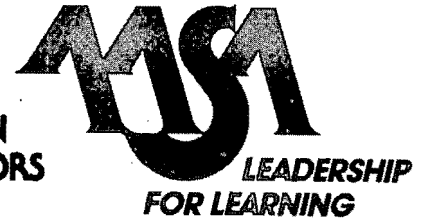


**AMERICAN ASSOCIATION
OF SCHOOL ADMINISTRATORS**



Statement of

Dr. Paul D. Houston

Executive Director

American Association of School Administrators

Before the

Subcommittee on Early Childhood, Youth and Families

The Honorable Randy Cunningham, Chairman

United States House of Representatives

June 21, 1995

Chairman Cunningham and members of the Subcommittee, thank you for the invitation to testify today on this most important topic. As executive director of the American Association of School Administrators, AASA, which represents some 16,000 local superintendents and education executives, I have had the opportunity in the past year to attend state and area meetings in more than 40 states. During those meetings, I have heard spirited debate on nearly every topic concerning education. Among superintendents in general there are favorable and opposing voices on every issue, except one. All superintendents are opposed to using public funds to pay for attendance at private, and parochial schools.

Opposition to using public funds to pay the cost of attendance at private and parochial schools, as conceived in the Riggs-Weldon proposal, unites superintendents in opposition because it fails five basic tests: constitutionality, fairness, public need and acceptance, finance equity, and the promise of improved results.

FAIRNESS

All of the voucher proposals we have seen, including the proposed demonstration, also fail the fairness test. Under the proposal, public and private schools do not play under the same rules, with regard to enrollment and discipline. Only the private schools, not parents, really have a choice, because they can choose which students to admit and retain. Vouchers in general and this proposed demonstration permit private schools to exclude students who: are handicapped, speak a language other than English, are non-believers, or refuse to study or exert themselves academically. Additionally, private schools can expel any student with a history of disruptive behavior. None of these conditions is a basis for refusal or expulsion in public schools. And, if private schools do enroll disabled students, they can force public schools to provide all the services to those students.

We are very concerned at the attack on public education found in the "dear colleague" sent to other House members by representatives Riggs and Weldon, because we found that simply listening to critics left people with the feeling that the critics must be right in their attacks. The attack on public education in the Riggs Weldon dear colleague is simply full of myths and half-truths that have been repeated so often that they have achieved the patina of truth. It appears to want to establish a government-sponsored leveraged buyout, a "Gordon Geccho-izing," if you will, of the public schools. Schools have not declined. Rather, results on nearly every measure from test scores to dropout rates are steadily improving. Public schools are achieving the best results with the broadest number of children ever. Last summer the Rand Corporation issued a report widely ignored in Washington because it said good things about public schools. The black-white achievement gap has been cut in half in 20 years. The gap is still too large, but your investment in Title I and Head Start is paying off.

Representatives Riggs and Weldon pointed to 400,000 dropouts annually, based on event data, when they should have looked at status data to find that the dropout rate is at an all time low 11 percent. That is a decline of about four percentage points since 1972. This is

a remarkable achievement for a nation that only 30 years ago thought a dropout rate over 25 percent was OK.

There are admirable and desirable qualities in both private schools and in those that are public. Their great strengths give both of them their unique nature. To tamper with a co-existing system and risk destruction of one or the other would be a huge mistake.

Some might harken us back to the "good old days," when families were stable and schools were legally segregated, and children with special needs were not served. We didn't even use the term "dropout" then. When a child dropped out, he (more than she) could frequently get a low-skill job at factories that don't exist anymore. We educated a much more select population in the 50s; mostly white, motivated and orderly youngsters whose parents were supportive of education. Schools may have seemed better, because they didn't deal with all the vexing problems confronting schools today. One child in four lives in poverty; half of the African-American youngsters under the age of six live in poverty; 43 children are killed or injured by guns every day; and, since 1988, teenage boys are more likely to die from gunshot wounds than from all other natural causes.

There is also an interesting issue raised by William Baumol, a Princeton University economist. Baumol is an expert on why public services cost more than private services. This is simply because the work government workers do is labor-intensive and does not lend itself to the improvements created by technology in the same way as do capital-intensive industries in the private sector.

For example, Baumol points out that 76 workers in 1990 could make as many cars as 100 workers in 1979, and 42 workers could produce as many computers as 100 workers produced. Moreover, the 1990 products were also of higher quality. However, for teachers to experience this kind of productivity increase, we would have to increase class size from 25 in 1979 to 33 in 1990. And while some of this has gone on, it has not happened without decline in the quality of service. The soaring class sizes in some states have not led to improved performance, in large part because the teachers are coping not only with more children but with more difficult children at the same time.

In fact, Baumol points out, the deterioration in government performance does not result from bureaucratic inefficiency. It comes about simply because improvements in productivity are spread unevenly throughout our economy. We must spend a greater share of our income to maintain the constant level of services in some sectors and a smaller share to maintain a constant level in others. Baumol uses as his example the fact that it takes a person the same amount of time to play a Scarlatti harpsichord solo today as it did 260 years ago. Yet 260 years ago, craftsmen would make a single watch in the time it took to play 100 solos. Today, a single watch can be manufactured in less time than it takes for a single performance of the Scarlatti solo. This means that in 260 years the price of a concert ticket has risen about 100 times as fast as the price of a watch. Thus, watches are no longer a luxury, while concert tickets are. However, no one blames this difference on

"bureaucratic bloat" in the music industry.

