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Union chief fights for school changes

But some say Shanker resists reform

By Carol Innerst
THE WASHINGTON TIMES

No one has pushed harder for rigorous academic standards than Albert Shanker, president of the American Federation of Teachers (AFT).

In his view, internationally competitive standards are the key to the education reform that has eluded the country since a 1983 panel assessed the quality of America's schools and declared the United States "A Nation at Risk."

The 11-term union leader isn't just talking about higher standards for pupils.

"I'd give a bonus to teachers who pass a subject-matter test at a pretty high level," Mr. Shanker says. "And I'd provide extra money for people who have more than one area of expertise."

Mr. Shanker, who has led the AFT for 22 years and is expected to be elected to another two-year term Monday, will lay out his reform ideas today when he delivers his State of the Union message to 3,000 delegates gathered in Cincinnati for the 80th birthday and 74th convention of the 900,000-member union.

Mr. Shanker will remind members that unions, accused of being stumbling blocks to reform, must change and become more flexible because the survival of public education is at stake.

What won't help education reform, he will tell delegates, are vouchers and privatization, which he calls "highly politicized ideas which are so far unproven."

Union critics say his standards message is a "diversion" and point to the gap between Mr. Shanker's rhetoric and the actions of AFT locals that thwart school reform.

"The AFT is no less an obstacle to reforming our nation's failing schools than the National Education Association," warns the Coalition to Educate America, a group representing the Education Policy Institute, the Claremont Institute, the Alexis de Tocqueville Institution and the National Right to Work Legal Defense Foundation.

"AFT locals continue to poison reforms that would facilitate or make teacher performance a real determinant of hiring, evaluation, transfer and firing decisions," says Charlene Haar, a former NEA affiliate officer who is president of the nonprofit Education Policy Institute.

"I've been in an ongoing struggle with the Hartford Federation of Teachers for 12 years," says Thelma Dickerson, a member of the Board of Education of Hartford, Conn., who is scheduled to address a news conference on the AFT today at the National Press Club.

Mrs. Dickerson supported Education Alternatives Inc., the private firm hired to manage some of the city's failing public schools. But the partnership was opposed by the union and finally dissolved.

"Inviting the teachers unions to the policy-making table is like inviting a burglar into your home," says Charles Heatherly, senior vice president of the Claremont Institute who was deputy undersecretary for management at the U.S. Department of Education in the Reagan administration.

Union leaders have tried for 10 years to convince locals that "rigidity" in their contracts may stand in the way of schools doing things differently, Mr. Shanker says.

"I can't think of a local of any size in the country that's in the AFT that has not basically modified its contract to allow for a tremendous amount of deviation," he says.

"I would say, if anything, teachers and unions have been too flexible," he says.

Unions have long opposed merit pay for teachers, preferring the negotiated single-salary schedules that reward them on the basis of seniority and the number of college courses completed.

But Mr. Shanker says he is receptive to merit pay that would pay people more "because they're better teachers, as determined by the National Board for Professional Teaching Standards or a state board or some process that's not labor vs. manager, or because they teach in an area of shortage."

The AFT isn't thrilled with charter schools, which are somewhat autonomous public schools started by teachers, parents, a university, a business or a community agency. They are freed of many of the regulations that thwart innovation. Unions see them as a step toward privatization.

The AFT, like the 2.2-million-member NEA, is experimenting with a few of its own charter schools. Tomorrow the AFT will release its analysis of state charter schools.

Continuing to prod the states to work on setting strong academic standards as discussed at the National Education Summit in March, the union Monday will release a report assessing each state's progress.

As with the first report a year ago, this one is expected to show that good intentions have not resulted in "world-class" standards.

Ohio court upholds constitutionality of vouchers

By Carol Innerst
THE WASHINGTON TIMES

Voucher proponents celebrated Wednesday when an Ohio judge upheld the constitutionality of a contested school-choice law that allows tax-funded "scholarships" at private and religious schools.

The case has pitted the state affiliates of the 2.2-million-member National Education Association, the 900,000-member American Federation of Teachers and the American Civil Liberties Union against the state of Ohio and the Washington-based Institute for Justice, which is representing low-income families who would benefit from the voucher program.

"The odds are overwhelming that this program will start when schools open in late August and early September," said Clint Bolick, vice president and litigation director for the Institute for Justice.

The program was attacked on federal and state constitutional grounds, including the First Amendment, Mr. Bolick said. "The judge ruled against the plaintiffs on all grounds. It's a precedent that can be cited in other cases, including Milwaukee."

"We're clearly disappointed, but this is the first round in a fight that will go several rounds," said AFT spokesman Jamie Horowitz.

The ACLU and the unions see the program as an establishment of religion, and, as such, a violation of federal and state constitutions' freedom-of-religion clauses.

"No other court of which we are aware has upheld the use of public funds for religious education at the elementary-school level," said Donald Mooney, lead attorney for the plaintiffs. "In this case, $5 million will be taken from Cleveland public schools to benefit a relatively small number of students and religious schools."

Judge Lisa Sadler of the Franklin County Court of Common Pleas noted that the legislature intended the scholarships to be available to students attending both public and nonpublic schools.

Citing legal precedents, she wrote: "This court is persuaded that the nonpublic sectarian schools participating in the scholarship program are benefitted only indirectly, and purely as the result of the 'genuinely independent and private choices of aid recipients.'"

The Franklin County Circuit Court is the next likely stop for the plaintiffs to file an appeal for an emergency injunction to prevent the program from starting, the AFT said.