In considering Baumol's analysis, one must quickly come to the conclusion that, when privatizing is presented as a solution to education's so-called inefficiencies, we are witnessing the proposed invasion of the watchmakers who want to play Scarlatti solos. But simply playing songs faster or improving their "efficiency" by leaving out some of the notes won't work--in music or in education. If the children are to benefit, the harpsichord-playing watchmakers will need to play the music of education "prettier" as well. And the music review jury is still out on that.

PUBLIC NEED AND ACCEPTANCE

The third basic test vouchers fail, perhaps most abjectly, is, public need and acceptance. Voucher proponents have had their proposals on the state wide ballot 16 times, and vouchers have been soundly rejected by the voters 16 times. Most recently voucher proponents had their opportunity to try again on ballot initiatives in Oregon in 1990, Colorado in 1992 and California in 1994. The lowest vote against vouchers was 67 percent in Colorado. A proposal rejected by over two-thirds of the voters in three conservative western states indicates an idea that holds no appeal to the population.

In fact, voucher proposals failed so miserably as ballot initiatives--including a nearly two-to-one rejection among your own constituency, Mr. Chairman--that the interest groups promoting them have given up on direct democracy, and are trying to get state legislatures and Congress to enact what the people roundly reject every time they get the opportunity. Perhaps Congress really does know best, and two-thirds of the citizens of Oregon, Colorado and California are too ignorant to know what kind of education system they need. AASA doesn't think so and hopes that this committee doesn't either.

The public has demonstrated over and over again, in election results, that it does not want or need to spend public funds in private and parochial schools. The proposed demonstration is just the latest iteration of a long term strategy to sell an unconvinced public, an unwanted change in education finance and governance.

The tone of the Riggs-Weldon dear colleague relies on polling data that finds a general concern among the American people about public education. AASA thinks that this is an unfortunate misreading of the public, which rightly understands the need for education to change rapidly to stay up with rapid changes in society and the economy. When I look around at how we are treating our children, who are our future, I see a great darkness. It becomes our task to create the light that will guide their path to a better future for us and them. We should be doing battle on behalf of our children. The premise that the quality of schools has somehow deteriorated over time and that only external interventions will save them is flawed. The fundamental issue is that the schools have been affected by a great many external problems that are beyond their capacity to solve without cooperation from the broader community.

AASA's 1993 and 1994 polling found that the public likes their neighborhood schools for many reasons including student safety, family convenience, and ease of parental participation. We also found that people know much more about their neighborhood schools than they do schools in other places and, that they get their information about neighborhood schools from trusted local sources, including neighbors, children, school newsletters and local newspapers. We also found that information on schools in other places came almost entirely from television. Given the penchant of television for bad news, we understand why folks think everyone else's schools are in trouble.

FINANCE EQUITY

The test of educational finance is where vouchers really meet public opposition. In election after election the public has said they are unwilling to cut public school funding or pay more taxes to pay for private education. AASA has included the results of polling we did in 1994 as additional evidence that the public is not interested in either cutting funds to public schools or increasing taxes to fund vouchers. The proposed voucher demonstration is one more example of a voucher that ultimately takes funds away from public schools to use in private schools. Funding for Title I only serves 50 percent of eligible children now, and given the appropriations allocations for FY 96, funding is more likely to decline than grow. In this environment of shrinking resources for Title I, taking \$30 million out to put in private schools is outrageous.

Vouchers will also hurt public schools where a large percentage of children enrolled come from families with incomes below the poverty line, because Title I and other federal funds have an equalizing effect on finances. A recent OERI report, Disparities in Public School District Funding 1989-90, shows that schools with poverty rates greater than 25% average almost 11% of their budget from federal funds, while schools with poverty rates lower than 5% average less than 2% of their budget from federal funds. The \$30 million in the demonstration will not significantly reduce those averages but; if the proponents of the demonstration succeed, the equalizing effect of federal funds will be considerably diminished.

In the last few years 33 states have seen school finance equity suits, because funds are so inequitably distributed to schools. Funding for vouchers must be based on the fact that about 11 percent of students are in private and parochial schools, and the cost of educating those youngsters must either come from reducing the expenditures or increasing taxes enough to increase expenditures by 11 percent. Given the mood in Congress and the states to cut taxes we doubt that revenues will increase so the only real option is to reduce spending on public schools by the cost of the vouchers. Reducing the contribution to public schools will not hit all schools equally. For example in many states there are very few private schools and in most rural areas there are no private schools. The uneven distribution of vouchers will further disqualify public school funding, a result that no one wants. A nation wishing to educate every child does not need to further disqualify funding for schools with high poverty rates.

AASA polling from 1994 found that the disqualifying effect of vouchers turned people against vouchers, and we feel sure that the public will feel the same way about the proposed voucher demonstration. The wildly unequal funding for our public schools in favor of students most likely to succeed is a disgrace, and Congress should do nothing to make it worse.

If you read Dickens, it is evident that, at least when it comes to the condition of children, we are living a tale of two cities. For some of our children, it is the best of times: they receive excellent health care, the best education, more and the best of everything. For others of our children, far too many, it is the worst of times. They are growing up at the margins of society: they are sick, abused, abandoned and unloved. They are growing up in a world defined by its racism, its poverty and its despair.

In this country, the richest in the world, our dogs have a better chance of being inoculated than our children do. The infant mortality rate in America is higher than 21 other industrialized countries. It is estimated that between five and six million children under the age of 11 go to bed hungry. In the richest nation in the world, we spend more money on cat food than we spend on school textbooks.

In the richest country in the world, 40 percent of minority children drop out of school. And we know that 75 percent of prison inmates are dropouts. We know that dropouts cost Americans \$240 billion a year in lost earnings, taxes, and social services; but we hear the politicians, with all due respect ladies and gentlemen, tell us they don't want to "throw" money at education.

Yet polls have shown that two-thirds of the American public say they would be more likely to vote for a candidate who supports increased spending for children's programs, even if it required an increase in their taxes. What is missing in Washington, Mr. Chairman, and in state capitals across the land is not the knowledge that we must do something or even the availability of resources; but the lack of personal courage on the part of our elected leaders to step up and do the right thing for children.

Meanwhile, the rich get richer and their children are more likely to get college degrees, and poor get poorer and their children--the children of those with the bottom one fourth of the income--get only four percent of the college degrees.

Robert Reich, the Secretary of Labor, has pointed out that "a society divided between the haves and the have nots or between the well-educated and the poorly educated...cannot be prosperous or stable." And yet, when we look at America, we see a country increasingly stratified between the haves and the have nots. As a Republican economist pointed out, "This stratifying starts to make us into a different country. It goes against the American notion of fairness."

IMPROVED RESULTS

There is no evidence that public payment of tuition to private and parochial schools will improve the results of students in general or specific students. In fact the only structured test of vouchers in this country in Alum Rock, California, resulted in no differences. More recently, Milwaukee experimented with vouchers and found no differences in results, attendance or behavioral incidents.

One of the fundamental questions we must deal with here is, What is being produced by education? Critics have long seemed to imply that the goal of education is to produce higher test scores. That is how we get international and state-by-state comparisons of test scores, viewed by some as the sole measure of whether one state or country is more effective than another. The fact is that education's role in production is to produce a better society. Whether that will happen through privatization is clearly a debatable question. Some voucher proponents have used the argument that competing for students will improve public education. Unfortunately for the competition argument, the research on school improvement all points to the adults who work in schools, not to whether or not students attend private and parochial schools. Because only learning new skills and gaining new knowledge will improve teaching and administration; vouchers, including this voucher demonstration, offers no hope of improving results.

The lopsided conditions concerning the make up of public and private school enrollments make meaningful comparisons between public and private schools difficult. But, that has not stopped those bent on comparisons. The National Assessment of Education Progress, NAEP, has been working to provide fair comparisons between public and private results on tests since the late 1980's, and found that there are no differences between public and private school performance on the NAEP tests. Based on the NAEP data, Representatives Riggs and Weldon's excoriation of public schools as abject failures while private schools are succeeding, must be based on wishful thinking, because it certainly is not based on the only results of students from both sectors on a widely respected test.

For people whose schools have gotten a little too diverse, or people who want their children to mix only with the sons and daughters of certain social classes, or for parents who want a religious education for their children, or for parents who do not like their neighborhood school; private schools provide an important option. The reasons for attending private schools are many, but getting a better education or somehow improving public schools through competition are reasons that simply don't hold water.

The ability to choose a different location or program is important, but it doesn't help schools everywhere to improve enough to meet the social and economic challenges of the next century. The challenges to improve citizenship, increase political participation and general civility, and prepare students to succeed economically are the problems of the general population. Adults are also experiencing difficulty with massive corporate downsizing, declining blue collar wages,

School districts everywhere are moving to improve student results within the construct of the neighborhood school, while giving parents and students who want to the option to attend other schools or to have specialty schools. AASA wholeheartedly supports all of the various state and local plans to give parents and students choices of where they attend school. But, we know from experience in Minnesota and many of the local open enrollment plans, that only 2 percent of the students want to attend anything other than their neighborhood school, so the challenge is to provide neighborhood schools that give students a leg up on the first step into college, a job, a volunteer experience or the military. *

Thus, the proposed voucher demonstration fails five tests that are usually applied to programs for public schools, and should be rejected by this committee and the Congress.

On the other hand, the voucher demonstration proposal creates an opportunity to discuss the value of choice plans among public schools. A number of states and school districts have adopted open enrollments and other choice plans. Those plans include an incredible variety of options including schools within a school, alternative schools, magnet schools, specialty schools, area schools, distance learning, special degree plans such as the International Baccalaureate, and privatizing schools. All of these options attract a small but very committed group of students and parents, but the public still overwhelmingly prefers the neighborhood school.

CONSTITUTIONALITY

Voucher proposals such as the Riggs Weldon demonstration proposal are clearly unconstitutional. Vouchers, like the demonstration proposal, directs the state or federal government to collect taxes from everyone, and then redistributes those dollars to parents to pay tuition and fees at private and parochial schools, thus directly channeling public funds into private and parochial schools. This clearly violates the first amendment by taxing believers and non-believers alike to fund religious institutions to provide an education in a specific religious belief system. An even more dangerous and harmful aspect of vouchers is the inevitable regulation of religious institutions to ensure that funds are not misspent. Regulating religious institutions will entangle government in religion in ways that can only limit and inhibit religious freedom, one of the very conditions that drove settlers to this country originally.

Representatives Riggs and Weldon and the interests backing vouchers believe that spending public money in religious schools is constitutional. However, because AASA so profoundly disagrees, we ask for a simple test of the proposal's constitutionality: an expedited review by the federal courts. Thus, if the proposed demonstration becomes law, we could answer the constitutional question up front. A precedent for expedited review is found in the 1986 version of the Gramm-Rudman budget law. Because Title I funds are forward funded, the court challenge would be completed before the start of the demonstration, eliminating any delay. We, of course, do not think our test challenge will be taken up; because the special interests behind this measure know, and the recent ballot proposals in Oregon, Colorado and California demonstrate that their house of cards would fall with an

unfavorable decision.

The voucher proposal is a desperate attempt to salvage a repeatedly rejected notion by putting the camel's nose under the tent and opening the public coffers to private and parochial schools. What this committee and the 50 governors ought to be about is helping schools make the massive changes needed so all children are given a chance to succeed. The nation will remain united and strong and the economy will provide a livelihood for everyone.