The voucher program, which applies only to Cleveland, was signed into law last summer by Gov. George V. Voinovich, a Republican. It is scheduled to begin this fall.

Scholarships were awarded in a lottery last summer after the state received 6,200 applications for 1,500 vouchers worth $2,250 each. Not all of the money earmarked for the program was used, so the state issued additional scholarships this summer.

"There could be as many as 2,000 scholarships, most intended to be used at religious schools," Mr. Bolick said.

Last summer, Ohio became the second state to enact voucher legislation enabling poor, primarily minority children to attend the public or private — including religious — schools their families chose.

Mr. Bolick's organization also is involved in defending school vouchers in Wisconsin, where Milwaukee's 5-year-old voucher program is the only plan in the country that permits public funds to go to private, non-secular schools.

FCC sets rules for new local phone players

By Doug Abrahms
THE WASHINGTON TIMES

Wall Street raised the stocks of communications companies yesterday after the Federal Communications Commission laid out its ground rules for breaking up the Baby Bells' monopoly control of local phone service.

The FCC established basic guidelines to allow new companies, or such established giants as AT&T and MCI Communications Corp., to sell local residential phone service for the first time.

To relieve new local players of the time and expense of building their own networks, the FCC's rules make it easier for them to get started by leasing lines from the established companies at a discount.

"This is the first step in ending 60 years of monopoly-style regulation," said Commissioner Rachelle Chong.

Communications companies have been lobbying the FCC aggressively since February, when President Clinton signed into law a telecommunications reform bill that aimed to break down the regulatory barriers among local, long-distance and wireless phone companies. Among its 600 pages are policy decisions that could result in shifting billions of dollars in revenues among various sectors of the industry.

Both sides seemed to get what they wanted, at least partially, industry watchers said.

Wall Street responded by bidding Bell Atlantic's stock up $1.63 a share to close at $60.75, and edging MCI up 75 cents to close at $25.38 a share. AT&T rose 38 cents a share to $52.63. BellSouth Corp. rose 75 cents to $41.75.

"There's no immediate chaos, and nobody gets blown up," said Michael Elling, an analyst at Prudential Securities. "Prior to this, there was total uncertainty" on how the regulations would affect the industry.

The FCC rules lay out procedures requiring local phone companies such as Bell Atlantic to lease their lines in large volume to companies that would compete in selling local business and residential phone service.

But the FCC left alone the hefty access charges that long-distance companies now pay for the local phone companies to route those calls from and into homes and offices. The access fees, estimated at more than $20 billion a year, get passed along to customers in rates for long-distance bills.

"I think the reason Wall Street responded like that was [the FCC decision] doesn't seem to have done any great damage to any of the parties," said Henry Geller, a former general counsel to the FCC.

Consumers will not benefit immediately from yesterday's ruling because state commissions still need to make decisions on phone rates in the new era of competition and companies must construct new communications networks.

"For the average consumer, the world will not look different tomorrow," said Regina Keeney, the head of the FCC's telephone division.

In fact, phone rates probably will rise over the next few months to help fund building new networks, said Kim Wallace, an analyst at Lehman Broth-

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ers. The cable companies already have raised their rates this year but are using the money to expand their channel capacity and to build systems that can offer phone service, he said.

"This expense is actually going to help bring down rates later," he said. "Consumers win big time" once many companies start offering various packages of phone, cable and other communications services.

That money will be poured back into the economy and could lead to adding up to 1 million new jobs by 2000, Mr. Wallace said.

Prudential's Mr. Elling said yesterday's decision will lead to restructuring of the Baby Bells, as AT&T has done by spinning off its equipment-making divisions this year. The Bells might spin off their cellular companies or international holdings, he said.

"This ruling gives incentive to the Bells to upgrade their networks" to be able to handle high-speed data transmission for telecommuting, home shopping or cable services, he said.

Most phone companies applauded the FCC's ruling, though they had various small objections. But some of the FCC decisions are bound to be challenged in court, analysts say.

"I think it is full employment for the lawyers," Mr. Geller said.

Careerist at FCC is nominated

By Doug Abrahms
THE WASHINGTON TIMES

President Clinton yesterday nominated Regina Keeney, a career official at the Federal Communications Commission, to fill a vacant Republican seat on the commission.

Mrs. Keeney, who has headed the agency's telephone division for the past two years, will serve out the term of Andrew Barrett, who stepped down from the five-member commission in May.

"To my knowledge, Gina is the first career employee at the FCC to be nominated as commissioner," said FCC Chairman Reed Hundt. "This history-making nomination could not better timed."

Mrs. Keeney spearheaded work on the commission's ruling yesterday that laid out guidelines for breaking up the Baby Bells' monopolies on local phone service, ordered in this year's sweeping reform of telecommunications law. The agency worked for the past six months to put out the 600-page order, and beat a deadline set by Congress by one week, Mr. Hundt said.

The nomination must be confirmed by the Senate, which leaves this weekend for its August recess.

Mrs. Keeney, who will be 41 on Aug. 20, holds a bachelor's degree from Georgetown University and a law degree from Harvard.

She first worked in the FCC's tariff division from 1933 to 1985 and moved to Capitol Hill, where she was communications counsel to Republican members of the Senate Commerce Committee for nine years. She returned to the FCC in 1994 as chief of its wireless bureau and was named chief of the common-carrier bureau in November 1995.

She is married to Terence Keeney, and they have two daughters.

"I'm delighted that Regina Keeney has been nominated for an FCC commission seat. It's a pleasure to see a graduate of the FCC staff achieve such recognition for her work at the FCC and as a senior Senate staffer," said Commissioner James Quello.

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