The political process is a selfish process. It is a battle of narrow agendas, where each group vies for prominence. But we can't overlook the dire needs of these voiceless children, Mr. Chairman. All of our children are worthy of our support and guidance and love. Each package comes to us pure, from God. What we allow to happen is our responsibility. We are, after all, in charge. I thank you for giving me this opportunity and would be happy to answer an questions.

SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES
HEARING ON EDUCATION REFORM
JUNE 21, 1995

REMARKS

Ron Ottinger, President
Board of Education, San Diego Unified School District

Mr. Chairman and Members of the Subcommittee:

As President of the Board of Education and on behalf of the San Diego Unified School District, I want to express my appreciation to Congressman Cunningham and the Subcommittee for inviting me to be a participant in today's discussion of education reform, particularly relating to Charter Schools. First, I want to acknowledge Congressman Cunningham for his sincere commitment to public education and the children of San Diego. His ongoing support is much appreciated by our district.

San Diego City Schools, as our district is informally called, with an enrollment of over 126,000 students is the eighth largest urban school district in the country and the second largest urban school district in the State of California. More than a quarter of our ethnically diverse student population is limited English proficient.

With more than 90 percent of school age children in California attending public schools the need for reform is critical. Resources, such as those provided by the Improving America's Schools Act and Goals 2000 are vital to bring about necessary restructuring. We must continue our national commitment to public education. To consider other options, such as private school vouchers, diverts essential resources for educating the vast majority of our children and youth.

The single most important imperative of our schools is to raise the performance of all students. Our district sets high expectations for all students and schools. On June 22, 1993, our Board of Education

approved *A Plan to Improve Student Achievement and Organizational Effectiveness*, presented by Dr. Bertha Pendleton, Superintendent. The plan includes 16 expectations for which all schools will be held accountable. The first three of the 16 expectations ask that all students master reading skills and comprehension by grade three and that all students achieve appropriate performance standards in mathematics, writing and speaking skills at established grade levels. With the primary focus on student achievement, other expectations include objectives for school safety and cleanliness, attendance and school discipline, preparation for college and the world of work, parent and community outreach, and respect for diversity. Data monitoring these expectations are provided to schools on a quarterly basis.

Because we have learned that standards are necessary for true reform, the San Diego Unified School District is working to be a standards driven district. We support district-wide, state and national established education standards, and are participants in the New Standards Project. We support the new accountability model written into Title I that demands student progress and establishes a rewards and intervention process. Additionally, we support and have been involved in the process to set education goals both at the state and national level.

Our district strongly supports public school choice to demonstrate that the public school system in America can bring about educational reform with results focused on achievement and accountability. In San Diego City Schools all children have a variety of choices as to which school they attend. Presently, over 30,000 students choose to attend a school outside of their residential boundary.

State legislation authorizing boards of education to operate charter schools became effective in 1993, making California the second

state in the nation to create this alternative in public schools. By law, district granted charters are capped at 10, with a 100 charter school cap statewide. The San Diego Unified School District has approved 6 of the 10 charter school petitions that have been granted in San Diego County. Five district charter schools are currently in operation and one is scheduled to open in Fall 1995. It is our intention to approve all viable charter school petitions presented to our board up to the state imposed limit of 10. We actively advocate for legislation that would lift the statewide and district cap. We see charter schools as a contract between the board of education and the school, providing flexibility in return for greater accountability. The specific goals and operating procedures for the school are called out in a 5 year renewable contract between the board and the school's organizers. In exchange for the commitment to demonstrate significant progress in student achievement on a state assessment, the school is free from nearly all state and district regulations including collective bargaining agreements. Charter schools can create job descriptions, hire staff and contract for professional and business services.

The six approved charters of San Diego City Schools are as diverse as the needs of our student population. Several were existing district schools that chose to take an alternative approach. Several others were sponsored from outside the district by The San Diego Chamber of Commerce, The San Diego Urban League and the Children's Museum of San Diego. Charter schools receive the same general funds and categorical funding on a per average-daily attendance (ADA) basis that all schools in the district receive.

As state law is currently written, it is a difficult process to charter a school. According to the law, a charter school petition must be signed by not less than 10 percent of the credential teachers employed by the

school district or 50 percent of the teachers employed in one school. Some local groups desiring to establish a charter have been unable to collect the signatures necessary for consideration.

Identifying school sites for outside groups wishing to charter a school who do not have access to facilities is a major issue. The San Diego City Schools is currently negatively impacted by a lack of school facilities for a student population that is growing at the rate of 1,500 students per year.

Our district supports the charter school concept because charters require schools to look at why students are not achieving. Freeing schools from burdensome state laws and district regulations begins to take away perceived barriers to improving student achievement. A key component in any reform is assessment. The district is developing an evaluation component in order to measure the effectiveness of charter schools in raising student achievement. It is too early to determine how successful the initial charters will be.

Charter schools are, by their very nature, an example of local control and community participation in public education at the local level. The State Department and the State Board of Education retain minimal oversight of charter schools. Federal support for charter set up, staff development and facilities would be helpful. The new flexibility written in the Improving America's Schools Act and Goals 2000 dovetail the reform efforts being made by individual school districts like ours. The San Diego Unified School District strongly supports education reform and strives to provide an environment that creates a climate of change. In that light, we advocate the establishment of charter schools within the public school system to create a contract between boards and schools for improved student achievement and accountability.

SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES
HEARING ON EDUCATION REFORM
JUNE 21, 1995

TESTIMONY

Ron Ottinger, President
Board of Education, San Diego Unified School District

Mr. Chairman and Members of the Subcommittee

As President of the Board of Education on behalf of the San Diego Unified School District, I express my appreciation to Congressman Cunningham and the Subcommittee for inviting me to be a participant in today's discussion of education reform, particularly relating to Charter Schools. First, I want to acknowledge Congressman Cunningham for his sincere commitment to public education and the children of San Diego. His ongoing support is much appreciated by our district.

San Diego City Schools, as our district is informally called, with an enrollment of over 126,000 students is the eighth largest urban school district in the country and the second largest urban school district in the State of California. We have more than 32,000 students who are limited English proficient; 14,190 special education students and 16,200 students eligible for gifted programs. The district is ethnically diverse: 17% African American, 19% Asian, 31% Hispanic, 32% White and 1% Native American.

Our district strongly supports public school choice to demonstrate that the public school system in America can bring about educational reform with results focused on achievement and accountability. Many choice opportunities now abound in public schools. With more than 90 percent of school age children in California attending public schools the need for reform is critical. Resources such as those provided by the Improving America's Schools Act and Goals 2000 are vital to bring about necessary restructuring. We must continue our national commitment to public education. To consider other options, such as vouchers, diverts essential resources for educating the vast majority of our children and youth.

The single most important imperative of our schools is to raise the performance of all students. We set high expectations for all students and schools. What students should know and be able to do

has been defined. The achievement of high performance standards for student learning must be the goal in all classrooms and all schools. On June 22, 1993, our Board of Education approved *A Plan to Improve Student Achievement and Organizational Effectiveness*, presented by Dr. Bertha Pendleton, Superintendent. The plan included 16 expectations for which all schools will be held accountable. The expectations include a focus on student achievement, school safety and cleanliness, attendance and school discipline, preparation for college and the world of work, parent and community outreach, and respect for diversity. The first three of the 16 expectations ask that all students master reading skills and comprehension by grade three, or by their third year in a district school, if a primary language student, and that all students achieve appropriate performance standards in mathematics, writing and speaking skills at established grade levels.

Because we have learned that standards are necessary for true reform, the San Diego Unified School District is working to be a standards driven district. We support district-wide, state and national established education standards, and are participants in the New Standards Project. We support the new accountability model written into Title I that demands student progress and establishes a reward-intervention process. Additionally, we support and have been involved in the process to set education goals both at the state and national level.

Through the successful enactment of state public school choice legislation in 1993, California provided additional inter and intra district attendance alternatives for students. Public school choice is recognized by this district as a viable reform option. In San Diego City Schools all children have a variety of choices as to which school they attend. Presently, over 30,000 students attend a school outside of their residential boundary. Students living within the district have first option for space at their residential school, determined by their address. If space is available, other students may apply for enrollment at any other school in the district except total school magnets.

According to former State Senator Gary Hart, *"charter schools provide a license to dream for teachers, parents and all members of the school community and an opportunity to see those dreams become a reality. Year after year members of the education community implore me and other members of the Legislature to get rid of the*

mandates under which public schools must operate. That's exactly what charter school legislation does. It allows petitioners to create educational programs from scratch, unfettered by bureaucratic constraints."

State legislation authorizing boards of education to operate charter schools became effective in 1993, making California the second state in the nation to create this alternative in public schools. By law, district granted charters are capped at 10, with a 100 charter school cap statewide. The San Diego Unified School District has approved six charter school petitions. Five schools are currently in operation and one is scheduled to open in Fall 1995. It is our intention to approve all eligible charter school petitions presented to our board up to the state imposed limit of ten. We actively advocate for the lifting of the statewide and district cap. We see charter schools as a contract between the board of education and the school, providing flexibility in return for greater accountability. The specific goals and operating procedures for the school are called out in a five year contract that can be renewed, between the board and the school's organizers. In exchange for the commitment to demonstrate significant progress in student achievement on a state assessment, the school is free from nearly all state and district regulations including collective bargaining agreements.

The six approved charters of San Diego City Schools are as diverse as the needs of our student population. Several were existing district schools that chose to take an alternative approach. Charter schools receive the same general funds and categorical funding on a per average-daily attendance (ADA) basis that all schools in the district receive. At this time, the district retains financial oversight of the charter schools accounting procedures, however sites have the flexibility to direct resources according to their own priorities. As state law is currently written, it is a difficult process to charter a school. According to the law, a charter school petition must be signed by not less than 10 percent of the credential teachers employed by the school district or 50 percent of the teachers employed in one school. Some local groups desiring to establish a charter have been unable to collect the signatures necessary for consideration. Identifying school sites for groups wishing to charter a school who do not have access to property and/or facilities is a major problem. The San Diego City Schools is currently negatively impacted by a lack of school facilities. With a student population that is only expected to

increase, we are having difficulty accommodating, with reasonable class size, our existing student population.

Following are some of the ways the charter schools in our district take advantage of the increased flexibility to benefit students.

O'Farrell Community School is a newly structured middle level magnet school with more than 1,400 students in grades 6-8. The parents and staff chose to become a charter school in January 1994. Leadership and administrative duties traditionally taken on by vice principals and counselors, are now shared by the teaching staff allowing the school the flexibility to hire more teachers to significantly reduce class size. The position that normally would be described as the principal is now held by the chief educational officer (CEO) who is the leader for all the educational units and the advocate for the student. O'Farrell has also chosen to redirect some of its resources by contracting out for some custodial and gardening services. This school is a good example of the flexibility charters have in staffing clerical and other classified positions. When the district faced a significant number of classified position layoffs last year, because of it's charter status the school was not impacted by the routine bumping that takes place among represented groups.

The principal and staff of the Darnall E Campus charter began working on the concept of flexibility prior to the enactment of state charter legislation. In 1991 the district board granted "experimental" status to Darnall as way for the school to expedite the granting of waivers for certain regulations. When the state charter law was enacted, 100 percent of the Darnall teachers agreed to seek a charter and Darnall was the first site to open as such in the district. Darnall has used its charter status for increased flexibility in staffing by negotiating salaries and conducting staff approved yearly teacher evaluations. Prior to opening as a charter the school facility was vacant. It is now at enrollment capacity as a result of both resident attendance and choice students.

The Charter School of San Diego, developed in part by the San Diego Business Roundtable for Education, combines a number of alternative education programs including drop-out recovery, for grades 6 - 12. The Charter School of San Diego operates 19 classrooms at 15 "store-front" locations throughout the city. Because of its charter status, the program is able to house students in buildings that meet the requirements of the Uniform Building Code versus the costly and

strict standards of the California Field Act which apply to traditional school facilities. Three of our most recent approved charters were initiated by community groups: The Museum School in conjunction with the San Diego Children's Museum, the Johnson/Urban League Charter School, a part of the San Diego Urban League, Inc., and the Harriet Tubman Village School, modeled after Waldorf schools.

Our district supports the charter school concept because charters require schools to look at why students are not achieving. Freeing schools from burdensome state laws and district regulations begins to take away perceived barriers to improving student achievement. A key component in any reform is assessment. The district is developing an evaluation component in order to measure student achievement. The San Diego Unified School District believes all students can learn. We support different approaches to evaluate the most effective education innovations.

Charter schools are, by their very nature, an example of local control and community participation in public education at the local level. The State Department and the State Board of Education retain minimal oversight. Federal support for charter set up, staff development and facilities would be helpful. The new flexibility written in the Improving America's Schools Act and Goals 2000 dovetail the reform efforts being made by individual school districts like ours. The San Diego Unified School District strongly supports education reform and strives to provide an environment that creates a climate of change. In that light, we advocate the establishment of charter schools within the public school district to create a contract between boards and schools for improved student achievement and accountability.

SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES
HEARING ON EDUCATION REFORM
JUNE 21, 1995

TESTIMONY

Ron Ottinger, President
Board of Education, San Diego Unified School District

Mr. Chairman and Members of the Subcommittee

As President of the Board of Education on behalf of the San Diego Unified School District, I express my appreciation to Congressman Cunningham and the Subcommittee for inviting me to be a participant in today's discussion of education reform, particularly relating to Charter Schools. First, I want to acknowledge Congressman Cunningham for his sincere commitment to public education and the children of San Diego. His ongoing support is much appreciated by our district.

San Diego City Schools, as our district is informally called, with an enrollment of over 126,000 students is the eighth largest urban school district in the country and the second largest urban school district in the State of California. We have more than 32,000 students who are limited English proficient; 14,190 special education students and 16,200 students eligible for gifted programs. The district is ethnically diverse: 17% African American, 19% Asian, 31% Hispanic, 32% White and 1% Native American.

Our district strongly supports public school choice to demonstrate that the public school system in America can bring about educational reform with results focused on achievement and accountability. Many choice opportunities now abound in public schools. With more than 90 percent of school age children in California attending public schools the need for reform is critical. Resources such as those provided by the Improving America's Schools Act and Goals 2000 are vital to bring about necessary restructuring. We must continue our national commitment to public education. To consider other options, such as vouchers, diverts essential resources for educating the vast majority of our children and youth.

The single most important imperative of our schools is to raise the performance of all students. We set high expectations for all students and schools. What students should know and be able to do

has been defined. The achievement of high performance standards for student learning must be the goal in all classrooms and all schools. On June 22, 1993, our Board of Education approved *A Plan to Improve Student Achievement and Organizational Effectiveness*, presented by Dr. Bertha Pendleton, Superintendent. The plan included 16 expectations for which all schools will be held accountable. The expectations include a focus on student achievement, school safety and cleanliness, attendance and school discipline, preparation for college and the world of work, parent and community outreach, and respect for diversity. The first three of the 16 expectations ask that all students master reading skills and comprehension by grade three, or by their third year in a district school, if a primary language student, and that all students achieve appropriate performance standards in mathematics, writing and speaking skills at established grade levels.

Because we have learned that standards are necessary for true reform, the San Diego Unified School District is working to be a standards driven district. We support district-wide, state and national established education standards, and are participants in the New Standards Project. We support the new accountability model written into Title I that demands student progress and establishes a reward-intervention process. Additionally, we support and have been involved in the process to set education goals both at the state and national level.

Through the successful enactment of state public school choice legislation in 1993, California provided additional inter and intra district attendance alternatives for students. Public school choice is recognized by this district as a viable reform option. In San Diego City Schools all children have a variety of choices as to which school they attend. Presently, over 30,000 students attend a school outside of their residential boundary. Students living within the district have first option for space at their residential school, determined by their address. If space is available, other students may apply for enrollment at any other school in the district except total school magnets.

According to former State Senator Gary Hart, *"charter schools provide a license to dream for teachers, parents and all members of the school community and an opportunity to see those dreams become a reality. Year after year members of the education community implore me and other members of the Legislature to get rid of the*

mandates under which public schools must operate. That's exactly what charter school legislation does. It allows petitioners to create educational programs from scratch, unfettered by bureaucratic constraints."

State legislation authorizing boards of education to operate charter schools became effective in 1993, making California the second state in the nation to create this alternative in public schools. By law, district granted charters are capped at 10, with a 100 charter school cap statewide. The San Diego Unified School District has approved six charter school petitions. Five schools are currently in operation and one is scheduled to open in Fall 1995. It is our intention to approve all eligible charter school petitions presented to our board up to the state imposed limit of ten. We actively advocate for the lifting of the statewide and district cap. We see charter schools as a contract between the board of education and the school, providing flexibility in return for greater accountability. The specific goals and operating procedures for the school are called out in a five year contract that can be renewed, between the board and the school's organizers. In exchange for the commitment to demonstrate significant progress in student achievement on a state assessment, the school is free from nearly all state and district regulations including collective bargaining agreements.

The six approved charters of San Diego City Schools are as diverse as the needs of our student population. Several were existing district schools that chose to take an alternative approach. Charter schools receive the same general funds and categorical funding on a per average-daily attendance (ADA) basis that all schools in the district receive. At this time, the district retains financial oversight of the charter schools accounting procedures, however sites have the flexibility to direct resources according to their own priorities. As state law is currently written, it is a difficult process to charter a school. According to the law, a charter school petition must be signed by not less than 10 percent of the credential teachers employed by the school district or 50 percent of the teachers employed in one school. Some local groups desiring to establish a charter have been unable to collect the signatures necessary for consideration. Identifying school sites for groups wishing to charter a school who do not have access to property and/or facilities is a major problem. The San Diego City Schools is currently negatively impacted by a lack of school facilities. With a student population that is only expected to

increase, we are having difficulty accommodating, with reasonable class size, our existing student population.

Following are some of the ways the charter schools in our district take advantage of the increased flexibility to benefit students.

O'Farrell Community School is a newly structured middle level magnet school with more than 1,400 students in grades 6-8. The parents and staff chose to become a charter school in January 1994. Leadership and administrative duties traditionally taken on by vice principals and counselors, are now shared by the teaching staff allowing the school the flexibility to hire more teachers to significantly reduce class size. The position that normally would be described as the principal is now held by the chief educational officer (CEO) who is the leader for all the educational units and the advocate for the student. O'Farrell has also chosen to redirect some of its resources by contracting out for some custodial and gardening services. This school is a good example of the flexibility charters have in staffing clerical and other classified positions. When the district faced a significant number of classified position layoffs last year, because of its charter status the school was not impacted by the routine bumping that takes place among represented groups.

The principal and staff of the Darnall E Campus charter began working on the concept of flexibility prior to the enactment of state charter legislation. In 1991 the district board granted "experimental" status to Darnall as way for the school to expedite the granting of waivers for certain regulations. When the state charter law was enacted, 100 percent of the Darnall teachers agreed to seek a charter and Darnall was the first site to open as such in the district. Darnall has used its charter status for increased flexibility in staffing by negotiating salaries and conducting staff approved yearly teacher evaluations. Prior to opening as a charter the school facility was vacant. It is now at enrollment capacity as a result of both resident attendance and choice students.

The Charter School of San Diego, developed in part by the San Diego Business Roundtable for Education, combines a number of alternative education programs including drop-out recovery, for grades 6 - 12. The Charter School of San Diego operates 19 classrooms at 15 "store-front" locations throughout the city. Because of its charter status, the program is able to house students in buildings that meet the requirements of the Uniform Building Code versus the costly and

strict standards of the California Field Act which apply to traditional school facilities. Three of our most recent approved charters were initiated by community groups: The Museum School in conjunction with the San Diego Children's Museum and the Johnson/Urban League Charter School, a part of the San Diego Urban League, Inc., and the Harriet Tubman Village School, modeled after Waldorf schools.

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Author: Cynthia Sprunger at WDCE03
Date: 6/12/95 1:46 PM
Priority: Normal
TO: Thomas Fagan at WDCJ01
TO: Jennifer Davis at WDCB02
Subject: Upcoming Hearings & Legislative Action on Ed. Reform

----- Message Contents -----

The Subcommittee on Early Childhood, Youth, and Families is planning a hearing on June 20 or 21 on educational reform legislation. This is a follow-up on Goodling's promise to the conservatives during consideration of the NESIC bill. Witnesses will include:

Panel One - School Choice (Pro)

Congressman Weldon and Congressman Riggs
Witness from the Institute of Justice (perhaps)
Black minister from Congressman Cunningham's district

Panel Two - School Choice (Con)

Minority Choice

Panel Three - State Experiences with Ed. Reform

Michelle Easton - Va. School Board, Reasons Va. is not participating in GOALS 2000

Oregon Witness

Charter School Operator - perhaps Chan from L.A.

Minority would choose witness who supports standards and goals.

Goodling is working on an educational reform bill to place programs such as Eisenhower, GOALS 2000, and Technology into a single block grant along the lines of Title VI (the old Chapter 2). There is a big division on the committee about the approach, however. Some people, particularly Riggs, want to do vouchers. Some want to repeal everything. Mr. Goodling wants to maintain the standards effort in some form. He will probably propose a block grant where the states will continue to have to "use funds for state standards but everything else would be an option." Sally Lovejoy said she isn't certain that there is consensus on the committee for this approach.

Right now they are tentatively planning on another hearing in July on the bill (which still hasn't been drafted). Goodling would like to try to move the bill before the recess, probably attached to reconciliation or IDEA.

June 14- 95

To: Mike Cohen
Jewelry for Dais

From: Joyce Benjamin

Phone- 624- 5494

Fax 624- 5495

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**COMMITTEE ON ECONOMIC
AND EDUCATIONAL OPPORTUNITIES**

U.S. HOUSE OF REPRESENTATIVES

2101 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-8100

June 12, 1995

Mrs. Norma Paulus
State Superintendent of Public Instruction
State of Oregon
255 Capitol Street, NE
Salem, Oregon 97310-0203

Dear Superintendent Paulus:

On June 21, 1995, the Subcommittee on Early Childhood, Youth and Families will hold a hearing on the topic of education reform.

I would like to invite you to testify at that hearing in 2175 of the Rayburn House Office Building at 9:30 a.m.

You will be participating on a panel focusing on several types of education reform currently taking place in States across the country. Michelle Easton, Member of the Virginia State Board of Education, has been invited to participate on this panel to discuss why Virginia has decided not to participate in the Goals 2000 program and a representative from a charter school as well as a proponent of the Goals 2000: Educate America Act have also been invited. Other witnesses will include Congressman Dave Weldon (R- FL) and Congressman Frank Riggs (R-CA) who will discuss their school choice bill, H.R. 1640, as well as a panel of proponents and opponents of public and private school choice.

The purpose of this hearing is to begin a careful and thoughtful examination of education reforms both at the State and local level and to determine what type of role the Federal government should play, if any, in education reform. I would particularly ask you to address the reforms the State of Oregon has implemented and in what ways the Federal government has helped or hindered your efforts to implement such reforms.

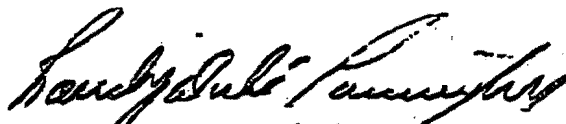
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Mrs. Norma Paulus
June 12, 1995
Page Two

I thank you for agreeing to testify before my Subcommittee on this very important issue and look forward to your testimony.

If you have any questions prior to the hearing, please feel free to contact Sally Lovejoy at 202-225-4527. I look forward to meeting you.

Sincerely,



Randy "Duke" Cunningham

Chairman

Subcommittee on Early Childhood,
Youth and Families

RDC:sgl
Attachment

Oregon Department of Education
255 Capitol Street, N.E.
Salem, Oregon 97310-0203
(503) 378-8004

June 12, 1995

OREGON SCHOOL IMPROVEMENT EFFORTS ON TRACK

The Oregon legislature, by an overwhelming majority vote of 49 to 11 in the House and 22 to 8 in the Senate, revised Oregon's Educational Act for the 21st Century. These revisions to the 1991 law strengthen and clarify Oregon's efforts to build a more academically rigorous system of public education. Part 1 below details new key provisions. Part 2 compares the 1991 and 1995 laws. Part 3 lists the new timelines.

1. KEY PROVISIONS OF 1995 LAW

CERTIFICATE OF INITIAL MASTERY

To receive a Certificate of Initial Mastery, students must achieve a high degree of mastery in mathematics, science, history, geography, economics, civics, English, a second language and the arts.

A student's ability to meet these requirements will be based on a series of criterion-referenced assessments at grades 3, 5, 8 and 10. Criterion-referenced assessments test student knowledge and skills in relation to certain standards. These assessments will be content based and performance based. They will test student ability to apply knowledge and skills in mathematics, science, history, geography, economics, civics, English, second languages, the arts, reading, writing, problem solving, reasoning and communicating.

Student evidence of achievement of the Certificate of Initial Mastery will include samples of scored work and tests. Schools may use portfolios or some other method for gathering and maintaining student work samples.

Students who are not meeting or who are exceeding all of the certificate standards at grades 3, 5, 8 or 10 are eligible for additional services or public school options. The State Board of Education will establish another type of certificate for students who, with additional services, do not meet all of the Certificate of Initial Mastery standards.

CERTIFICATE OF ADVANCED MASTERY

To receive a Certificate of Advanced Mastery, students will pursue rigorous academic studies and must meet high academic standards. In addition, students will participate in a structured series of work-related activities, leading to one or more endorsement in at least six areas. As part of these work-related activities, students may visit, intern or apprentice at a relevant place of business, talk with career mentors, and/or develop business enterprises at school. Programs must allow students to move easily among endorsements and encourage student choice and options.

Students may work toward the Certificate of Advanced Mastery in a public secondary school and/or a community college, four-year college or trade school.

DIPLOMAS

In addition to diplomas for students who complete grade 12 and meet state and local requirements, districts will issue Certificates of Initial and Advanced Mastery to students who meet state and local requirements for those certificates. Districts will also issue another type of certificate to students who, with additional services, do not meet the requirements for the Certificate of Initial Mastery.

GRADES

Districts will adopt grading systems based on course requirements, clearly showing students and parents how well students are achieving course requirements.

SITE COUNCILS

Site councils are required in all schools. They do not interfere with the duties, responsibilities or rights of locally elected school boards. Councils must include parents, teachers, at least one classified employee and the building principal. Not more than half the council may be composed of teachers and not more than half may be parents of students attending that school. If the local school board determines the school site requires a different composition or if the district is unable to form the required composition, the board may establish a new composition, provided it includes parents, teachers, a classified employee and the building principal.

Teacher representatives are elected by teachers at the school. Classified representatives are elected by classified staff at the school. Parent representatives are elected by parents of students attending the school. Other members, as the district designates, are elected by the council.

CURRICULUM

The State Board of Education, with ample public comment, will regularly review and revise the Common Curriculum Goals, including goals in health and physical education, and Essential Learning Skills. The state board will also review and revise rigorous academic content standards in mathematics, science, history, geography, economics, civics and English, reflecting knowledge and skills necessary for the CIM, CAM and diploma. Academic standards will be raised regularly to the highest levels possible.

Local school districts control course content, format, materials and teaching methods. Local districts ensure that students receive instruction in academic subjects, including mathematics, science, history, geography, economics, civics, English, arts, foreign languages, health and physical education.

EXTENDED SCHOOL YEAR

All earlier timelines for extending the current school year from an equivalent of 175 days are repealed. Before implementing an extended school year, the Department of Education must study the potential impact and report to the legislature.